

1                   A bill to be entitled  
2           An act relating to an electric vehicle transportation  
3           electrification plan; creating s. 366.945, F.S.;  
4           requiring the Public Service Commission to adopt rules  
5           for an electric vehicle transportation electrification  
6           plan that meet certain requirements; providing  
7           timeframes for the commission to propose the plan's  
8           rules and for final rule adoption; authorizing  
9           entities that provide electric vehicle charging  
10          stations to the public to intervene and participate in  
11          certain commission proceedings involving rates, terms,  
12          or conditions for offering electric vehicle charging  
13          to the public; providing construction; requiring  
14          investor-owned electric utilities in violation of  
15          certain provisions to take certain actions to come  
16          into compliance; providing an effective date.

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18           WHEREAS, the Legislature finds that the promotion and  
19          development of electric vehicle infrastructure in this state  
20          through competitively neutral policies for investor-owned  
21          electric utility rates, terms, and conditions for electric  
22          vehicle charging stations is in the public interest, and

23           WHEREAS, widespread deployment of electric vehicle charging  
24          stations is consistent with the public policy of this state, and

25           WHEREAS, the expanded use of electric vehicles provides

26 | this state with increased energy security and health and  
 27 | environmental benefits by reducing the consumption of fossil  
 28 | fuels and street-level air pollutants, carbon dioxide, and  
 29 | nitrogen oxides, and

30 | WHEREAS, electric vehicle charging station infrastructure  
 31 | has the potential to lessen climate impacts, expand  
 32 | infrastructure investment, improve environmental and economic  
 33 | conditions, and help make this state a leader in new and  
 34 | innovative technologies, NOW, THEREFORE,

35 |

36 | Be It Enacted by the Legislature of the State of Florida:

37 |

38 | Section 1. Section 366.945, Florida Statutes, is created  
 39 | to read:

40 | 366.945 Electric vehicle transportation electrification  
 41 | plan.-

42 | (1) The commission shall adopt rules for an electric  
 43 | vehicle transportation electrification plan that facilitates the  
 44 | deployment of electric vehicle charging infrastructure in a  
 45 | competitively neutral manner and that includes reasonable and  
 46 | affordable electric rates for investor-owned electric utilities  
 47 | that offer electric vehicle charging to the public.

48 | (a) The rules must include all of the following:

49 | 1. Investment in publicly available Level 2 and direct-  
 50 | current, fast-charging stations in a competitively neutral

51 manner that prioritizes and encourages private investment in and  
52 private ownership and operation of electric vehicle charging  
53 infrastructure.

54 2. Policies that stimulate innovation, competition,  
55 private investment, and customer choice in electric vehicle  
56 infrastructure charging equipment and networks.

57 3. Mechanisms, including incentives, which support the  
58 efficient and cost-effective use of the electric grid in a  
59 manner that supports electric vehicle charging infrastructure.

60 4. Investment incentives that support private investment  
61 in charging equipment.

62 5. Policies that prohibit investor-owned electric  
63 utilities from using rate base investment in the ownership and  
64 operation of electric vehicle charging stations and limit public  
65 utility cost recovery to distribution-level system  
66 infrastructure on the utility side of the meter.

67 6. Stimulation of fair and reasonable electricity pricing  
68 through investor-owned electric utilities' tariff provisions  
69 which will promote the widespread offering of electric vehicle  
70 charging.

71 (b) The commission shall propose such rules by January 1,  
72 2023, with final rule adoption by January 1, 2024.

73 (2) An entity that provides electric vehicle charging  
74 stations to the public may intervene and participate in any  
75 investor-owned electric utility's ratemaking or other commission

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76 proceeding involving rates, terms, or conditions, including the  
77 rate structure paid by or proposed to be paid by customers for  
78 electric vehicle charging offered to the public.

79 (3) This subsection does not prohibit an investor-owned  
80 electric utility from providing electric vehicle charging  
81 stations directly to the public through a separate, unregulated  
82 entity on the same terms and conditions as any other provider of  
83 electric vehicle charging stations.

84 (4) If an investor-owned electric utility provides  
85 electric vehicle charging stations directly to the public in a  
86 manner that violates this section and rules adopted by the  
87 commission, within 1 year after the commission adopts rules to  
88 implement this section, any electric vehicle charging station  
89 infrastructure provided as a rate base asset must be removed  
90 from the rate base and, if the vehicle charging is continued,  
91 must be provided through a separate, unregulated corporate  
92 affiliate.

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