

2015 Florida Legislative Session

Legislation that passed with direct or indirect significance to the Utility Industry:

HB 7109 - Public Service Commission Reform Bill:

- Creates a term limit of three (3) consecutive terms for FPSC Commissioners appointed after July 1, 2015.
- Requires FPSC Commissioners to complete four (4) hours of annual ethics training (beginning January 1, 2016).
- If an ethics violation occurs, requires the Governor to remove from office a commissioner who has “willfully and knowingly” violated law.
- Requires a person who lobbies the FPSC Nominating Council to register as a lobbyist.
- Expands prohibition on ex parte communications for matters which a commissioner knows or reasonably expects to be filed within 180 days (Note: was 90 days); clarifies prohibition on ex parte communications to include all meetings and educational conferences, including NARUC.
- Creates Section 366.95, F.S. – financing mechanism by which an electric utility may seek to recover nuclear costs for retired or abandoned nuclear facilities by issuing bonds to obtain funding to pay those costs (securitization for nuclear).
- Prohibits a utility to impose a higher rate for increased electricity use which is due solely to an extended billing period.
- FPSC must approve extension of a billing period.
- Establishes a limitation on the total deposit that may be demanded from an electricity customer. Recalculations must be done after 12 months using actual usage data; any difference must be resolved by either the customer paying an additional deposit, or the utility providing a refund (effective January 1, 2016).
- Provides for the recalculation of deposits for new customers and requires automatic return of overages to the customer. If an underage occurs, the company has the discretion to bill for the additional amount. Applies to the new service deposits established on or after January 1, 2017.
- Requires each utility to assist customers in getting the most advantageous rate available in their rate class.
- Requires the Commission to vote to approve all new tariffs and changes to existing tariffs.
- Requires the money received for demand-side renewable energy solely be used for that purpose.

SB 766 - Drone Bill:

The highlights of the drone bill are:

- Prohibits a person, state agency or political subdivision from using a drone to record an image of privately owned or occupied real property of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property without his or her written consent.
- Prohibit private investigators from using drones.

Among the exceptions to the law:

- Electric, water, or natural gas utilities can use drones to capture images for the purposes of :
 - Operations and maintenance of utility facilities for maintaining utility system reliability and integrity;
 - Inspecting utility facilities;
 - Assessing vegetation growth for the purpose of maintaining clearances on utility rights-of-way;
 - Utility routing, siting, and permitting for the purpose of constructing utility facilities or providing utility service;
 - Conducting environmental monitoring.
- For aerial mapping, if the person or entity using a drone for this purpose is operating in compliance with FAA regulations.