



384970

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Rules (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 44 - 126

and insert:

Section 2. Subsections (1) and (5) of section 366.91,
Florida Statutes, are amended to read:

366.91 Renewable energy.—

(1) The Legislature finds that:

(a) It is in the public interest to continue ~~promote~~ the
development of renewable energy resources in this state in a
manner that is fair and equitable to all public utility



12 customers. Renewable energy resources have the potential to help
13 diversify fuel types to meet Florida's growing dependency on
14 natural gas for electric production, minimize the volatility of
15 fuel costs, encourage investment within the state, improve
16 environmental conditions, and make Florida a leader in new and
17 innovative technologies. The development and maturation of the
18 solar energy industry, the substantial decline in the cost of
19 solar panels, and the increase in customer-owned or leased
20 renewable generation support the redesign of net metering by the
21 commission.

22 (b) Customer-owned or leased renewable generation is not
23 available to many public utility customers who lack the
24 financial resources to purchase or lease rooftop solar panels or
25 who reside in multitenant buildings. The substantial growth of
26 customer-owned or leased renewable generation has resulted in
27 increased cross-subsidization of the full cost of electric
28 service onto the public utility's general body of ratepayers.
29 Therefore, the redesigned net metering rate structures required
30 in subsection (5) (d) must ensure that public utility customers
31 who own or lease renewable generation pay the full cost of
32 electric service and are not cross-subsidized by the public
33 utility's general body of ratepayers.

34 (5) (a) ~~On or before January 1, 2009,~~ Each public utility
35 shall develop a standardized interconnection agreement and net
36 metering program for customer-owned or leased renewable
37 generation. The commission shall establish requirements relating
38 to the expedited interconnection and net metering of customer-
39 owned or leased renewable generation by public utilities and
40 shall ~~may~~ adopt new rules to administer this section.



384970

41 (b) Effective January 1, 2024, public utility net metering
42 programs for customer-owned or leased renewable generation must
43 provide that:

44 1. Electricity used by the customer in excess of the
45 generation supplied by customer-owned or leased renewable
46 generation is billed by the public utility in accordance with
47 normal billing practices; and

48 2. Excess customer-owned or leased renewable generation
49 delivered to the public utility's electric grid during the
50 customer's regular billing cycle is credited to the customer's
51 energy consumption for the next month's billing cycle as
52 follows:

53 a. For energy credits produced from customer-owned or
54 leased renewable generation for which a net metering application
55 is approved during calendar years 2024 and 2025, an amount equal
56 to 75 percent of the public utility's retail rate.

57 b. For energy credits produced from customer-owned or
58 leased renewable generation for which a net metering application
59 is approved during calendar years 2026 and 2027, an amount equal
60 to 50 percent of the public utility's retail rate.

61 (c) A public utility customer who owns or leases renewable
62 generation for which a net metering application is approved
63 before December 31, 2023, pursuant to a standard interconnection
64 agreement offered by a public utility, is granted 20 years to
65 continue to use the net metering rate design and rates that
66 applied at the time the net metering application was approved.
67 This paragraph applies to customers who purchase or lease real
68 property upon which customer-owned or leased renewable
69 generation is installed for all or part of that 20-year period.



70 (d) The commission shall adopt subsequent rules to become
71 effective January 1, 2028, which establish a new program design
72 for customer-owned or leased renewable generation for which a
73 net metering application is approved on or after January 1,
74 2028. The new program design must comply with the following
75 criteria:

76 1. Each public utility customer who owns or leases
77 renewable generation must pay the full cost of electric service
78 and may not be subsidized by the public utility's general body
79 of ratepayers after December 31, 2027.

80 2. All energy delivered by the public utility must be
81 purchased at the public utility's applicable retail rate, and
82 all energy delivered by the customer-owned or leased renewable
83 generation to the public utility must be credited to the
84 customer at the public utility's full avoided costs.

85 3. The commission shall establish revised guidelines for
86 net metering credits, netting intervals, fees, and charges as
87 described herein, so as to ensure that the renewable generation
88 subsidy is zero by January 1, 2028.

89 4. The net metering guidelines may include fixed charges,
90 including base facilities charges, electric grid access fees, or
91 monthly minimum bills, to help ensure that the public utility
92 recovers the fixed costs of serving customers who engage in net
93 metering and that the general body of public utility ratepayers
94 does not subsidize customer-owned or leased renewable
95 generation.

96 (e)1. If at any time the statewide penetration rate of
97 customer-owned or leased renewable generation exceeds 6.5
98 percent, the commission, upon petition or on its own motion,



384970

99 must initiate rulemaking to adopt a new program design that
100 complies with subparagraphs (d)1. and 2. A new program design
101 adopted pursuant to this subparagraph becomes effective 60 days
102 after rule adoption or 60 days after the date the commission
103 determines that the actual penetration rate has reached 6.5
104 percent, whichever is later, and shall apply to customer-owned
105 or leased renewable generation for which a net metering
106 application is approved after that effective date.

107 2. For purposes of this paragraph, the penetration rate
108 must be calculated by dividing the aggregate total summer peak
109 demand of the public utility by the gross power rating
110 (alternating current) of all in-service customer-owned or leased
111 renewable generation in the public utility's service territory.

112 (f) This subsection establishes the minimum requirements
113 for each public utility net metering program. A public utility
114 may petition the commission at any time for approval to offer a
115 net metering program on terms that are more favorable to
116 customers who own or lease renewable generation than the terms
117 specified in this subsection or in commission rules adopted
118 pursuant to this subsection.

119
120 ===== T I T L E A M E N D M E N T =====

121 And the title is amended as follows:

122 Delete lines 9 - 17

123 and insert:

124 classes of ratepayers; providing the terms for public
125 utility net metering programs after a specified date;
126 authorizing certain customers who own or lease
127 renewable generation to remain under the net metering



384970

128 rules that initially applied to those customers for a
129 specified time; requiring the Public Service
130 Commission to adopt rules that meet certain
131 requirements by a specified date; providing conditions
132 under which rulemaking must be initiated if the
133 penetration rate of customer-owned or leased renewable
134 generation meets a specified threshold; authorizing
135 public utilities to petition the commission to offer
136 certain alternative net metering programs; providing
137 an effective date.