

By Senator Bradley

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1                   A bill to be entitled  
2           An act relating to net metering; amending s. 366.91,  
3           F.S.; revising and providing legislative findings  
4           relating to the redesign of net metering to avoid  
5           cross-subsidization of electric service costs between  
6           classes of ratepayers; requiring the Public Service  
7           Commission to propose new net metering rules that  
8           comply with specified criteria by a certain date;  
9           authorizing certain customers who own or lease  
10          renewable generation before a specified date to remain  
11          under the existing net metering rules for a specified  
12          time; providing applicability; requiring certain  
13          public utilities to provide a specified report to the  
14          commission; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

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18           Section 1. Present subsections (6) through (9) of section  
19           366.91, Florida Statutes, are redesignated as subsections (7)  
20           through (10), respectively, a new subsection (6) is added to  
21           that section, and subsection (1) and present subsection (7) of  
22           that section are amended, to read:

23           366.91 Renewable energy.—

24           (1) The Legislature finds that:

25           (a) It is in the public interest to continue promote the  
26           development of renewable energy resources in this state in a  
27           manner that is fair and equitable to all public utility  
28           customers. Renewable energy resources have the potential to help  
29           diversify fuel types to meet Florida's growing dependency on

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30 natural gas for electric production, minimize the volatility of  
31 fuel costs, encourage investment within the state, improve  
32 environmental conditions, and make Florida a leader in new and  
33 innovative technologies. The development and maturation of the  
34 solar energy industry, the substantial decline in the cost of  
35 solar panels, and the increase in customer-owned and -leased  
36 renewable generation support the redesign of net metering by the  
37 commission.

38 (b) Customer-owned and -leased renewable generation are not  
39 available to many public utility customers who lack the  
40 financial resources to purchase or lease rooftop solar panels or  
41 who reside in multitenant buildings. The substantial growth of  
42 customer-owned and -leased renewable generation has resulted in  
43 increased cross-subsidization of the full cost of electric  
44 service onto the public utility's general body of ratepayers.  
45 Therefore, the redesigned net metering rate structures required  
46 in paragraph (6) (a) must ensure that public utility customers  
47 who own or lease renewable generation pay the full cost of  
48 electric service and are not cross-subsidized by the public  
49 utility's general body of ratepayers.

50 (6) (a) On or before January 1, 2023, the commission shall  
51 propose a revised net metering rule that complies with the  
52 following criteria:

53 1. The net metering rate structures and billing must ensure  
54 that public utility customers owning or leasing renewable  
55 generation pay the full cost of electric service and are not  
56 subsidized by the public utility's general body of ratepayers.

57 2. The net metering must ensure that all energy delivered  
58 by the public utility is purchased at the public utility's

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59 applicable retail rate and that all energy delivered by the  
60 customer-owned or -leased renewable generation to the public  
61 utility is credited to the customer at the public utility's full  
62 avoided costs.

63 3. The net metering may include fixed charges, including  
64 base facilities charges, electric grid access fees, or monthly  
65 minimum bills, to help ensure that the public utility recovers  
66 the fixed costs of serving customers who engage in net metering  
67 and that the general body of public utility ratepayers does not  
68 subsidize customer-owned or -leased renewable generation.

69 (b) Any public utility customer who owns or leases  
70 renewable generation that is in service before January 1, 2023,  
71 pursuant to a standard interconnection agreement offered by a  
72 public utility, shall be granted 10 years to continue to use the  
73 net metering rate design and rates that applied before the  
74 revised net metering rule was adopted under paragraph (a). This  
75 paragraph applies to customers who purchase or lease real  
76 property upon which customer-owned or -leased renewable  
77 generation is installed for all or part of that 10-year period.

78 (c) The commission shall require a public utility  
79 requesting a change in base rates under s. 366.06 to report to  
80 the commission the impact of net metering on the public  
81 utility's revenues and cost of service.

82 (8) ~~(7)~~ Under the provisions of subsections (5) and ~~(7)~~ ~~(6)~~,  
83 when a utility purchases power generated from biogas produced by  
84 the anaerobic digestion of agricultural waste, including food  
85 waste or other agricultural byproducts, net metering shall be  
86 available at a single metering point or as a part of conjunctive  
87 billing of multiple points for a customer at a single location,

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88 so long as the provision of such service and its associated  
89 charges, terms, and other conditions are not reasonably  
90 projected to result in higher cost electric service to the  
91 utility's general body of ratepayers or adversely affect the  
92 adequacy or reliability of electric service to all customers, as  
93 determined by the commission for public utilities, or as  
94 determined by the governing authority of the municipal electric  
95 utility or rural electric cooperative that serves at retail.

96 Section 2. This act shall take effect July 1, 2022.