

# RELAY

FLORIDA'S ENERGY & ELECTRIC UTILITY MAGAZINE

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Feature

## THE INFLUENCE OF Governance on Public Power Page 15

## Fostering the Board and Public Power Utility Relationship

Page 22

## Florida City Leaders Reflect on the Value of Community- Owned Electric Utilities

Page 26



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## ARTICLES

### 22 **Fostering the Board and Public Power Utility Relationship**

Governing boards of Florida public power utilities vary by community, but they are bound by a critical common mission: ensuring that utilities operate efficiently, effectively and in ways that represent the unique needs of their communities.

### 26 **Florida City Leaders Reflect on the Value of Community-Owned Electric Utilities**

Elected leaders from public power communities share why they feel this statement is true and how their public power utility has improved their cities and towns.

### 29 **(History of) the Florida Public Service Commission**

Even though the Public Service Commission (PSC) begins with public, the PSC may not be a household name. Yet, its decisions impact all of Florida's nearly 22 million residents.

### 30 **The Florida Public Service Commission's Role for Florida's Public Power Utilities**

Set upon a hill in Tallahassee, the Florida Public Service Commission (PSC), beneath the shade of moss-draped oaks, works quietly each day to fulfill its regulatory roles that can easily be overlooked by the casual observer, but are important for all of Florida's public power utilities.

## FEATURE

### 15 **The Influence of Governance on Public Power**

Florida's municipal electric utilities are locally owned and operated by local governments and, as such, they are uniquely governed by local officials directly accountable to the citizens they serve.

## Departments

### 5 **Executive Insights**

Public Power Governance

### 6 **Association Leadership**

Meet James Braddock, FMEA President

### 8 **Currents**

News from Around the State

### 10 **On The Move**

Who's Who in the Florida Public Power Community

### 13 **Washington Report**

What Is Going on in Washington Right Now?



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## Where in the world is *RELAY*?

Amy Zubaly, FMEA executive director, remembered to pack a copy of *RELAY* magazine on a recent trip to Jackson Hole, Wyoming. Don't forget a copy on your next trip!  
Send pictures to [relay@flpublicpower.com](mailto:relay@flpublicpower.com).

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## Public Power Governance

Merriam-Webster defines governance as “the act or process of governing or overseeing the control and direction of something.”

As utilities that are owned by the city or town they serve, public power is governed under the philosophy of local control and local decision-making. It’s who we are — locally owned, locally governed, locally focused. Just like public schools and libraries, public power utilities operate as a division of local government and provide a critical service to the community. In addition, public power employees are more than just utility employees — they are members of the community, and the customers they serve are their neighbors, friends and family.

So why is governance so important to public power? Public power’s mission is to provide affordable, reliable, safe and environmentally sustainable power. Sure, all electric utilities can say those things, or strive to achieve them, but mix in local accountability, local control and local decision-making, and public power is special. Those who govern public power utilities have their finger on the pulse of what makes us unique, while at the same time controlling that core mission in the delivery of power.

Governing a public power utility — whether it’s by a city council or an independent

board — is typically not the only job or responsibility of the governing official. If a public power utility is governed by a city council, the electric utility — just like police and parks — is only one department the council presides over. And regardless of whether the governing official is a city commissioner or a board member of an independent governing board, the governing official is not a full-time employee of the utility, and in many circumstances is not compensated for the time they devote to governing the utility.

Public power governing bodies don’t just set rates and establish rules for the electric utility. They must also balance that with meeting the needs of the customers and the community. The governing officials are themselves a part of the community — they drive the local roads, they attend the local festivals, and they bump into the customers at the local Publix. They face a special kind of accountability and accessibility.

Our customers themselves participate in the governance of the utility at the ballot box and through participating in city council and utility board meetings, public hearings and citizen advisory committees.

Utility business is conducted in an open, transparent manner, and our customers know how and why decisions are made.

In contrast, the typical investor-owned utility has a large service territory and likely has its headquarters located far away, many times out of state or even out of the country; board meetings are conducted by shareholders in private; and profit-driven decisions are made behind closed doors.

Public power governing bodies are public power advocates — and some of the strongest, most effective advocates public power has. They are representative of the community and provide the local voice and local perspective when talking about public power issues. They know our communities the best and are public power’s best tool when it comes to communicating with state and federal lawmakers.

Yes, governance is important to public power. As public power utilities, educating our leadership is crucial. From rate setting and budget development to investing in infrastructure improvements and addressing customer concerns — our governing bodies are a highly important and beneficial component of public power. ■

## Meet James Braddock, FMEA President

from Staff Reports

The Florida Municipal Electric Association is governed by a Board of Directors, with its municipal electric utility members each having an equal, appointed seat. Leading the Board are its officers, elected each year during FMEA's annual meeting and comprising FMEA's president, president-elect, vice president and secretary-treasurer. Get to know FMEA's president in this Q&A with James Braddock.



### 1. Tell us a little bit about your background.

I was born in Bradenton (Manatee County) to generations of cattle ranchers, including my father and grandfather. As a child, my family moved to Hardee County, where I later graduated from Hardee High School. I attended Florida Baptist Schools in Lakeland, where I met my wife Loraine, whom I've been married to for 47 years.

After graduation, I worked at my grandfather's RV and mobile home park and exotic animal zoo in Bushnell for a couple of years. Loraine and I then moved back to Manatee County, where I worked with my dad and older brother on a 9,800-acre ranch. Eventually, I came to own and run a 700-head cattle herd on 3,500 acres of the land my dad leased.

I sold my herd in the mid-'90s and went back to school at Webber International University, passing the CPA exam in late 1998. While working at a local tax accounting office, I attended classes at University of South Florida to apply for CPA certification, which I received in December 2001.

### 2. Tell us a little bit about your role with the City of Wauchula. What is a typical day like for you?

In 2000, I was hired as finance director for the City of Wauchula and was subsequently appointed to what would be the last city clerk (a position later eliminated by voter referendum favoring establishment

of a city manager). Through 2005, I served as both the city clerk and finance director, and as finance director until December 2017. I have since served as director of support services and internal auditing, receiving my Certified Government Audit Professional certification in December 2018.

In the three major roles I have served in with the City of Wauchula, I have kept minutes; was in charge of city records; did annual budgets; worked with auditors on the annual audit; provided grant management accounting records for electric, water and sewer utilities, CRA, municipal airport and Federal Emergency Management Agency (FEMA) grants; and hired, fired and supervised nine individuals including those in utility billing, payroll, accounts payable, customer service and IT departments. In my current position, I have had the opportunity to become more involved with FMEA and the Florida Municipal Power Agency.

These days I spend more time reading articles on the changes happening in the

electric industry while working on some special reports I did not have time to create and produce when I was finance director.

### **3. Were you in leadership roles when you were a child?**

I lived in the shadow of my older brother who was four years older. Because there was no question he would win any fight, I knew it was going to take diplomacy to succeed in life.

### **4. How have your parents influenced your leadership style?**

My grandfather's ranch was named "Perseverance Ranches." Perseverance was a quality I saw in my parents. My dad was a true Florida cowboy, but when he sold his 1,200-head cattle herd in 1982, he and my mother became more involved in traveling and building churches, both across the U.S. and in foreign countries. They enjoyed giving of themselves and the resources God had provided in helping others in a very tangible way.

### **5. What is something you are most proud of?**

The ability and skills God has given me to adapt to a variety of lifestyles, and opportunities in serving in a number of roles in a number of locations with a number of different groups of associates, friends and family.

### **6. What are your hobbies outside of work?**

I enjoy hunting, fishing and traveling with my wife to the mission projects we have

worked on with friends we have met on the projects over the years. I consider mowing cow pastures and pushing dirt with equipment a form of therapy.

### **7. What would you like us to know about the City of Wauchula?**

The City of Wauchula is a great place to work and live. We need growth and development but not too much. If that sounds oxymoronic, it really is. Our small-town environment has its advantages, but the economic disadvantages in maintaining our infrastructure continue to be a great challenge. If it wasn't for the financial resources provided by the City of Wauchula's electric utility fund, the challenges would become unmanageable.

### **8. What do you look forward to most during your time as president of FMEA?**

I want to see FMEA continue to meet and exceed the challenges of the municipal electric utility industry in Florida. I am constantly astonished at the "disconnect" occurring between the perception of an idea or position and the understanding of the idea's impact, both short- and long-term.

For example, to produce 50,000 megawatts (MW) of solar power, it would take 671 400-acre solar sites equaling about 268,500 acres of property, or approximately 12 townships. An area of 268,500 acres would

be 69 percent of the land mass in Hardee County! This kind of solar development encompasses incredibly large land-mass areas, is extraordinarily costly, and requires many, many years of planning and development. Mandates to accelerate renewable energy goals must connect with these and other realities.

While federal legislation for development and use of renewable energy is presenting significant challenges and opportunities for FMEA, we cannot overlook the focus required for the upcoming 2022 Florida legislative session. I want to closely monitor and take every opportunity available as FMEA president to educate lawmakers on the impact of proposed legislation on municipal electric utilities. Again, my goal is to narrow the disconnect between proposed legislation and the understanding of the impact locally, both at the state and federal levels.

In closing, I want to thank FMEA for their efforts in providing an accurate understanding of the impact of proposed legislation; for facilitating mutual understanding, cooperation and respect between municipal electric utilities both large and small here in Florida; for planning great conferences and speakers, whether virtually or in person; and for their leadership and involvement in our national APPA organization, as well as for the invaluable resources of information and help whenever requested. ■

## Odds and Ends *from Across the State*



### Quincy Breaks Ground on First Solar Array

The City of Quincy is embarking on a new chapter in clean energy with its first solar array. The Quincy Utilities Department broke ground on the project October 13, with funding assistance from the Florida Department of Environmental Protection (FDEP). Utility Director Robin Ryals said the solar panels will generate 1.3 megawatts of electricity.

“We’re excited about this project, and our plan is to have it generating power by April 2022,” Ryals said. “This solar grid is a good start for us, and hopefully it’ll help keep customers’ bills stable.”



The solar array will capture the sun’s energy and convert it to alternating current (AC) using inverters. That electricity will help power the city’s wastewater treatment facility and pump stations. The funding assistance comes from Florida’s Clean Water State Revolving Fund (CWSRF) and the U.S. Environmental Protection Agency.



### Keys Energy Receives FEMA Grant

The Federal Emergency Management Agency (FEMA) has approved a grant of \$5.5 million to Keys Energy Services (KEYS) to protect the structural steel inside concrete utility poles from damage by future storms. Funding from FEMA’s Hazard Mitigation Grant

Program was approved in response to a proposal by KEYS after Hurricane Irma in 2017, according to FEMA. The grant will help pay for protection from corrosion due to water and salt air for 119 water-crossing transmission poles near the north end of the Seven-Mile Bridge in Marathon, resulting in a more-resilient electrical grid for southern Monroe County, FEMA said. KEYS CEO Lynne Tejada added, “It feels great to work with FEMA on a mitigation project rather than a public assistance event. Upgrading these poles is paramount to maintaining reliability and protecting our radial transmission line storm damage and 75 percent support from FEMA for the project is a huge benefit to KEYS’ ratepayers.”



### Secretary of State Designates Havana Main Street as the Florida Main Street Program of the Month

Secretary of State Laurel M. Lee announced that Havana Main Street was recognized as the August 2021 Florida Main Street Program of the Month.

Havana Main Street was designated as a Florida Main Street community in 2017. Havana Main Street has added new vitality to their district by affiliating with AHA (Artists Helping Artists), sponsoring public art, scheduling monthly community bike rides, and organizing a weekly farmers market. They also host a variety of events throughout the year, including the Havana PumpkinFest, Havana WinterFest, Painting in Shade Plein Air and the Havana Quilt Show. Currently, Havana Main Street is overseeing the restoration of the Old Havana State Bank building, which, when completed, will serve as the Main Street office and the visitors center, as well as provide additional rental space for downtown vendors.

As a community in their second year of accreditation, Havana Main Street has reported approximately \$919,192 in public and private reinvestment, welcomed two net-new businesses and six net-new full-time and part-time jobs within the district. Additionally, the organization has reported more than 4,058 volunteer hours.



### **KUA Completes First EV Charging Station Hub**

During National Drive Electric Week, Kissimmee Utility Authority (KUA) announced the installation of its first electric vehicle (EV) charging station hub at the Kissimmee Civic Center, which includes one Level III fast charger and three Level II chargers. KUA also replaced two additional city-owned EV chargers around the downtown area with KUA EV chargers.



With more auto manufacturers releasing electric vehicles, economists predict that every sixth car sold in the world will be electric by 2025. With an increased demand for these benefits and more affordable models being released, charging stations are increasingly becoming available in local communities, including here in Kissimmee.

There are countless benefits to owning an electric vehicle, including lower running costs, cheaper maintenance and environmental benefits. KUA customers who purchase an all-electric vehicle are also eligible for a \$100 rebate.

To date, KUA maintains 38 active public commissioned EV chargers in the area, making the utility the leader locally, compared to all other third-party EV chargers combined.

### **OUC Completes Purchase of Osceola Natural Gas Power Plant**

The Orlando Utilities Commission (OUC) in late September completed its purchase of the Osceola Generating Station, a 510-megawatt (MW) single-cycle natural gas-fired power plant located near Harmony in Osceola County. OUC announced plans to purchase the facility in August.

The nearly \$100 million deal to purchase and upgrade the inactive plant from Genova, a Texas-based private ownership group, does not change OUC's commitment to net-zero CO2 emissions as outlined in its Electric Integrated Resource Plan (EIRP), the utility's 30-year energy road map. The acquisition enables OUC to retire its oldest coal-fired power plant, Stanton Unit 1, which went into operation in 1987 at the Stanton Energy Center in

east Orange County, instead of converting it to natural gas as stated in the EIRP. Unit 1's retirement date has not been determined, but OUC remains committed to significantly reducing coal-fired generation no later than 2025 and eliminating it no later than 2027.

The 20-year-old Osceola plant comprises three separate turbines, known in the industry as "peakers," which can be powered up or down in just minutes. This capability will be used to mitigate fluctuations in solar energy production. OUC is aggressively increasing its reliance on solar energy, with plans to boost capacity to power 50,000 typical residential homes by late 2023.

Acquiring the Osceola Generating Station provides OUC with an extra layer of resiliency because it's equipped with emergency backup fuel, a critical resource to have on hand in case of fuel supply disruptions, and is more cost-effective for OUC's customers than converting and operating Stanton Unit 1.

Under the EIRP, OUC plans to increase the use of renewable energy resources and encourage conservation to reach net-zero CO2 emissions by 2050, with interim carbon emissions reductions of 50 percent and 75 percent by 2030 and 2040, respectively.

### **Florida Public Power Sends Mutual Aid Crews, Equipment Post-Ida**

In August, powerful Hurricane Ida made landfall in Louisiana, causing widespread damage and leaving more than a million customers in several states without power. The extent of the damage was so great that it required rebuilding of the electric grid in many areas, and recovery was challenging. Few public power cities were impacted and had power restored in just a



few days; however, the City of Houma in the Terrebonne Parish is the exception to that. For four weeks, two contingents of electric crews from the City of Tallahassee provided mutual aid to the City of Houma/Terrebonne Parish Utilities Department. In addition, Houma was running low on materials and supplies needed for restoration, and Keys Energy Services sent 60 much-needed transformers to Houma to assist with restoration efforts. Thank you to both the City of Tallahassee and Keys Energy Services for your efforts in helping another public power utility in need. ■

## Who's Who in the Florida Public Power Community

### FPUA Swears in New Board Member

On August 18, the Fort Pierce Utilities Authority welcomed **Barbara Bennett** as the newest member of the FPUA Board. An engaged and active community member, Bennett has been a teacher with the St. Lucie County School Board for more than 16 years and is a pastor of a local church. Bennett fills a vacancy on the five-member FPUA board of directors. Congratulations, Barbara!



### KEYS Promotes Sabino



**Dan Sabino** has been promoted to Keys Energy Services (KEYS) assistant general manager and director of engineering and control effective August 30. Sabino previously served as director of engineering and control.

In his new role, Sabino will continue overseeing the Engineering Services section, which includes the design and

maintenance of the utility's electrical transmission and distribution infrastructure and control systems, as well as the Control Center, which is staffed 24 hours a day and monitors the utility's electrical grid and dispatches KEYS' personnel for trouble calls. Additionally, he will be responsible for overseeing KEYS' Fleets and Facilities sections and filling in for the general manager and CEO in her absence.

Sabino has been employed by KEYS since 2006 and has held various positions within the Engineering, Transmission and Distribution, and Generation departments. Prior to his work with KEYS, he was a principal engineer for Westinghouse Electric Corporation. He holds both Bachelor of Science and Master of Science degrees in electrical engineering from the University of Pittsburgh.

### Tallahassee Names Electric and Gas Utility General Manager



The City of Tallahassee is pleased to announce **Tony Guillen** as its new general manager of its electric and natural gas utilities. Guillen most recently served as the

director of engineering and operations for Talquin Electric Cooperative for five years. Prior to that, he worked in various supervisory roles, including as the

manager of transmission and distribution, for the city's electric utility for 14 years. He began his career as an engineer, working for the City of Homestead Electric Utility, and has also worked for the state of Florida and others. In his new role, he manages a team of approximately 330 employees, who proudly provide safe, reliable power to more than 123,000 electric customers and more than 34,000 natural gas customers in a 221-square-mile area through more than 2,200 miles of transmission and distribution lines. Guillen holds a bachelor's degree in electrical engineering from the University of Florida, a master's degree in business administration from Florida State University and a certificate in public management from FSU.

### Ricardo 'Rick' Morales III Appointed to JEA Board of Directors



**Ricardo "Rick" Morales III**, president and chief operating officer of Morales Construction Co. Inc., has joined the JEA board of directors. The Jacksonville City

Council approved Morales' appointment at its September 28 meeting.

Morales fills a vacancy left by the late Leon Haley Jr., who died in an accident on July 24. Haley, who was CEO of UF

Health Jacksonville, had served on the JEA board since April 2020.

Morales leads operations at Morales Construction, a design/build general contracting company specializing in estate custom homes in northeast Florida. He has more than 35 years of experience in all phases of construction, including financial management, field supervision, project management, estimating, project development and executive management. Morales started his career as an estimator for Atlantic Constructors, a division of Patterson Enterprises, in 1985. In 1987, he joined Morales Construction Co., becoming president of the company in 1995.

Morales is active in numerous business and charitable organizations. He was appointed to the Florida Judicial Qualifications Commission by Gov. Jeb Bush in 2001 and 2007, then reappointed by Gov. Rick Scott in 2013 and served as its chairman from 2013 to 2015. Morales is a board member, PAC chairman and previous board president of the Northeast Florida Builders Association and is a director and past chairman of the Presidents Council for the Florida Home Builders Association.

Morales is a graduate of The Bolles School in Jacksonville and Wofford College in Spartanburg, South Carolina, where he received a bachelor's degree in finance.

### **Ricky Erixton, JEA Vice President of Electric Systems, Named to SERC Reliability Board of Directors**



**Ricky Erixton**, vice president of Electric Systems at JEA, has been appointed to the SERC Reliability board of directors. Erixton will represent the municipal sector for the board, overseeing a nonprofit that works to reduce risks to the reliability and security of the electric grid in 16 southeastern and central states, including Florida.

Erixton has worked at JEA in multiple leadership positions for more than 30 years. Erixton began his career in the co-op program at JEA in 1989 and joined the company in a permanent role in 1991 as an engineer in the System Operations Department. Erixton spent almost 20 years in the System Operations Department before being promoted to director of transmission and distribution maintenance in 2011 and to senior director of transmission and distribution in 2019. He was responsible for the maintenance of the entire JEA electric system from the generation resources to the customer before becoming interim vice president of electric systems in 2020. Erixton was named vice president of electric systems in March 2021.

Erixton holds a Bachelor of Science in electrical engineering from the University

of Florida and holds a North American Electric Reliability Corporation (NERC) System Operator Certification.

### **JEA Names Chief External Affairs Officer**



JEA announced the appointment of Chief External Affairs Officer **Laura Schepis**. Schepis has more than 15 years of experience in the government affairs and communications industries in Washington, D.C., Virginia and Tennessee. In her new role, she will oversee JEA's government affairs, media relations, communications, environmental operations and compliance monitoring departments.

For the past three years, Schepis was senior director of national security policy for Edison Electric Institute in Washington, D.C. Her responsibilities included leveraging electric utility and government partnerships to enhance preparing for and defending against significant natural disasters and attacks on the energy grid.

Schepis also has held leadership roles at Partnership for Affordable Clean Energy and the American Public Power Association. She holds a bachelor's degree and a Juris Doctor from the University of Georgia.

## Florida Public Power Leaders Named Top Business Execs

Florida public power leaders were once again named to the Florida 500 by Florida Trend. The Florida 500 recognizes Florida's 500 most influential business leaders, spanning more than 60 different economic sectors, including energy. The editorial selection of the 500 executives was



Clint Bullock



Jay Stowe



Jacob Williams



Amy Zubaly

based on extensive contacts in regional business circles, hundreds of interviews and months of research, culminating in a highly selective biographical guide to the people who run Florida.

- **Clint Bullock**, general manager and CEO, Orlando Utilities Commission
- **Jay Stowe**, managing director and CEO, JEA
- **Jacob Williams**, general manager and CEO, Florida Municipal Power Agency
- **Amy Zubaly**, executive director, Florida Municipal Electric Association



In addition, congratulations to **Dean Cannon**, president and CEO of Gray Robinson and FMEA's lobbyist, for inclusion in the category of law, and to **Cory Tilley**, president of CoreMessage — FMEA's public relations firm — for inclusion in the category of professional services.



## FMEA Welcomes New Team Members

The Florida Municipal Electric Association welcomed two new employees to join the Florida public power team.

**Beth Morris** is FMEA's new office and operations manager. Morris comes to FMEA most recently from the Florida School Nutrition Association and will be fulfilling numerous office management, bookkeeping, billing and database management functions, and will serve as the conference registrar.

Also joining FMEA is **Dave Heller**. As FMEA's new communications specialist, Heller will be working with the FMEA team and our members to produce a variety of communications tools, handling FMEA's social media accounts, researching and compiling our weekly Headline News, creating videos and more. He most recently served as the communications director for a statewide advocacy group on behalf of Florida's private child welfare providers. ■



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# Build Back Better Act Update

The House passed H.R. 5376, sending it to the Senate for consideration. Timing remains unclear, but Senate Majority Leader Chuck Schumer (D-NY) would like to take up the reconciliation bill this month. APPA strongly supports provisions that would expand energy tax credits to public power utilities. APPA President and CEO Joy Ditto encouraged Senate Finance Committee Chairman Ron Wyden (D-OR) to retain the direct pay energy tax credit provisions of H.R. 5376. Enactment would mean that “all utilities, not just for-profit utilities, can directly benefit from these energy tax credits,” she wrote. “This will make these incentives fairer and more effective.” APPA continues to lobby for — adding bond modernization provisions; allowing public power utilities access to a proposed \$9.7 billion Rural Utility Services renewable energy program; and excluding municipal bond interest from a proposed corporate alternative minimum tax.

## **ACTION ALERT: Protect bond payments from cuts**

Contact your congressional representatives — especially Senate Republicans — to prevent the elimination of Build America Bond and New Clean Renewable Energy Bond payments due to the American

Rescue Plan Act’s pay-as-you-go effects. Public power faces \$270 million in 2022 cuts alone. House Budget Committee Chairman John Yarmuth (D-KY) drafted legislation to address this issue by waiving “PAYGO” for ARPA either as a stand-alone bill or as an amendment to other pending legislation.

## **Meanwhile, at the Federal Energy Regulatory Commission...**

- New Notice of Inquiry on Reactive Power Capability Compensation. The NOI seeks comments on various issues concerning this and market design, including input on whether resources interconnected to a distribution system but participating in wholesale markets should be eligible for reactive power capability compensation through transmission rates. Changes to these policies could affect the transmission rates for reactive power that public power utilities pay (or collect).
- Winter Readiness. An April 28 technical conference will focus on improving the winter readiness of electric generating plants, as recommended in a final report concerning the cold weather event in February 2021 that affected Texas and other parts of the United States.

## **Department of Energy, White House seek insight into energy sector’s supply chain issues**

DOE issued a Request for Information from stakeholders on “approaches and actions needed to build resilient supply chains for the energy sector” to help inform a report to the White House, under an executive order. DOE seeks stakeholder input by January 15, 2022. APPA intends to focus comments on electric grid transformers and HVDC; carbon capture, storage and transportation materials; and cybersecurity and digital components.

## **Federal agencies propose revised “Waters of the United States” definition**

The proposed rule would re-establish the pre-2015 “WOTUS” definition as EPA and the Army Corps consult stakeholders to refine the definition. Their intent in revising the definition is to better protect the nation’s vital water resources to support public health, environmental protection, agricultural activity, and economic growth. APPA submitted comments that a new definition must draw clear jurisdictional lines, provide predictability for the regulated community, and be consistent with a Supreme Court precedent. ■

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# THE INFLUENCE OF GOVERNANCE ON PUBLIC POWER

by Kristi Spargo

Why is governance so important? The structure of governance ensures accountability, transparency, responsiveness, stability, equity and inclusiveness, empowerment and adherence to the rule of law.

Florida's municipal electric utilities are locally owned and operated by local governments and, as such, they are uniquely governed by local officials directly accountable to the citizens they serve. Contrast that with how other utilities are governed: Not-for-profit rural electric cooperatives are governed by customer-member-elected boards,

while investor-owned utilities are for-profit, private enterprises owned by shareholders and regulated by the state public utilities commission, known as the Florida Public Service Commission.

As locally governed entities, public power customers have direct access to

utility leadership in each city or town. Those who both lead and govern the utility are also customers of the utility, so the public power model incentivizes them to make the best decisions for customers, rather than making profits for shareholders. While public power is operated by local decision-makers, governance structures vary among communities.

There are two main models of governance: One gives oversight authority to a city council or commission, and the second grants that authority to an independent utility board. According to a Public Power Governance Survey by the American Public Power Association (APPA), 54 percent of respondents said they were governed by a city council, while the remaining 46 percent were governed by an independent utility board.

### City Council Governance Model

In Florida, 26 public power utilities operate under the city council governance model. In this structure, voters elect city council members to manage city business including the utility.

That means the city council can set electric rates, approve the utility's annual budget, set salaries, issue long-term bonds, make investments for the utility, approve purchased power contracts and exercise the right of eminent domain. The electric utility is a department of the city, and sometimes departmental functions such as HR and IT are shared. Cities utilizing this model include Jacksonville Beach, Winter Park, Mount Dora, Leesburg and Tallahassee. Lakeland has a hybrid leadership model with a city commissioner/customer committee. It consists of elected city council members, as well as a separate utility committee whose members are appointed by the mayor.

### Independent Utility Board Model

Under an independent utility board model, members are elected or appointed. At Keys Energy Services (KEYS), which serves Key West and the lower Florida Keys, the utility authority board is elected by customers. It has five members — three from inside the city and two from outside the city limits — and all are KEYS customers. The elected

utility board model is unique to KEYS in Florida.

In other cities, utility board members are appointed by the mayor and/or city council. About 40 percent of the nation's public power utilities are independently governed by appointed board members. Fort Pierce, Jacksonville, New Smyrna Beach, Kissimmee and Orlando use this structure. The utility authority board members are fiduciarily responsible to vote on all issues, including the utility's budget.

Some cities have a citizens or customer advisory committee in addition to the commission or board. These committees are appointed by the city manager or mayor, and their members represent all areas of a community served by the utility. While they are not fiduciarily responsible, their advisory recommendations are taken seriously by the governing body in decision-making. According to the APPA, 10 percent of utilities nationwide have a separate advisory council composed of community members who offer input on utility issues and raise any concerns.

Public power utilities serve more than 49 million people in 49 states and five U.S. territories. Collectively, these utilities generate more than \$60 billion in annual revenue and invest more than \$2 billion back into the community each year. In Florida, 33 municipal electric utilities service about 15 percent of the state population. Public power is expansive and vital to many communities, and the leaders of these utilities — whether they serve through the city council, the utility board or another entity — appreciate the importance of their oversight role and the need to stay on top of local issues and industry trends.



### Lakeland Electric

Lakeland City Commissioner Stephanie Madden is a big supporter of public power. She notes that Lakeland Electric (LE) has provided affordable,

reliable and sustainable power in the city for more than 100 years; it fuels the local economy by creating good jobs for residents; and having local control means the utility is more nimble and able to expedite repairs after storms.

LE also invests in the community by sponsoring local events and supporting nonprofit organizations. The utility has created "power academies" at local high schools, which train students and help them land jobs after graduation.

When a change in charter language was proposed on the election ballot, which would have made it easier to sell LE, the utility embarked on a community-wide effort to share the benefits of the community's greatest asset — the locally owned utility.

"During that time, our Lakeland Electric marketing team launched a 115th birthday celebration to highlight what LE brings to the community," Madden said. "As someone with a background in marketing, it got me excited about the importance of telling our story and remembering how much we have all benefited from public power. That's how I ended up becoming the commissioner liaison for LE. I knew as liaison, I needed solid knowledge to be an effective communicator so I signed up for FMEA and APPA conferences and webinars. I also had the privilege of going to Washington, D.C. to discuss important issues with legislators and to ensure public power was represented



when decisions were being considered that would affect our electric infrastructure and the safety of our linemen, like pole attachments for broadband.”

Madden is keenly aware of the importance of monitoring legislative activity and serving as a strong advocate for public power. When groups such as the Florida Municipal Electric Association and the American Public Power Association team up with local communities on advocacy, their collective voice is a lot stronger. Madden participates at the state and national levels, serves on the APPA Policymakers Council and considers public power advocacy one of the most important parts of her job because it’s a big part of her community.

She said the City of Lakeland is taking exciting steps to plan for its energy future.

“We just decommissioned our coal plant, and we need to replace that power generation. We have six new natural gas engines on order, and we also need to position ourselves so in eight years we can make additional investments. We have an emerging tech team dedicated to exploring clean energy options, and the engines we have on order will be ready for a 20 percent injection of green hydrogen on Day One and will have the ability to use 100 percent green hydrogen when needed to meet clean energy goals,” Madden said.

“As city commissioners, we take a serious look at a project’s cost, the contingencies, and our debt ratio before voting on contracts because we have to defend the investment to our citizens. Ultimately, it is up to us as decision-makers to show that we have a track record of being fiscally responsible because we are accountable and fully transparent to our citizens. The unique thing about public power is that



it is citizen-owned, and citizens feel a sense of pride.”

### Beaches Energy Services



In Jacksonville Beach, Mayor Christine Hoffman makes it a priority to nurture a good relationship with Beaches

Energy Services so council members get the best information for utility-related decisions. She is proud of Beaches Energy and considers it a valuable asset in the community.



“Anytime we can pass on savings to customers we do, and they know that,” Hoffman said. “Beaches Energy goes above and beyond to inform and engage members and

to ensure that customer-service mentality is top of mind. The utility is very reliable and proactively prepares for storms and hurricanes to make sure we remain safe with the power on. This is not always the case in neighboring communities, and our residents are thankful to be Beaches customers.”

Hoffman adds that Beaches Energy provides educational opportunities to council

members and keeps them apprised of not only urgent needs, but also long-range investments that will enhance resiliency and reliability in the future.

Hoffman said she has personally benefited from these educational opportunities.

“I have been up in the top of a bucket truck twice. I have gone into a substation, and I’ve seen the equipment our employees are working with,” she said. “It brings things to life when we need to vote on a budget. Electric utility is very complicated. We don’t walk in the door knowing what everything is and what everything is for. Beaches Energy takes the time to explain it and are seen as our partners.”

### City of Winter Park

Winter Park is Florida’s newest municipal electric utility. In response to tremendous customer dissatisfaction and significant reliability issues, the citizens of Winter Park in 2003 voted in favor to purchase the electric utility system from an investor-owned utility.

Since “flipping the switch” to municipal ownership in 2005, that decision has paid

dividends for the citizens of Winter Park and their city. Local control has allowed them to upgrade infrastructure, invest in systems, replace aging equipment and embark on a significant project to move wires underground. As elected officials, commissioners control capital investments, and they're able to set rates while considering the impacts to local residents and business owners.



Winter Park Mayor Phil Anderson believes operating as a public power community is an investment in quality and reliability. In addition, it allows the city to decide what types of energy to acquire and distribute, along with the cost.

"Owning our own distribution lets us have vigorous public debate of policy decisions, which are directly related to where and how we invest the net income from the enterprise," Anderson said. "To date, we have been able to commit toward the undergrounding and hardening of systems to prepare us for weather events. In the latter part of this decade, we will have other choices to make about sustainability and fuel-mix targets. The great thing about having power within the city's purview is that residents get a good voice in talking directly to commissioners and ultimately through elections. It's very accessible to the residents who ultimately own the enterprise."



**City of Mount Dora**

Like all public power communities, Mount Dora

strives to offer competitive rates for its citizens. As a local utility, the city council continuously monitors current rates and ongoing expenditures to better plan for the city's future. In addition, Mount Dora's community-owned public power utility

provides needed revenues for critical city services that benefit residents and local businesses. Employees live in the communities they serve, so their paychecks help support the local economy.

The utility contributes to the community in other ways, as well. Mount Dora has a significant holiday celebration, and the municipal utility ensures the holiday lights shine beautifully from November until February.



Mayor Cathy Hoechst and the council regularly receive presentations from the electric department so they stay informed on issues.

"With the revenue brought in by public power, we are able to support the town's essential services when needed," Hoechst said. "The community is a player, and this adds a different dimension. We are proactive in replacing poles from wood to concrete; we budget to put lines underground; and we are looking at advanced metering infrastructure in the future. These are not inexpensive ventures; however, as an internal city-owned company we can plan for it and make sure we stay ahead of the curve."

**City of Leesburg**

Public power is very important to all customers of Leesburg's electric department. When a storm knocks the power out, it is a top priority to get the lights back on for their customers as quickly as possible, while keeping people safe.

Leesburg's linemen, like the linemen working for public power utilities across the state and nation, only work on their system and aren't going to other cities unless they're called upon as part of a larger-scale mutual aid deployment. This means the linemen employed by public power most often live and work in the communities their utilities serve, and so they can more quickly get the power back on. On a blue-sky day, or during storm restoration efforts, if customers have concerns they can go to the local staff and city commissioners, unlike customers served by big, private and most often out-of-state corporations.



Leesburg City Council member Dan Robuck, who also serves as chair of the Florida Municipal Power Agency's Policymakers Liaisons Committee, sees his role as twofold.



"First, the cost of electric is a big line item in everyone's budget," he said. "We have to be competitive and keep costs low for our customers. Our advantage is we don't have to pay investors back; the investors are our citizens. The second is that we have to be reliable and ensure power. We rarely lose power and when we do, we get it back on quickly."

### The Utility Board Model



In 1943, the City of Key West purchased its utility from a private company and created a five-member board comprising the mayor, a city council member and three citizens.

That governance model lasted for 26 years, until the Florida Legislature passed a new enabling act for governing KEYS, which called for popularly elected members and an autonomous board.

In 2017, a residency requirement was initiated for the five elected board members: Three were required to live inside the city limits, and two had to live outside the city limits. All ratepayers vote on all five members, who also are KEYS customers. Before this latest change, only city residents served

on the utility board and only city residents were allowed to vote for candidates. The impetus for the new model was to give all customers a voice in the operation of KEYS.

In 2021, additional language set new parameters around how the utility would be sold if that scenario ever came up.

"Previously, there was no language addressing a private investor, and we wanted to protect the utility and the ratepayers," said KEYS General Manager Lynne Tejada. "Now, in order to sell the utility, the board through supermajority would have to pass a resolution approving the sale and then if it was voted in, it would go to a referendum for all voters within the territory. Sixty-five percent of qualified electors have to vote approval. We required that this would have to be done in a general election, as there are much larger voter turnouts. We also thought waiting for a general election would provide time for the issue to be truly vetted and discussed within the community."

The utility board sets policy, approves the budget and develops a strategic plan for the utility. Tejada works with newly elected board members, providing an orientation session

that lasts several days. Every department from finance to engineering to customer service helps new board members to understand what happens in the field. Board members are also encouraged to attend FMEA and APPA meetings so they can get a feel for how KEYS fits in statewide and nationally. As there are no term limits, consistent leadership also helps to keep the utility running smoothly.



Chair Mona Clark, a strong advocate of public power, has been on the board since 2004.

"I came back to Key West after college and I have always been very active in the community," Clark said. "When this opportunity came forth, I decided to go for it. Everyone who sits on a board brings something a little different from the other person. I continue to run because I believe in our community and KEYS, and I believe in what we stand for. We always put our customers first and do all we can to give them reliable energy at a reasonable price."

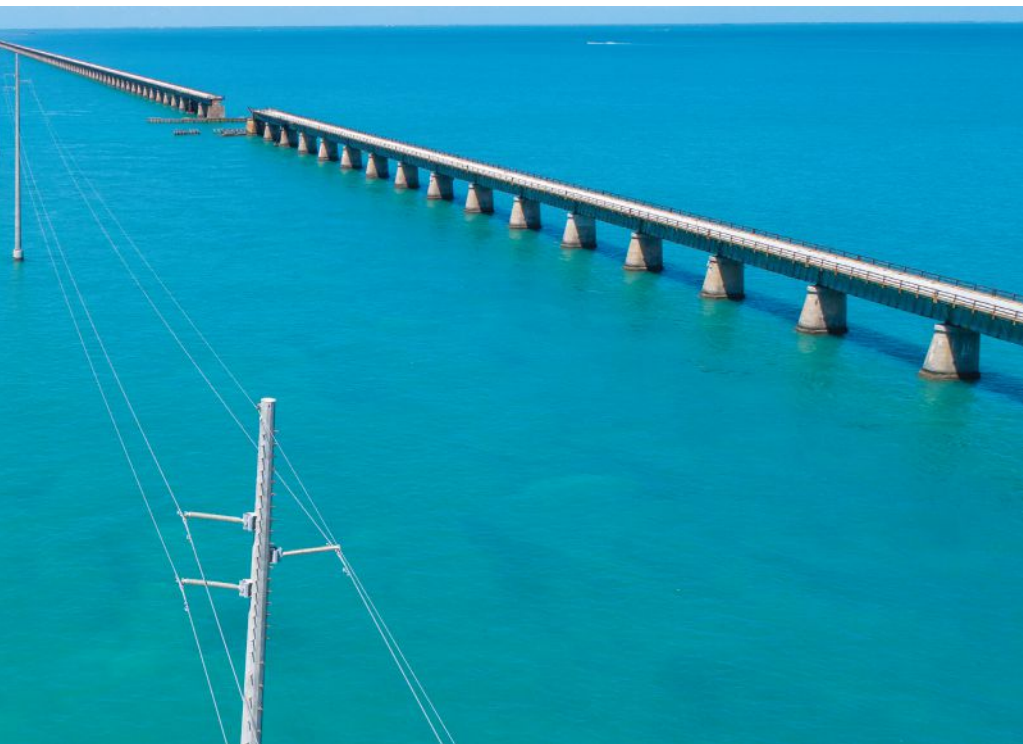


### JEA

The Jacksonville community wants and demands that their public utility be recognized as a gold standard in integrity and public service. The mission of JEA's board is not to maximize profit, but to optimize electric, water, wastewater and responsiveness. JEA has a responsibility to respect and support customers' values, and the board and CEO have been working hard to gain the community's trust and confidence.



Lt. Gen. Joe DiSalvo, U.S. Army (retired), a member of the JEA board and APPA Policymakers Council, believes the board has accomplished that goal.



"As board members we take our advocacy role seriously," DiSalvo said. "We want the community to appreciate the tremendous work that JEA does 24/7 under all conditions. Advocating for the ones in the trenches every day is important, and we need to garner community recognition that the workforce deserves."

Reinvesting back into the utility is a critical aspect of the board's oversight. DiSalvo said board members exercise due diligence on decisions about improving infrastructure and reliability of service. Projects such as septic tank remediation, nuclear power sharing, renewables and solar are very expensive considerations. The board has a finance committee that teams up with JEA financial experts. They try to manage the utility proactively, which often means moving forward on infrastructure needs before the work becomes more difficult and expensive in the long run.



**Utilities Commission,  
City of New  
Smyrna Beach**

Florida's rapid population and business growth

raises issues for the City of New Smyrna Beach, including questions about development, infrastructure and the reliability of electric service. The Utilities Commission (UC) sits at the intersection of these issues.

Commissioner Rick Hawes said having a locally owned and managed utility allows commissioners to better understand issues, determine priorities and execute a long-term plan.



"As a commissioner, my primary obligation is to our customers — our residents and businesses," he said. "My role is to understand the issues in our area, the plans and actions of our utility management and to ensure that we are acting in the best interest of both the utility and our community. It is important to understand issues that impact utilities as well as challenges facing the industry. Our city and its residents are our only priority. We keep this in mind at all times and are not conflicted by having to concern ourselves with other areas and determining who gets allocated what resources and when."

Hawes is particularly focused on how the utility performs these functions: managing finances, operating assets, serving customers and making long-range plans. He believes educational opportunities provided by utility leaders are critical to help commissioners understand and prioritize issues.

"I think one of the greatest challenges for our utility is to ensure we have management and

staff who not only understand the business at hand but have the ability to look forward and plan the UC's future," Hawes said.

"This is perhaps the commission's largest responsibility. While our customers may not think about this every day, they expect we are competent, professional and can plan for the future. The UC is in very good shape today in this regard."

**Kissimmee Utility Authority (KUA)**

Having a locally controlled public power utility in Kissimmee provides a great advantage to residents because they can create policies that best serve the community's priorities and keep rates stable.

Members of the Kissimmee Utility Authority (KUA) recognize the importance of nurturing people's trust in the utility and emphasizing transparency in decision-making.



"I see my role in public power as bringing an important perspective to the board that's an extension of the community's objectives," said Manuel Ortega, KUA board member and also a

member of the APPA Policymakers Council. "The beauty of public power is that policies we approve have a direct impact on the board members as well. The decisions that I bring aim to keep ratepayers at the forefront, while continuing to look for avenues to enhance reliability and system improvement."



**Orlando Utilities  
Commission (OUC)**

OUC has been part of the Orlando community since its charter was formed in 1923. While OUC is a municipal utility, it is not controlled by the City of Orlando. The mayor is an ex officio member of the board, one of five voting members. As an independent authority, the board is solely focused on OUC services to customers, rate stability, plans for the future and community involvement.



OUC CEO Clint Bullock



“Because the Greater Orlando community is our home, we strive to do our part as good corporate citizens and have a real impact in making it a better place to live,” said OUC President Britta K. Gross.

“And because we are a leading influencer of Orlando’s future, it’s incumbent on us to listen to citizens’ ideas and concerns about the kind of future they want with regards to energy generation. That is why we sought extensive public input in our Electric Integrated Resource Plan (EIRP), a 30-year energy roadmap.”

Public power utilities such as OUC provide long-term value including rate stability, support for local jobs, policies in line with community priorities, economic development, and financial support for local government functions and community activities. Local control also enables OUC to tailor policies, programs and practices to best serve the needs and priorities of customers and communities. Board members are ultimately accountable to the people they serve, and they realize the importance of providing reliable and resilient service at affordable rates.

“Although we’re from different areas of the state, what binds us together and sets us apart from investor-owned utilities is we’re working to make our hometowns better places to live,

work and play,” Gross said. “As we like to say, ‘Public power serves Main Street, not Wall Street.’ We live and work next to the people we serve. This, in turn, gives us a better perspective and understanding of the issues we face as a community.”

#### Utility Advisory Board

The utility advisory board serves as a complement to the traditional models of governance. Composed of citizens who represent the community, it serves as a vetting group to advise the utility on decisions. For example, Tallahassee’s Citizens Advisory Committee includes 15 residents who live in the city or unincorporated areas of Leon County and represent diverse perspectives. They offer input to the city manager on current issues and long-term planning for the production and transmission of power, as well as wastewater treatment, water quality and utility-related business policies.

Lakeland’s citizens group is a formal committee sanctioned by the city with six community members appointed by the mayor. Each represents a segment of the customer base, such as inside and outside city limits, commercial and residential, and others. The committee works closely with city commission members on issues, and while commissioners make final decisions, they want to be aligned with the citizens group.

Any citizen who wants to be a member of this committee can apply online, and the mayor wants it to represent the entire community with varying perspectives. As new members join the committee, Cindy Clemmons makes sure they are up to speed on issues. She’s the manager of legislative and regulatory relations at Lakeland Electric, and she spends time training committee members with resources from FMEA and APPA.

Clemmons appreciates the committee’s insights.



“We wanted to make sure that everyone is represented, including those outside city limits,” she said. “The city commission is elected by the City of Lakeland voters, not by those who live outside city limits, so they have a limited voice without this committee.”

Whatever the governance structure might be, a community-owned public power utility provides many benefits to the communities they serve. Customers have direct access to the people elected or appointed to manage a utility, or they can personally get involved. Local control helps keep the electric system modern, reliable and affordable for the community. ■

# FOSTERING THE BOARD AND PUBLIC POWER UTILITY RELATIONSHIP

by Kristi Spargo

Governing boards of Florida public power utilities vary by community, but they are bound by a critical common mission: ensuring that utilities operate efficiently, effectively and in ways that represent the unique needs of their communities. While the leadership may be composed of popularly elected or appointed officials, commissioners or board members, the key component of all good governance is the relationship between members of the governing body and utility leadership. Building and maintaining this strong relationship is essential for mutual success, yet this important mission can become more difficult due to the transient nature of elections and the turnover of appointed leaders. Public power utilities take great strides to provide training and education for officials and to reinforce the value and importance of public power. Leaders from JEA; Utilities Commission, City of New Smyrna Beach (UCNSB); City of Fort Meade; Beaches Energy Services; City of Mount Dora; Kissimmee Utility Authority (KUA); and Orlando Utilities Commission (OUC) share more about how they work alongside their governing officials to form a powerful team of advocates.

## JEA

JEA board members are appointed. The city council president nominates four members, the mayor nominates three and the full council votes to confirm them. Board members must be Jacksonville residents. This year the JEA board of directors passed a resolution reaffirming the importance of diversity among its members to ensure all voices in the community are represented on the board. JEA board members are actively engaged in their community. They speak at rotary clubs, schools and nonprofits to raise awareness about public power's significant contributions to residents' quality of life.



JEA Chief Strategy Officer Laura Dutton said board members have clear goals: They want to make JEA the best utility, while following a strategic plan that improves lives and builds community.

JEA Managing Director and CEO Jay Stowe shares that vision. He said the utility is a foundational piece of the economy in northeast Florida, and having local control



of this valuable asset allows board members to make sure it serves local residents for generations to come.

"We work with board members on the basics of utility issues and other topics they need to be aware of, including Florida's Sunshine Law and local charters, and we bring them up to speed on facility operations," Stowe said. "This isn't just a one-time training event. We need to make sure they recognize what's ongoing in the community and the organization."

Stowe said he encourages continuing education for board members, and those efforts help cultivate a positive, productive relationship.

JEA is a multi-utility, serving customers with other services, such as water and sewer systems. The electric system includes more than 6,700 miles of distribution lines and also utilizes clean energy produced from solar panels located throughout northeast Florida.

### Utilities Commission, City of New Smyrna Beach (UCNSB)

The Utilities Commission, City of New Smyrna Beach (UCNSB) is a political subdivision of the state of Florida and, as such, has a board of commissioners. While UCNSB is a separate organization from the City of New Smyrna Beach, the commissioners are appointed by the City of New Smyrna Beach's Commission.

Local control is also a key tenet of UCNSB's operation. General Manager and CEO Joe Bunch said local citizens are eager to help guide the utility, so there are always plenty of applicants when the commission has a vacancy.



"They view their role as an integral part of the team, providing effective governance that aligns with senior leadership in a collective goal to ensure long-term reliable and sustainable services for the community," Bunch said.

Bunch and Director of Finance Efren Chavez onboard new commissioners by providing organizational background along with a review of the utility's Governance Master Resolution. The resolution was developed as a template for how the utility will be managed over time. It was designed to ensure continuity through turnover in commissioners and staff. The plan includes guidance for strategy development, budgeting, business planning, operational metrics, and periodic studies for rates, compensation, system capacity and operational performance. By receiving ongoing education on the value UCNSB brings to the community, the commissioners become more informed in their advocacy for the utility.

"We educate by taking advantage of the time we have in front of them each

month to share information about all we are doing," Bunch said. "We also formally present the Value of Public Power presentation for New Smyrna Beach in conjunction with the Florida Municipal Power Agency to provide even more information that is translated into dollars and cents, such as rate comparisons, hurricane restoration data, the local economic impact of UCNSB and more. This really helps open their eyes as to what UCNSB does for the community, and in essence what they do beyond spend approvals and governance."

### City of Fort Meade

The City Commission of Fort Meade comprises five publicly elected commissioners who serve four-year terms. City Manager Jan Bagnall reports to the commission, and the electric utility reports to Bagnall. Bagnall has 20 years of experience in the electric industry, and as the new city manager, he has emphasized education for utility leaders on the benefits of public power.



"We are investing in capital and the future of both our utility and city," Bagnall said. "I educate the commission on investing in infrastructure, the necessity to maintain and reinvest in the utility, and also on the value the utility has to the city as an independent business enterprise. The electric utility is the largest business enterprise the city has."

Bagnall communicates not only the value the utility adds to the city's general fund and through in-kind services, but also how a well-run utility is one of the main things a business considers when deciding whether to relocate there.

"If a business is looking to come to the city, they look at infrastructure and cost

with the main areas including electric, water, sewer and transportation. If we provide low rates and reliable electric, then they can be more competitive. This is a for-profit advantage," Bagnall said.

### Beaches Energy Services

Beaches Energy Services powers customers throughout Jacksonville Beach, Neptune Beach, Ponte Vedra and Palm Valley. It is governed by the Jacksonville Beach City Council, which provides oversight essentially as the board. City Council members approve budgets, authorize contracts and purchasing, and set strategic direction for the electric and natural gas utilities.

As director of Beaches Energy Services, Allen Putnam arranges one-on-one meetings between members of the city council and his staff, who represent all divisions within Beaches Energy. Council members are given tours of facilities and presented with state-of-the-industry updates, so they can formulate a big-picture perspective of the issues and challenges affecting public power utilities. They also hear an annual budget presentation to review long-term projects designed to enhance the system's reliability, sustainability and affordability.



"We communicate the important issues of public power to our city council and mayor so they can advocate on behalf of our owners/customers," Putnam said. "We also encourage them to attend events such as the APPA and FMEA legislative rallies to assist in advocating on behalf of our customers."

### City of Mount Dora

The Mount Dora City Council governs the electric utility and plays a big role in how the utility is run. The council is very involved in utility purchases, upgrades and contracts, and it approves the budget and capital improvements. Elected city council members want

customers who are satisfied with utility services and their overall operation. Electric Utility Director Steve Langley works with new council members to help them understand complex electric utility issues, including electric rates.



“We have a great relationship with council members, and we work hard to show them the good things the utility is doing for the city,” Langley said. “They like the idea of having a utility that they can be close to, ensuring that their constituents are getting the services they want.”

The utility collaborates with the council to promote good news messages that can be shared with residents. Langley said council members are making progress on educating customers, particularly on the notion that electric rates are high. At a recent town hall meeting, the mayor specifically mentioned a rate change and wanted to make sure everyone understood the details. Langley said this open, transparent communication and education about the utility and how it’s governed has been invaluable.

### **Kissimmee Utility Authority (KUA)**

KUA board members are appointed through a three-step process that first involves a formal announcement of a board vacancy. Candidates must be registered voters and reside within the Kissimmee Utility Authority service territory, and they should demonstrate a successful business or professional management career. Board members then conduct interviews and send three recommended applicants to the Kissimmee City Commission for

second interviews. The city commission makes final appointments to the KUA board of directors.

Board members come from a network of diverse professions, and each brings a unique perspective reflective of the community they serve.

KUA President and General Manager Brian Horton said all board members undergo a rigorous orientation prior to their first board meeting that covers a wide range of information about KUA operations. They also meet with each department head to gain in-depth knowledge. Ultimately, board members view their role as being a voice for the community and customers.



“We encourage board members to advocate for public power by educating them on the added value that public power provides, by enriching the community it serves,” Horton said.

“They also represent the utility at various local, regional and national conferences where they learn more about the community impacts of public power, thereby reinforcing their knowledge base for advocacy.”

### **Orlando Utilities Commission (OUC)**

To serve as a commissioner on the OUC board, candidates must meet these requirements:

- Must be a qualified elector residing within the OUC’s service area
- Cannot be an officer or employee of any city or county within OUC’s service territory
- Cannot be a current commissioner who has served two consecutive four-year terms seeking to succeed him/herself (except the mayor)

In addition, the mayor and at least two members of the OUC board shall reside in the City of Orlando, and at least one member of the OUC board shall reside in the unincorporated service area of the OUC.

Once selected, each commissioner goes through an orientation process on board policies, OUC operations, financial directives and effective communication, including media training. They also receive training on laws related to ethics, public records law and conflict of interest requirements, as well as training on trends and developments in the industry.

Clint Bullock, OUC’s general manager and CEO, helps keep board members updated through special public workshops and one-on-one briefings that also offer a forum for any concerns.



“I believe it’s imperative that I build trust and ensure transparency with the board,” Bullock said. “Trust is key to our relationship, so I work to anticipate their needs for information that can help

them with decision-making. We provide specific communication that supports my goal of keeping board members informed of internal and external news involving OUC and other relevant industry happenings. Our goal is to ensure that board members have the information they need, and they’re prepared to make decisions that best benefit our customers and OUC’s future.”

When a public power utility fosters a strong relationship with its local governing body by providing education, information and a consistent presence, that kind of communication better serves the community and reinforces the value and importance of public power. ■



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Florida City Leaders Reflect on the

# Value of Community-Owned Electric Utilities

from Staff Reports



“As Mayor, I’ve developed a deep appreciation for having a utilities provider where locals serve locals. This produces a strong sense of pride and dedication in the staff who work at UCNSB, knowing they provide life essential services to their own community. Part of UCNSB’s mission is to be a Community Partner and they strive daily to ensure that our community can enjoy all of life’s moments without the worries of this essential need. From an economic standpoint, having a local utility creates many good, local jobs and results in disposable income staying right here in the local economy. Finally, UCNSB is able to bring our community modern utilities and reliability just like investor-owned, while still maintaining that personal touch – bringing full circle the impact of locals serving locals. These are just a few ways public power enriches the New Smyrna Beach community.” – **Mayor Russ Owen, New Smyrna Beach**

“Having a community-owned electric utility enriches the City of Chattahoochee by being able to provide better utility services at lower rates while also providing revenue for our community.

This allows us to respond faster and more efficiently to customers. We employ local utility professionals who are neighbors with the customers they serve which drives them to provide exemplary service to them. Our not-for-profit, community-owned electric utility makes us ‘Hometown Proud.’”

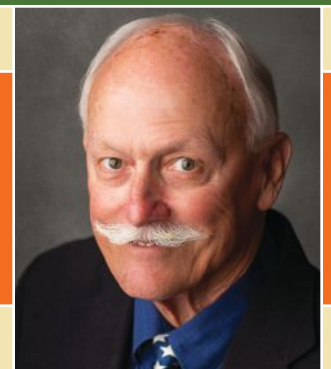
– **Mayor Ann Richardson, Chattahoochee**



“The City of Clewiston is well served by our city-owned utilities. The service to our citizens is cost effective, reliable and maintained by the best crew anywhere!” – **Mayor Kristine Petersen, Clewiston**

“On the business side, the advantage of having our own community-owned electric utility, is we have the opportunity to improve the health, safety and quality of life for our community.

That means our community has a direct voice in the decisions that impact them. Being community-owned allows the Good Life Community to prioritize the transition to renewable energy, control bulk power purchase and improve. We are able to do this while passing all the benefits to the customers.” – **Mayor Gib Coerper, Alachua**

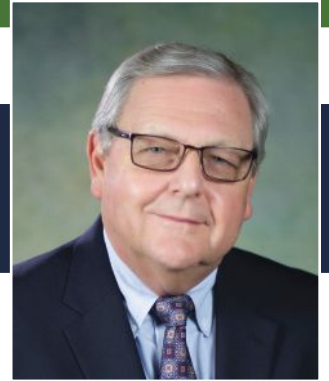


“Having a community-owned public utility like OUC is vital to the city’s growth and development. Just one example is OUC’s community revitalization initiative, the Empowerment Zone, which targets investments in the most economically challenged area in our service territory to help improve residents’ quality of life. Through this effort to reinvest in the community, OUC has sponsored a pre-apprenticeship program that trains young men and women for good-paying careers in carpentry, plumbing, electrical or building maintenance, helped set up “Free Little Libraries,” partnered in a public park beautification project including installing rooftop solar on a pavilion, installed EV charging stations at a neighborhood community center, worked with LYNX, our community transportation partner, on emission-free electric buses, and provided efficiency improvements to 83 low-income rental properties owned by a land trust.”

– **Britta Gross, President, OUC Board of Commissioners**



“This City of Tallahassee is dedicated to being the national leader in the delivery of public service. Being a public power utility – and one of the best in the nation – strengthens our community, allowing for an unparalleled level of responsiveness to an ever-changing economic and energy landscape.” – **Mayor John Dailey, Tallahassee**



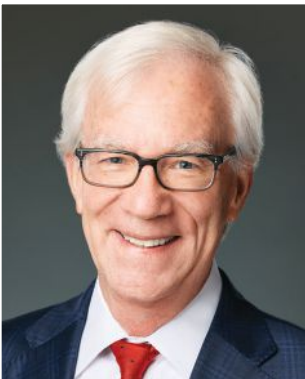
“Local electric service meeting local electric needs! When profit is not the priority as is the case in IOU’s, the only priority to focus on by the community-owned utility is customer service. Our Green Cove Springs Electric System staff know our customers and have their well-being at the top of their list. We would not want it any other way!”  
– **City Manager Steve Kennedy, Green Cove Springs**



“As our board governs KEYS Energy, our priority is to look out for our customers who are, in actuality, the owners of KEYS Energy services.” – **Board Chair Mona Clark, KEYS Energy**



“The City of Wauchula is a public power utility provider working together to meet local needs. Due to our not-for-profit business model, our rates are strictly cost-based and not profit-based. Additionally, with our City Commissioners being the governing body for the municipality, our customers are the owners and decision-makers for who they see best fit to run their electric utility. We are governed locally, and our mission is to provide an essential service at a reasonable price to our community. Our community is enriched by having a community-owned electric utility by the focus always being on our customers.” – **Mayor Keith Nadaskay, Wauchula**



“Our employees own the reliability and safety of our system and our residents own the policy decisions we make. We ultimately report to and serve our residents, and they have a lot of input on how we administer this enterprise in the future. Through this ownership, we have the ability to make decisions that directly ensure our power grid is reliable and our community is safe.” – **Mayor Phil Anderson, Winter Park**



“In addition to offering reliability, our employees all live here locally so having a community-owned electric utility is a big job creator in Leesburg. We also invest back by sponsoring different community activities and non-profit groups. By not having the demand to pay back investors, we can focus on Leesburg and the community.” – **City Council Member Dan Robuck, Leesburg**



“Having a not-for-profit community-owned electric utility offers reliability, customer service, savings passed on to our customers, and is a point of pride for our community. It also provides the opportunity to be at the table during strategic planning and discussions on sustainability and the future of our community. Energy utility needs to be a part of that conversation.” – **Mayor Christine Hoffman, Jacksonville Beach**



“We are proud to be a hometown service provider which allows us to focus on our customer needs, not meet the bottom line. The funds collected through our local power services are directed back into our city allowing us to continuously reinvest in our community. We want our customers to know they have a stake in what happens with their local provider, and as a municipality we understand that we are held accountable by our residents and strive to meet their needs through efficient service, operational excellence and transparency.” – **City Manager Sandra Wilson, Ocala**

“Honestly, one cannot drive around Lakeland and not see the benefits of having a community-owned electric utility. The dividends that are reinvested in our community can be seen in everything from our beautiful parks and recreational facilities to our fire trucks. Our citizens are the beneficiaries of these investments and it keeps our property taxes low without having to sacrifice on quality city services.” – **Commissioner Stephanie Madden, Lakeland**



“I’m proud to say JEA’s sincere outreach effort to the Jacksonville community goes beyond electric, water and waste. We have a small business incentive program, we advocate for local subcontractors, we sponsor events and expos related to employment, environmental stewardship and charity, and we recruit future JEA employees through a STEM outreach program at local high schools and colleges. Our neighborhood energy efficiency program educates on being more efficient and lowering cost, and our most recent outreach is support of the Jacksonville Emerald Trail, a plan to develop 30 miles of parks and trails, connecting urban core neighborhoods and helping both the economy and quality of life.” – **Lt. Gen. Joe DiSalvo, U.S. Army (Retired), JEA, Board of Directors**

“With a community-owned electric utility we get better customer service and faster restoration. When service is needed, our customers are not in a queue with surrounding communities serviced by other power supply companies. A number of years ago the town considered divesting itself of the utility, but after everything was said and done we realized, we were good.” – **Mayor Cathy T. Hoechst, Mount Dora**



“From an overall perspective, our citizens benefit from having a local utility that has no other priorities or service areas other than to serve our customers. This is especially apparent when we experience power outages and the response time that the Utilities Commission, City of New Smyrna Beach (UC) provides. We also know from studies that our electric and water rates are among the lowest in the state. In addition, we offer the citizens at our public meetings full disclosure of what is going on with the UC and citizens also have the opportunity to address the board as well as in one-off conversations.” – **Commissioner Rick Hawes, Utilities Commission, New Smyrna Beach**

“Kissimmee and Osceola County are greatly enriched by having a community-owned utility that is governed by its own community members that have extensive and immeasurable knowledge of the issues that are important to the community. The local control established by Kissimmee Utility Authority and other community-owned utilities ultimately improves the quality of life for its residents and builds a more vibrant community.” – **Manuel Ortega, Kissimmee Utility Authority, Board of Directors**





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# (History of) the Florida Public Service Commission

by FPSC Communications



Even though the Public Service Commission (PSC) begins with *public*, the PSC may not be a household name. Yet, its decisions impact all of Florida's nearly 22 million residents. The commission is an arm of the

Legislature, and its charge, in part, is to regulate investor-owned electric utilities to ensure fair, just and reasonable rates for customers, provide for the reliance of the integrated electric grid in Florida, and oversee safety and provide for other informational requirements for the customers of all of Florida's 54 electric utilities.

For nearly 135 years, the PSC has been important in the lives of Floridians. During the 1800s, railroad companies were granted vast control that enabled them to increase their power and influence. By the late 19th century, railroads were so powerful — both politically and economically — that they could charge customers whatever the railroad believed that customers would ultimately pay.

In 1887, in response to high railroad rates, the Florida Legislature developed an independent commission, called the Florida Railroad Commission, to regulate railroad passenger and freight operations.

As Florida grew, the Legislature placed additional responsibilities on the commission. In 1911, the commission began regulating telephone and telegraph companies. In 1951, jurisdiction was extended to regulate electric and gas utility rates and service. In 1959,

“My time as the Chairman of the Florida Public Service Commission has been filled with unexpected challenges. Throughout my term I have prioritized policies that ensure that utilities are responsive to customer needs, and the safety and efficiency of the Commission staff.”

— Gary Clark, Florida Public Service Commission Chairman, 2020–2022

regulation of water and wastewater systems came under PSC jurisdiction.

In 1978, the Florida Legislature changed the PSC leadership from three elected commissioners to a five-member board appointed by the governor and confirmed by the Senate to serve four-year staggered terms.

The PSC has both quasi-judicial and policymaking responsibilities. In this capacity, the PSC implements rules governing utility operations and hears evidence to decide issues. PSC decisions are memorialized in orders that may be appealed directly to the Florida Supreme Court.

In its daily operations, the commission acts as judge, jury, investigator, advocate and enforcer of the state's public utility statutes. It regulates the rates and service of five investor-owned electric companies, eight investor-owned gas utilities and 147 investor-owned water and wastewater utilities in 38 of Florida's 67 counties. Additionally, the PSC has competitive

market oversight for 10 incumbent local exchange telephone companies, 259 competitive local exchange companies, and 32 pay telephone service companies.

While the PSC does not regulate the rates of publicly owned, municipal or rural electric cooperative utilities, it has jurisdiction over 33 municipal electric systems and 18 rural electric cooperatives with regard to rate structure, territorial boundaries, bulk power supply operations, and planning. It also has jurisdiction — with regard to territorial boundaries — over 27 municipally owned natural gas utilities and four special gas districts. The PSC exercises safety authority over all electric and natural gas systems operating in Florida.

In regulating Florida's rapidly changing utility industries, one thing remains unchanged throughout the PSC's history. It's the PSC's responsibility to serve the public interest and to provide for the provision of essential service — a word that's also in its name — to all of the state's residents, visitors and businesses. ■



# The Florida Public Service Commission's Role for Florida's Public Power Utilities

by Jody Lamar Finklea, FMEA General Counsel

Set upon a hill in Tallahassee, the Florida Public Service Commission (PSC), beneath the shade of moss-draped oaks, works quietly each day to fulfill its regulatory roles that easily can be overlooked by the casual observer, but are important for all of Florida's public power utilities.

From its history as an elected railroad commission, responsible for curbing the high rates that railroads charged for freight and passenger service, at a time when railroads were vital to Florida's development, the PSC's jurisdiction has grown and, today, touches our Florida public power utilities in many ways.

Each of Florida's 33 municipal electric utilities — accountable politically to their local populations — sets its own

rates and determines the overall revenue requirements for its utility. However, the local governing body of our municipal electric utilities is not the only regulator for FMEA's members. The PSC has jurisdiction to require reports of municipal electric utilities, and several regular reports are currently required: net-metering, system hardening, and renewable energy. These and other reports and information collected by the PSC aid the PSC in making and suggesting energy policy for the

state and addressing the concerns of the public that are raised to the PSC.

The PSC also has rate structure jurisdiction over municipal electric utilities. "Rate structure" is the relationship of rates between different customer classes — in other words, how much of the electric system costs are being borne by one customer class (say, residential customers) versus other customer classes (say, commercial and industrial customers).

In exercising its rate structure jurisdiction, the PSC has delegated much of the decision-making authority to its staff for matters that do not raise extraordinary rate structure issues.

In this regard, the PSC staff is the tireless engine of the PSC, always charging along, that keeps the PSC's work moving forward.

Florida's municipal electric utilities also keep their rates, charges, system map, customer classifications and other terms of service on file with the PSC — these are referred to as each public power utility's tariffs or its tariff book. The tariff book is an important tool for the PSC staff to respond to customer questions, when they are raised to Tallahassee, and they provide information that the PSC uses to inform Florida's electric utility policymaking.

Applicable to all of Florida's electric utilities (municipal, rural electric cooperatives, and investor-owned utilities), the PSC also has jurisdiction over territorial agreements between electric utilities and disputes over territory. Such territory disputes are not as common today, but they still occur. The PSC's role is to provide oversight to territorial agreements and resolve territorial disputes so that there is no uneconomic duplication of electric facilities.

At a higher policy level, the PSC is also charged with ensuring there is an adequate statewide electric grid for operational and emergency purposes; ensuring safe electric operations; and ensuring sufficient energy reserves to maintain electric grid reliability and integrity.

Many of the PSC's activities are paid for by the annual regulatory assessment fees

paid by all utilities. For Florida's municipal electric utilities, this is 0.015625 percent of gross operating revenues derived from intrastate business, excluding sales for resale among utilities.

The PSC is an arm of the legislature — not an executive branch agency — and serves in a quasi-judicial role in adjudicating matters under its jurisdiction. As such, any decisions of the PSC related to the rates or service of electric utilities are appealed directly to the Supreme Court of Florida.

While the canopy of oaks around the PSC's headquarters in Tallahassee gives the appearance of bucolic serenity, the PSC staff is hard at work, and the PSC's role is a critical one for the state and each of Florida's municipal electric utilities. ■



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