



Broward County

Legislation Details (With Text)

File #: 21-863 **Version:** 1

Status: Agenda Ready

In control: TRANSPORTATION DEPARTMENT

On agenda: 6/1/2021 **Final action:** 6/1/2021

Title: MOTION TO APPROVE Interconnection Agreement for Customer-Owned Renewable Generation between Broward County and Florida Power and Light Company (FPL), reviewed and approved as to legal sufficiency by the Office of the County Attorney, for the Ravenswood Transit Operations and Maintenance Facility in the City of Dania Beach; and to authorize the County Administrator to execute same

Sponsors: TRANSPORTATION DEPARTMENT

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - FPL Net Metering Agreement - Ravenswood Tier 2 Facility, 2. Exhibit 2 - FPL Net Metering-Tier3 form agreement

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Chris Walton

Department: Transportation

Information

Requested Action

MOTION TO APPROVE Interconnection Agreement for Customer-Owned Renewable Generation between Broward County and Florida Power and Light Company (FPL), reviewed and approved as to legal sufficiency by the Office of the County Attorney, for the Ravenswood Transit Operations and Maintenance Facility in the City of Dania Beach; and to authorize the County Administrator to execute same

Why Action is Necessary

Board approval is required to enter into agreements.

What Action Accomplishes

Approves a standard FPL agreement which will allow the solar energy generated by the solar arrays installed at the Transportation Department's (BCT) Ravenswood Operations & Maintenance Facility to be returned to the grid.

Is this Action Goal Related

Yes

Previous Action Taken

None.

Summary Explanation/Background

THE TRANSPORTATION DEPARTMENT RECOMMENDS APPROVAL.

This item supports the Board's Vision and Values of "Cooperatively delivering an efficient and accessible regional intermodal transportation network" and "Encouraging investments in renewable energy, sustainable practices, and environmental protection." Approves a standard FPL agreement which will allow the solar energy generated by the solar arrays installed at the Broward County Transportation (BCT) Department's Ravenswood Operations & Maintenance Facility to be returned to the grid.

As background, BCT is in the process of installing electric bus charging infrastructure, including a new solar canopy at its Ravenswood Operations & Maintenance Facility in the City of Dania Beach for 12 new electric buses that will be delivered later this summer. This FPL Interconnection Agreement for Customer-Owned Renewable Generation, also referred to as "Net-Metering" Agreement" allows for the reverse flow of the electrical power generated by the rooftop solar arrays during daylight hours through FPL meters and credit against the County's FPL charges for power use at BCT's Ravenswood Operations & Maintenance Facility. As the facility will be generating power to their grid, FPL wants assurances regarding the maintenance conditions of the new equipment that will be generating the power. The FPL net-metering application fee was \$400.

The Agreement has been reviewed as to form by the Office of the County Attorney. The County has multiple Interconnection Agreements with FPL for other sites, including one approved by the Board at its meeting of January 26, 2021, (Item No. 8), for the Lauderhill Transit Center, which was for a Tier 3 system, as greater than 100 kilowatts (kW) of energy will be generated at that facility. This Ravenswood agreement is for a Tier 2 system (between 10kW and 100kW energy generated), as it is only expected to generate 55.8 kW of energy. If the Ravenswood system is later found to qualify as a Tier 3 System by FPL, the terms and conditions of the Tier 3 Agreement will be automatically incorporated. The Tier 3 agreement includes materially different terms including potential fees for an Interconnection Study of \$2000 and costs for Interconnection Facilities and Distribution Upgrades owned by FPL. A copy of FPL's current form Tier 3 agreement is attached as Exhibit 2.

Section 18 of the Agreement contains an integration clause which provides that the Agreement supersedes any prior written or oral representations and agreements between FPL and the County "in respect to matters contained [in the Agreement]." The Office of the County Attorney, through the using agency, requested modifications to the integration clause narrowing the applicability of the clause to only the Ravenswood facility. However, FPL only agreed to the addition of the following language to the relevant clause "This Agreement is specific to the Customer facility at 5440 Ravenswood Road, Dania Beach, FL 33312."

The Agreement requires the County, to the extent permitted by law, to indemnify, hold harmless, and defend FPL from all judgments, losses, damages, and claims relating to injury or death of any person or damage to property, fines and penalties, and costs and expenses arising out of or resulting from the operation of the County's electrical system unless due to the negligent actions or inactions of FPL. The agreement imposes the same obligation on FPL with regards to FPL's electrical system.

Source of Additional Information

Chris Walton, Director, Transportation Department (954)357-8361.

Fiscal Impact

Fiscal Impact/Cost Summary

The FPL net-metering application fee was \$400.