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# **Energy & Utilities Subcommittee**

**Tuesday, January 16, 2018  
11:30 AM – 2:30 PM  
216 Capitol**

## **Action Packet**

# COMMITTEE MEETING REPORT

## Energy & Utilities Subcommittee

1/16/2018 11:30AM

**Location:** 216 Capitol

### Summary:

#### Energy & Utilities Subcommittee

*Tuesday January 16, 2018 11:30 am*

HB 1081	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 892805 Adopted Without Objection		

HB 1167	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 284429 Adopted Without Objection		

Committee meeting was reported out: Tuesday, January 16, 2018 6:01PM

# COMMITTEE MEETING REPORT

## Energy & Utilities Subcommittee

1/16/2018 11:30AM

Location: 216 Capitol

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Jay Trumbull (Chair)	X		
Bryan Avila			X
Lori Berman	X		
Kimberly Daniels	X		
Bobby DuBose	X		
Nicholas Duran	X		
Jason Fischer	X		
Erin Grall	X		
Joe Gruters	X		
MaryLynn Magar		X	
Stan McClain	X		
Bobby Payne	X		
Sean Shaw	X		
Jackie Toledo	X		
Frank White		X	
<b>Totals:</b>	<b>12</b>	<b>2</b>	<b>1</b>

Committee meeting was reported out: Tuesday, January 16, 2018 6:01PM

# COMMITTEE MEETING REPORT

## Energy & Utilities Subcommittee

1/16/2018 11:30AM

Location: 216 Capitol

### HB 1081 : Medically Essential Electric Utility Service

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bryan Avila			X		
Lori Berman	X				
Kimberly Daniels	X				
Bobby DuBose	X				
Nicholas Duran	X				
Jason Fischer	X				
Erin Grall	X				
Joe Gruters	X				
MaryLynn Magar			X		
Stan McClain	X				
Bobby Payne	X				
Sean Shaw	X				
Jackie Toledo	X				
Frank White			X		
Jay Trumbull (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### HB 1081 Amendments

#### Amendment 892805

Adopted Without Objection

### Appearances:

Smith, Zayne (Lobbyist) - Waive In Support  
AARP  
Associate State Director  
200 West College Ave  
Tallahassee, Florida 32301  
Phone: 850-228-4243

Committee meeting was reported out: Tuesday, January 16, 2018 6:01PM

# COMMITTEE MEETING REPORT

## Energy & Utilities Subcommittee

1/16/2018 11:30AM

Location: 216 Capitol

### HB 1167 : Designation of Eligible Telecommunications Carriers

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bryan Avila			X		
Lori Berman	X				
Kimberly Daniels	X				
Bobby DuBose	X				
Nicholas Duran	X				
Jason Fischer	X				
Erin Grall	X				
Joe Gruters	X				
MaryLynn Magar			X		
Stan McClain	X				
Bobby Payne	X				
Sean Shaw	X				
Jackie Toledo	X				
Frank White			X		
Jay Trumbull (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### HB 1167 Amendments

#### Amendment 284429

Adopted Without Objection

### Appearances:

Yarbrough, Cameron (Lobbyist) - Proponent

Q Link Wireless LLC  
Government Relations  
215 South Monroe Street, Suite 601  
Tallahassee, Florida 32301  
Phone: 850-521-1980

Perry, Gail - Proponent

Communications Workers of America Council of Florida  
Chair  
P.O. Box 1766  
Pompano Beach, Florida 33061  
Phone: 954-850-4053

Committee meeting was reported out: Tuesday, January 16, 2018 6:01PM



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Energy & Utilities  
 2 Subcommittee

3 Representative Perez offered the following:

4  
5 **Amendment**

6 Remove lines 44-182 and insert:

7 include the standard certification form adopted by rule of the  
 8 commission. Each electric utility shall ~~annually~~ provide a  
 9 written explanation of the certification process for medically  
 10 essential electric service to each residential utility customer:

11 1. When the customer opens an account for electric service  
 12 with the electric utility; and

13 2. At least semi annually, either by means of a written  
 14 bill insert or, if the customer has provided contact information  
 15 to receive electronic communications from the electric utility,  
 16 by electronic means.



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17           **(b)** Certification ~~that of~~ a customer's electricity needs  
18 ~~are as~~ medically essential requires the customer ~~to complete~~  
19 ~~forms supplied by the public utility and to submit to the~~  
20 ~~utility a completed certification in a standard form adopted by~~  
21 ~~rule of the commission, which includes medical certification~~  
22 ~~form completed by a health care practitioner physician licensed~~  
23 ~~in this state pursuant to chapter 458 or chapter 459 which~~  
24 states in medical and nonmedical terms why the electric service  
25 is medically essential and specifies the time period for which  
26 the electric service is expected to remain medically essential.  
27 The certification shall not extend beyond 60 months.  
28 Falsification of such the False certification of medically  
29 essential service by a physician is a violation of s.  
30 458.331(1)(h), or s. 459.015(1)(i), or s. 464.018(1)(f).

31           **(c)** ~~(b)~~ Medically essential service must ~~shall~~ be  
32 recertified at the expiration of the time period specified in  
33 the certification or once every 12 months after certification,  
34 whichever is later. The electric public utility shall send the  
35 certified customer by regular mail, or by e-mail if the customer  
36 has provided the utility his or her e-mail address, a package of  
37 recertification materials, including recertification forms, at  
38 least 60 30 days prior to the expiration of the customer's  
39 certification. The materials shall advise the certified customer  
40 that he or she must complete and submit the recertification  
41 forms within 30 days after the expiration of the customer's



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42 existing certification. If the recertification forms are not  
43 received within this 30-day period, the electric ~~public~~ utility  
44 may terminate the customer's certification.

45 (4) Each electric ~~public~~ utility must ~~shall~~ certify a  
46 customer's electric service as medically essential if the  
47 customer completes the requirements of subsection (3).

48 (5) Notwithstanding any other provision of this section,  
49 an electric ~~a public~~ utility may disconnect service to a  
50 residence whenever an emergency may threaten the health or  
51 safety of a person, the surrounding area, or the electric ~~public~~  
52 utility's distribution system. The electric ~~public~~ utility shall  
53 act promptly to restore service as soon as feasible.

54 (6) A customer whose electric service is certified as  
55 medically essential under this section is entitled, at a  
56 minimum, to the same time period for payment of bills that  
57 applies to all other residential customers served by the  
58 electric utility but no less than 20 days from the date the bill  
59 is mailed or delivered by the utility. If payment or  
60 satisfactory payment arrangements have not been made within the  
61 specified time period, the electric utility may schedule  
62 disconnection of service for nonpayment of bills. Prior to a  
63 scheduled disconnection of service for nonpayment of bills, the  
64 electric utility shall provide, in addition to any notice  
65 provided in the utility's normal course of business, the  
66 following notice to a customer whose electric service is

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Amendment No.

67 | certified as medically essential under this section:

68 |       (a) No later than 15 days prior, and again no later than 7  
69 | days prior, 24 hours before any scheduled disconnection of  
70 | service for nonpayment of bills to a customer who requires  
71 | medically essential service, the electric a public utility shall  
72 | attempt to contact the customer by telephone in order to provide  
73 | notice of the scheduled disconnection and shall provide such  
74 | notice in writing, including by electronic means if the customer  
75 | has provided contact information to receive electronic  
76 | communications from the utility.

77 |       (b) If the customer does not have a telephone number  
78 | listed on the account or if the electric public utility cannot  
9 | reach the customer or other adult resident of the premises by  
80 | telephone by the specified time, the electric public utility  
81 | shall send a representative to the customer's residence to  
82 | attempt to contact the customer, no later than 2 4 p.m. of the  
83 | business days day before the scheduled disconnection. If contact  
84 | is not made, however, the electric public utility must may leave  
85 | written notification at the residence advising the customer of  
86 | the scheduled disconnection and shall provide such notice by  
87 | electronic means if the customer has provided contact  
88 | information to receive electronic communications from the  
89 | utility.

91 | Thereafter, the electric public utility may disconnect service

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Amendment No.

92 | on the scheduled disconnection ~~specified~~ date if payment to the  
93 | electric utility has not been made or satisfactory payment  
94 | arrangements with the electric utility have not been made.

95 | (7) Each electric ~~public~~ utility customer who requires  
96 | medically essential service is responsible for making  
97 | satisfactory arrangements with the electric ~~public~~ utility to  
98 | ensure payment for such service, and such arrangements must be  
99 | consistent with the requirements of the utility's tariff.

100 | (8) Each electric ~~public~~ utility customer who requires  
101 | medically essential service is solely responsible for any backup  
102 | equipment or power supply and a planned course of action in the  
103 | event of a power outage or interruption of service.

4 | (9) Each electric ~~public~~ utility that provides electric  
105 | service to any customer whose electric service is certified as  
106 | medically essential pursuant to this section ~~who requires~~  
107 | ~~medically essential service~~ shall call, contact, or otherwise  
108 | advise such customer of scheduled service interruptions.

109 | (10) (a) Each electric ~~public~~ utility shall provide  
110 | information on sources of state or local agency funding which  
111 | may provide financial assistance to the ~~public~~ utility's  
112 | customers who require medically essential service and who notify  
113 | the ~~public~~ utility of their need for financial assistance.

114 | (b)1. Each electric ~~public~~ utility that operates a program  
115 | to receive voluntary financial contributions from the ~~public~~  
116 | utility's customers to provide assistance to persons who are

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Amendment No.

117 | unable to pay for the ~~public~~ utility's services shall maintain a  
118 | list of all agencies to which the ~~public~~ utility distributes  
119 | such funds for such purposes and shall make the list available  
120 | to any such person who requests the list.

121 |         2. Each public utility that operates such a program shall:

122 |         a. Maintain a system of accounting for the specific  
123 | amounts distributed to each such agency, and the public utility  
124 | and such agencies shall maintain a system of accounting for the  
125 | specific amounts distributed to persons under such respective  
126 | programs.

127 |         b. Train its customer service representatives to assist  
128 | any person who possesses a medically essential certification as  
9 | provided in this section in identifying such agencies and  
130 | programs.

131 |         (11) Nothing in this act shall form the basis for any  
132 | cause of action against an electric a ~~public~~ utility. Failure to  
133 | comply with any obligation created by this act does not  
134 | constitute evidence of negligence on the part of the electric  
135 | ~~public~~ utility.

136 |         Section 2. Section 456.45, Florida Statutes, is created to  
137 | read:

138 |         456.45 Certification of medically essential electric  
139 | service.-

140 |         (1) As used in this section, the term "health care  
141 | practitioner" means a physician or physician assistant licensed



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142 | under chapters 458 or 459 or an advanced registered nurse  
143 | practitioner licensed under chapter 464.

144 |       (2) A health care practitioner who determines that a  
145 | patient may be at risk of loss of life or immediate  
146 | hospitalization if the patient were to lose electric service at  
147 | the patient's residential service address shall inform the  
148 | patient of the right to obtain certification under the medically  
149 | essential electric service program provided by the patient's  
150 | electric utility pursuant to s. 366.15, and provide the patient  
151 | a written copy of the law.

152 |       (3) Upon the request of such a patient, the health care  
153 | practitioner must provide the

154 |



### COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

WS

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1081</u>	
Amendment Number: _____	

Name: Zayne Smith

Representing: AARP

Title: Associate State Director

Address: 200 W. College Ave.

City: Tally State/Zip: 32351

Phone Number: 850 228-4243 Meeting Date: 1/16/18

Committee/Subcommittee: Energy - Utilities Sub.

Presentation/Workshop Topic: Medically Essential Electric Utility

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Energy & Utilities  
 2 Subcommittee

3 Representative Leek offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (a) of subsection (1) of section  
 8 364.10, Florida Statutes, is amended to read:

9 364.10 Lifeline service.-

10 (1)(a) An eligible telecommunications carrier shall  
 11 provide a Lifeline Assistance Plan to qualified residential  
 12 subscribers, as defined in the eligible telecommunications  
 13 carrier's published schedules. For the purposes of this section,  
 14 the term "eligible telecommunications carrier" means a  
 15 telecommunications company, as defined by s. 364.02, ~~which is~~  
 16 designated as an eligible telecommunications carrier by the



Amendment No. 1

17 | commission pursuant to 47 C.F.R. s. 54.201. Notwithstanding the  
18 | provisions of s. 364.011, the term "eligible telecommunications  
19 | carrier" shall also include any commercial mobile radio service  
20 | provider designated by the commission pursuant to 47 C.F.R. s.  
21 | 54.201, and the commission shall be authorized to make such  
22 | designations, if petitioned, for the limited purpose of  
23 | providing Lifeline service.

24 | Section 2. This act shall take effect upon becoming law.

25 |

26 | -----

27 |

**T I T L E   A M E N D M E N T**

28 |

Remove everything before the enacting clause and insert:

29 |

A bill to be entitled

30 |

An act relating to designation of eligible

31 |

telecommunications carriers; amending s. 364.10, F.S.;

32 |

authorizing the Public Service Commission to designate

33 |

any commercial mobile radio service provider as an

34 |

"eligible telecommunications carrier" for the purpose

35 |

of providing Lifeline service; providing an effective

36 |

date.



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

W/S

<input checked="" type="checkbox"/> Bill	<input type="checkbox"/> Amendment
Bill/PCS/PCB Number: <u>1107</u>	
Amendment Number: _____	

Name: Cameron Yorkcough

Representing: Cell Link Wireless

Title: Government Relations

Address: 215 S Monroe St Suite 601

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-521-1980 Meeting Date: 1/16/18

Committee/Subcommittee: Energy & Utilities Subcommittee

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

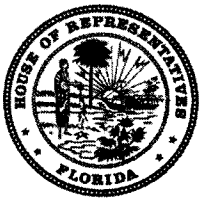
- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
- Appearing in response to subpoena
- Appearing at the written request of the chair
- Judge or elected officer appearing in official capacity
- Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only





COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill       Amendment

Bill/PCS/PCB Number: 1167

Amendment Number: \_\_\_\_\_

Name: GAIL MARIE PERRY

Representing: COMMUNICATIONS WORKERS of AMERICA

Title: CHAIR COUNCIL of FLORIDA

Address: PO Box 1766

City: POMPANO BEACH State/Zip: FLA 33061

Phone Number: 954 350 4053 Meeting Date: 1/16/18

Committee/Subcommittee: ENERGY UTILITIES

Presentation/Workshop Topic: \_\_\_\_\_

Registered Lobbyist: YES  NO

State Employee: YES  NO

- I wish to speak
- Appearing in response to an inquiry for information made by member, committee, or staff
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(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent  Opponent  Info only

Amendment: Proponent  Opponent  Info only