

RESOLUTION 2011-56

A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, URGING THE PUBLIC SERVICE COMMISSION TO DENY APPROVAL OF ANY FURTHER "EARLY COST RECOVERY" AND URGING THE FLORIDA LEGISLATURE TO REPEAL THE "EARLY COST RECOVERY" STATUTE RELATING TO ELECTRIC UTILITY CHARGES FOR THE SITING, DESIGN, LICENSING, AND CONSTRUCTION OF NUCLEAR PLANTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, F.S. 366.93, known as "Early Cost Recovery," was adopted by The Florida Legislature in 2006 and provides that utilities may charge customers in advance of operation for the costs of planning, lobbying for, and constructing nuclear power plants; and

WHEREAS, the Early Cost Recovery statute provides that the utility may impose and collect the charge but never actually complete the project, thus charging the rate payer for improvements and infrastructure they will never actually provide to customers; and

WHEREAS, FPL has currently charged, collected from its customers and spent \$268 million in Early Cost Recovery funds and is seeking approval from the Public Service Commission for an additional \$186 million in 2012 new nuclear-related projects including the construction of two additional nuclear reactors at Turkey Point in South Miami-Dade, but which have never received approval for a license by the Nuclear Regulatory Commission; and

WHEREAS, the additional funds requested by FPL may represent a dramatic increase in the customer's monthly bill at a time when consumers are struggling to pay current bills; and

WHEREAS, FPL executives have stated that nuclear reactors are too expensive to build, yet FPL continues to collect money from the rate-payers under "Early Cost Recovery" to finance other infrastructure projects listed under their nuclear Combined Operating License Application; and

WHEREAS, publicly traded utilities receiving money from ratepayers under "Early Cost Recovery" are not obliged to pay back those funds if their nuclear generation projects are not completed; and

WHEREAS, publicly traded utilities receiving money from ratepayers under "Early Cost Recovery" can and do use those moneys to lobby and litigate against the public to pursue projects the rate payers oppose; and

WHEREAS, improvements in domestic energy efficiency are the best energy investments available, are carbon-free, safe, and can provide more jobs to Floridians than any other energy investment, but "Early Cost Recovery" monies are not permissible for such investments; and

WHEREAS, nuclear reactors financed through "Early Cost Recovery" have become the most expensive way to produce electricity; and

WHEREAS, the nuclear reactor designs currently being financed through "Early Cost Recovery" have never been deployed and may pose unforeseen risks to citizens of the Southeastern United States;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That the Village Council hereby urges the Florida Public Service Commission to deny FPL approval of any further Early Cost Recovery funding.

Section 2. That the Village Council hereby urges The Florida Legislature to repeal F.S. 366.93 relating to Early Cost Recovery.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 6th day of September, 2011.

Cindy Lerner, Mayor

Attest:

Guido H. Inguanzo, Jr., CMC
Village Clerk

Approved as to Form and Legal Sufficiency:

Cynthia A. Everett
Village Attorney

Motion by: Vice Mayor Ross
Second by: Councilmember Harter

Vote: Councilmembers Corradino, Cutler, Harter, Vice Mayor Ross, and Mayor Lerner voting Yes