

**RESOLUTION NO. 2011-67**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, SUPPORTING THE MIAMI-DADE COUNTY LEAGUE OF CITIES, INC., AND 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 SITING, DESIGN, LICENSING, AND CONSTRUCTION OF NUCLEAR PLANTS; PROVIDING FOR AN EFFECTIVE DATE.**  
(Sponsored by Mayor Shelley Stanczyk)

**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 ratepayers 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 ratepayers 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 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 MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

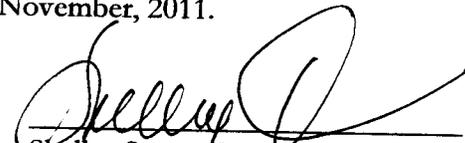
**Section 1.** That the Village of Palmetto Bay joins with the Miami-Dade County League of Cities, Inc., and hereby urges the Florida Public Service Commission to deny FPL approval of any further Early Cost Recovery funding.

**Section 2.** That the Village of Palmetto Bay joins with the Miami-Dade County League of Cities, Inc. and 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 7th day of November, 2011.

Attest:   
Meighan Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis,  
FIGUEREDO & BOUTSIS, P.A.,  
As Office of the Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk.	<u>YES</u>