

BUSINESS IMPACT ESTIMATE

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the County's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA AMENDING VOLUME I, CHAPTER 98, ARTICLE II, SECTION 98-31 TO REVISE THE DEFINITION OF THE TERM "UTILITY" OR "UTILITIES"; CREATING VOLUME I, CHAPTER 98, ARTICLE V, DIVISION 1, SECTIONS 98-94 THROUGH 98-97 RELATING TO UTILITY FRANCHISES; GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, A UTILITY FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO ESCAMBIA COUNTY; REPEALING ESCAMBIA COUNTY ORDINANCE NO. 94-28; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

As indicated below, the County has determined that the following exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance.

- The proposed ordinance is required for compliance with federal or state law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the County;
- The proposed ordinance is an emergency ordinance;
- The proposed ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in Section 163.3164, Florida Statutes, and development agreements, as authorized by the Florida Local Government Development Agreement Act pursuant to §§ 163.3220-163.3243;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the county;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Notwithstanding the application of the exemption(s) noted above, or in the absence of any applicable exemption, the County hereby publishes the following information in accordance with the provisions of Section 125.66(3), Florida Statutes:

1. Summary of the proposed ordinance, including a statement of the public purpose, such as serving the public health, safety, morals, and welfare: The proposed Ordinance will grant to FPL the non-exclusive right, privilege and franchise to construct, maintain and operate lines for the sale of electrical power in the unincorporated areas of the County for a term of 30 years commencing on 1/1/26 in exchange for the payment of a franchise fee equal to five percent (5%) of the Grantee's billed revenues, less actual write-offs, from the sale of electrical energy to residential, commercial, and industrial customers, provided that the monthly payment will be subject to specified limits per customer in each service category. The franchise fee and specified limits are consistent with the terms of the current 30-year franchise, which expires on 12/31/25.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the County, including, if any, the following:

a) Estimate of direct compliance costs that businesses may reasonably incur: N/A.

b) Any new charge or fee imposed on businesses or for which businesses will be responsible: N/A.

c) Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: N/A.

3. A good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: Consistent with the current franchise, FPL will remit payment of the fee as a percentage of its billed revenues from the sale of electrical energy to residential, commercial, and industrial customers.

4. Additional information, if any, which may include the methodology used to derive the information above, such as soliciting comments from businesses in the County regarding the potential impact, and any efforts to reduce the potential impact on businesses. If applicable, may also state the proposed ordinance applies to all similarly situated persons (individuals and businesses) and, therefore, does not only impose costs upon businesses.

N/A

Approved as to form and legal sufficiency.

By/Title: Kristin D. Hual, DCA

Date: 11/21/2024