

MEMORANDUM

Agenda Item No. 11(A)(1)

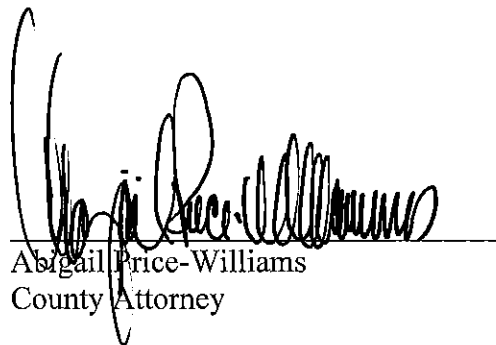
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 21, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida Legislature and the Florida Public Service Commission to require the expeditious conversion of overhead electric distribution facilities to underground facilities; further urging the Florida Public Service Commission to condition any Hurricane Irma cost recovery sought by the state's power companies on such companies' required conversion of their overhead electric distribution facilities to underground facilities

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 21, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

Please note any items checked.

- "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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(1)
11-21-17

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE AND THE FLORIDA PUBLIC SERVICE COMMISSION TO REQUIRE THE EXPEDITIOUS CONVERSION OF OVERHEAD ELECTRIC DISTRIBUTION FACILITIES TO UNDERGROUND FACILITIES; FURTHER URGING THE FLORIDA PUBLIC SERVICE COMMISSION TO CONDITION ANY HURRICANE IRMA COST RECOVERY SOUGHT BY THE STATE'S POWER COMPANIES ON SUCH COMPANIES' REQUIRED CONVERSION OF THEIR OVERHEAD ELECTRIC DISTRIBUTION FACILITIES TO UNDERGROUND FACILITIES

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

WHEREAS, in September 2017, Hurricane Irma made landfall in Florida, causing widespread property and tree damage throughout much of the state and also leaving about 9 million people without power, including 90 percent of South Florida residents; and

WHEREAS, the widespread power outage occurred even though the storm brought mostly tropical-storm-force winds instead of hurricane-force winds to the region, according to the National Weather Service; and

WHEREAS, felled trees, flying debris, hurricane wind gusts and some flooding caused most of the power damage, according to Florida Power & Light Company ("FPL"); and

WHEREAS, numerous published studies indicate that warming by the end of the 21st century will likely cause tropical cyclones globally to be more intense on average, implying an even larger percentage increase in the destructive potential per storm, assuming no reduction in storm size; and

WHEREAS, it is generally recognized that underground electric distribution facilities are significantly more reliable and less subject to wind damage than overhead facilities, not only in tropical storms and hurricanes but also day-to-day; 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: greatly reduced storm restoration costs in many tropical and other storm events, greatly reduced vegetation management (tree-trimming) costs, and the substantial economic benefits attributed to faster restoration of economic activity from faster recovery from electric service outages; and

WHEREAS, wide-area underground conversions, often referred to as "undergrounding," will improve traffic safety by keeping street lights and traffic signals functioning and lead to fewer accidents involving vehicles striking utility poles along our roadways, and will also enhance environmental and aesthetic values; and

WHEREAS, FPL provides electricity to approximately 10 million people—or roughly half the population—in the State of Florida, including the majority of Miami-Dade County residents; and

WHEREAS, following Hurricane Wilma in 2005, FPL began providing incentives to communities to initiate more undergrounding, and since then completed projects around South Florida include those in Coconut Creek, Pompano Beach, Sunny Isles, Golden Beach and Jupiter Island, according to an FPL filing with state regulators; and

WHEREAS, according to FPL, 37 percent of its distribution system is currently underground, with several underground installation projects under way, including one on the island of Palm Beach; and

WHEREAS, while some progress towards achieving widespread undergrounding has certainly been made in the past decade since Wilma, much work still remains to be done, especially in lower and middle income communities that cannot afford to self-fund undergrounding; and

WHEREAS, given the substantial benefits of underground electric distribution facilities compared to their overhead counterparts, this Board would like to urge the Florida Legislature and the Florida Public Service Commission (“PSC”) to require—to the maximum extent possible—the expeditious conversion of overhead electric distribution facilities to underground facilities; and

WHEREAS, following Hurricane Matthew in October 2016, FPL filed a petition for cost recovery with PSC to cover the costs of restoring power after the storm; and

WHEREAS, PSC approved the petition, resulting in an additional “storm charge” being placed on FPL customers’ monthly bills until March 2018; and

WHEREAS, FPL recently announced that it plans to file another petition for cost recovery with PSC to recoup an estimated \$1.3 billion from customers to cover the costs of restoring electricity after Hurricane Irma; and

WHEREAS, investing in undergrounding will help avoid these expenses incurred by ratepayers in the future; and

WHEREAS, this Board would like to further urge PSC to condition any Hurricane Irma cost recovery sought by the state’s power companies, including FPL, on such companies’ required conversion of their overhead electric distribution facilities to underground facilities,

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

Section 1. Urges the Florida Legislature and the Florida Public Service Commission to require—to the maximum extent possible—the expeditious conversion of overhead electric distribution facilities to underground facilities.

Section 2. Further urges the Florida Public Service Commission to condition any Hurricane Irma cost recovery sought by the state’s power companies, including FPL, on such companies’ required conversion of their overhead electric distribution facilities to underground facilities.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and members of the Miami-Dade State Legislative Delegation, and the members of the Florida Public Service Commission.

Section 4. Directs the County’s state lobbyists to advocate for the actions set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2018 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of November, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MSM

Michael J. Mastrucci