

By Senator Lynn

7-00542-11

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1 A bill to be entitled
2 An act relating to public utilities; amending s.
3 366.02, F.S.; revising the definition of the term
4 "public utility" to exclude certain renewable energy
5 production facilities; providing an effective date.
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7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsection (1) of section 366.02, Florida
10 Statutes, is amended to read:

11 366.02 Definitions.—As used in this chapter:

12 (1) "Public utility" means every person, corporation,
13 partnership, association, or other legal entity and their
14 lessees, trustees, or receivers supplying electricity or gas
15 (natural, manufactured, or similar gaseous substance) to or for
16 the public within this state; but the term "public utility" does
17 not include ~~either~~ a cooperative now or hereafter organized and
18 existing under the Rural Electric Cooperative Law of the state;
19 a municipality or any agency thereof; any entity that produces
20 and sells 5 megawatt-hours or less, per hour, of renewable
21 energy, as defined in s. 366.91(2), to users that are located on
22 property adjacent to, contiguous with, or located within 1/2
23 mile of the renewable energy production facility; any dependent
24 or independent special natural gas district; any natural gas
25 transmission pipeline company making only sales or
26 transportation delivery of natural gas at wholesale and to
27 direct industrial consumers; any entity selling or arranging for
28 sales of natural gas which neither owns nor operates natural gas
29 transmission or distribution facilities within the state; or a

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30 person supplying liquefied petroleum gas, in either liquid or
31 gaseous form, irrespective of the method of distribution or
32 delivery, or owning or operating facilities beyond the outlet of
33 a meter through which natural gas is supplied for compression
34 and delivery into motor vehicle fuel tanks or other
35 transportation containers, unless such person also supplies
36 electricity or manufactured or natural gas.

37 Section 2. This act shall take effect July 1, 2011.