

MEMORANDUM

Agenda Item No. 11(A)(45)

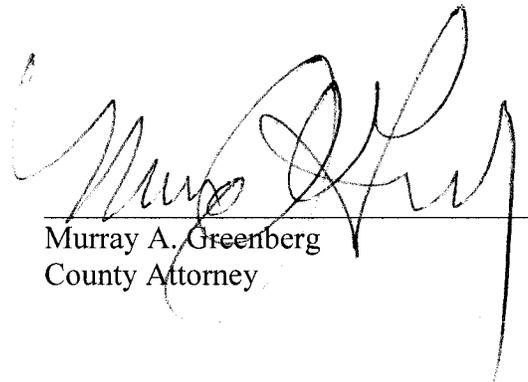
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution urging the
Florida Legislature and
Florida Public Service
Commission to expedite
conversion of overhead
electric to underground
facilities

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Joe A. Martinez, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Katy Sorenson, Commissioner Rebeca Sosa and Senator Javier D. Souto.



Murray A. Greenberg
County Attorney

MAG/dcp



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

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Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 11(A)(45)

Veto _____

04-24-07

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE AND THE FLORIDA PUBLIC SERVICE COMMISSION TO FACILITATE THE EXPEDITIOUS CONVERSION OF OVERHEAD ELECTRIC DISTRIBUTION FACILITIES TO UNDERGROUND FACILITIES AND ENCOURAGING FLORIDA PUBLIC SERVICE COMMISSION TO REFLECT BENEFITS OF CONVERSION IN UTILITY TARIFFS

WHEREAS, all Florida residents, businesses, and institutions require reliable electric service and a reliable electric distribution infrastructure; and

WHEREAS, in the tropical storm and hurricane seasons of 2004 and 2005, Florida experienced unprecedented numbers of land-falling tropical storms and hurricanes impacting Florida and Florida residents, and also experienced unprecedented damage to the overhead electric distribution systems of Florida’s electric utilities, resulting in widespread and prolonged outages of electrical power service; and

WHEREAS, numerous long-term forecasts of tropical weather activity indicate that Florida is likely to be impacted by more, and possible more severe, tropical weather events over the next ten to twenty years than were experienced over the period from 1960 to 2003; and

WHEREAS, it is generally recognized that underground electric distribution facilities are significantly more reliable, and less subject to wind damage, than overhead facilities in tropical storms and hurricanes; and

WHEREAS, wide-area conversions of overhead electric distribution facilities to underground facilities are reasonably expected to provide significant reliability, cost savings and other benefits both to customers in the areas converted and also to the utility’s general body of

customers, including, without limitation, reduced or eliminated storm restoration costs in many tropical and other storm events, reduced or eliminated vegetation management (tree-trimming) costs, reduced costs due to damage claims due to electrical contact accidents, preserved revenues, and the substantial economic benefits flowing from reduced and eliminated electric service outages; and

WHEREAS, wide-area underground conversions will result in enhanced traffic safety and few accidents involving vehicles striking overhead electric facilities; and

WHEREAS, wide-area underground conversions will enhance environmental values and aesthetic values; and

WHEREAS, Miami-Dade County and most of its residents are customers of Florida Power & Light Company (“FPL”); and

WHEREAS, the Municipal Underground Utilities Consortium, a group of Florida cities and towns that have joined together to fund a comprehensive evaluation of the costs and benefits of underground conversion projects, and the resulting cost-effectiveness study, has shown that substantial benefits would accrue to FPL and its general body of customers from underground conversions,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. Miami-Dade County believes that the Florida Legislature and all other responsible agencies of Florida government, including the Florida Public Service Commission, should encourage the expeditious conversion of overhead electric distribution facilities to underground facilities to the maximum extent possible.

Section 2. The Florida Legislature and the Florida Public Service Commission are hereby strongly encouraged to ensure that any utility tariff provisions relating to underground electric conversions include and reflect all values that such conversions provide, including not only the specific cost savings benefits, such as reduced storm restoration costs and reduced vegetation management costs, mentioned above, but also the general economic benefits that flow to all residents from reduced outages.

Section 3. If there is a difference of expert opinion as to the values and benefits of underground conversions, the Florida Legislature and the Florida Public Service Commission are hereby strongly encouraged to require utilities subject to its jurisdiction, including FPL, to reflect the greatest justifiable benefits in the utility's tariffs, so as to encourage expeditious underground conversions to the maximum extent possible.

Section 4. The Clerk of the Board is directed to transmit certified copies of this Resolution to the Governor, Senate President, House Speaker, Chair and Members of the Miami-Dade State Legislative Delegation, the Florida Public Service Commission, and Florida Power & Light Company.

Section 5. The Board further directs the County's state lobbyists to advocate for the issues identified in this resolution, and directs the Office of Intergovernmental Affairs to include this item in the 2007 and 2008 state legislative packages.

The foregoing resolution was sponsored by Commissioner Joe A. Martinez, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Katy Sorenson, Commissioner Rebeca Sosa and Senator Javier D. Souto and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman
Jose "Pepe" Diaz
Carlos A. Gimenez
Joe A. Martinez
Dorin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

PST

By: _____
Deputy Clerk

Peter S. Tell