

By Senator Brandes

24-00347-21

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1                   A bill to be entitled  
2       An act relating to the Energy 2040 Task Force;  
3       creating the Energy 2040 Task Force within the Public  
4       Service Commission; specifying the purpose of the task  
5       force; requiring the task force to make  
6       recommendations, giving consideration to certain  
7       topics; requiring the commission to provide  
8       administrative and support services; specifying the  
9       task force membership; authorizing the task force to  
10      establish advisory committees; specifying that the  
11      task force and any advisory committee members will  
12      serve without compensation, but are entitled to per  
13      diem and travel expenses; requiring that state  
14      agencies assist and cooperate with the task force and  
15      any advisory committees; specifying that appointments  
16      to the task force be made by a certain date;  
17      specifying the first meeting of the task force;  
18      specifying the process for filling vacancies;  
19      specifying quorum and voting procedures; requiring the  
20      task force to submit recommendations to the Governor  
21      and the Legislature by a specified date; providing an  
22      expiration date; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

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26       Section 1. (1) The Energy 2040 Task Force, a task force as  
27 defined in s. 20.03(8), Florida Statutes, is created within the  
28 Public Service Commission to project this state's electric  
29 energy needs over the next 19 years and determine how best to

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30 meet those needs in an efficient, affordable, and reliable  
31 manner while increasing competition and consumer choice and  
32 ensuring adequate electric reserves.

33 (2) Based on these projections and determinations, the task  
34 force shall recommend appropriate electric policies for the  
35 state, including any necessary statutory changes. In making its  
36 projections and determinations, the task force shall consider  
37 all relevant topics, including, but not limited to:

38 (a) Forecasts through the year 2040 of this state's  
39 population growth, electricity needs, and electric supply and  
40 the expected diversity of fuels and their sources for use in  
41 this state.

42 (b) Projections of the effects of allowing nonutility  
43 retail sales of renewable energy, including determinations and  
44 recommendations on what types of fuels and technologies should  
45 be included in the definition of the term "renewable energy" and  
46 what criteria, including restrictions, should be required of  
47 entities considered nonutility retail renewable energy  
48 producers. For purposes of this section, solar technologies are  
49 considered renewable energy.

50 (c) The rights of and obligations between a nonutility  
51 direct retail renewable energy producer and its customers,  
52 including whether such rights and obligations should be a matter  
53 of contract or subject to oversight or regulation by the Public  
54 Service Commission and whether the courts or the commission  
55 should resolve any disputes.

56 (d) The effects of nonutility direct retail renewable  
57 energy sales on regulated public utilities' recovery of  
58 previously incurred or sunken costs, including what mechanisms

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59 should be used to recover these costs.

60 (e) The effects of nonutility direct retail renewable  
61 energy sales on a regulated public utility's obligation to serve  
62 all users of electricity within its service territory and these  
63 customers' continued purchase of any services from the regulated  
64 public utility.

65 (f) Projections of the effects of allowing the use of micro  
66 grids, including services provided by nonutility entities, on  
67 energy grid reliability and what economic, safety, or  
68 reliability regulations should apply to nonutility operators of  
69 micro grids.

70 (g) Emerging and projected electric technologies and  
71 concepts, including, but not limited to:

- 72 1. Solar and other renewable energy;  
73 2. Sustainable energy;  
74 3. Smart grid technology;  
75 4. Energy storage;  
76 5. Electric vehicles, including their potential impact on  
77 power supply needs and overall emissions;  
78 6. Distributed generation technologies, including their  
79 potential contribution to reliable electric supplies and their  
80 impact on this state, its environment, and its electric  
81 policies; and

82 7. Storm hardening of this state's electric power  
83 transmission and distribution systems.

84 (h) Analysis of the impacts of state and local taxes on  
85 government revenues and the electric supply.

86 (i) The environmental impact of electricity production,  
87 generation, and transmission in this state.

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88           (3) The Public Service Commission shall provide  
89 administrative and support services related to the functions of  
90 the task force and any of its advisory committees.

91           (4) The task force consists of the following members:

92           (a) The Public Counsel, or his or her designee, who shall  
93 serve as the chair of the task force;

94           (b) The executive director of the Public Service  
95 Commission, or his or her designee;

96           (c) The chair of the Florida Energy Systems Consortium, or  
97 his or her designee;

98           (d) The chief executive officer of the Florida Reliability  
99 Coordinating Council, or his or her designee; and

100           (e) Two members of the Senate and two members of the House  
101 of Representatives, appointed by the President of the Senate and  
102 the Speaker of the House of Representatives, respectively.

103           (5) The task force may establish any necessary technical  
104 advisory committees and appoint task force members to those  
105 committees.

106           (6) The task force members and any advisory committee  
107 members shall serve without compensation, but are entitled to  
108 per diem and travel expenses pursuant to s. 112.061, Florida  
109 Statutes.

110           (7) All state agencies shall assist and cooperate with the  
111 task force as requested by the task force or any of its advisory  
112 committees.

113           (8) Appointments to the task force pursuant to subsection  
114 (4) must be made by July 1, 2021, and the first meeting of the  
115 task force must be held by August 1, 2021. Any vacancy occurring  
116 in the membership of the task force is to be filled in the same

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117 manner as the original appointment. The task force may not meet  
118 or take any action without a quorum present, which is a minimum  
119 of five members. Each member of the task force is entitled to  
120 one vote, and any recommendation or other action of the task  
121 force must be upon a majority vote of the entire membership of  
122 the task force.

123 (9) The task force shall submit its recommendations to the  
124 Governor, the President of the Senate, and the Speaker of the  
125 House of Representatives by January 1, 2023.

126 (10) This section expires on June 30, 2023.

127 Section 2. This act shall take effect upon becoming a law.