



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

In response to the Florida Public Service Commission's (Commission) request for input on demand-side and supply-side policies and programs pertaining to enhancing the development of solar technologies in Florida, the Florida Department of Agriculture and Consumer Services (Department) is pleased to provide the following comments.

Chapter 377, Florida Statutes, gives broad authority and responsibility to the Department in administering renewable energy and efficiency grants, promoting energy efficiency and conservation programs, and providing educational outreach on energy issues. In addition to the authority provided in Chapter 377, the Department, through its Division of Consumer Services, serves as the state's clearinghouse for matters relating to consumer protection, consumer information, and consumer services generally.

The expansion of solar technologies has the potential to present many opportunities for our state. Lower costs of materials and supplies and a growing enthusiasm by consumers to utilize solar technologies will advance our state's efforts to achieve greater energy efficiency, diversity, and conservation. Furthermore, the expansion of solar technologies can lead to economic development in the form of countless jobs for Floridians. The Department continues to support policies that balance the goals of promoting demand-side and supply-side renewable energy systems without relying heavily on the unfair subsidization by the general body of ratepayers and without placing an undue financial burden on non-participating consumers.

Every year, the Department receives thousands of calls from consumers complaining of fraudulent and unscrupulous practices by businesses in Florida. Complaints range from areas of regulated industries, such as telemarketers, pawn shops, moving companies and do-not-call violations, to areas where there is little or no regulatory oversight or protection. In cases where there is no regulatory oversight by a state agency, the Department will assist the consumer by

seeking a settlement of the complaint using formal or informal methods of mediation. However, without specific regulatory oversight or framework in place, it can often be difficult to obtain an adequate remedy or relief to the consumer.

Accordingly, as the Commission begins its work on this issue, the Department strongly encourages that consumer protection and oversight be included in any solar program or policy that is developed or recommended. In cases of fraud, the aggrieved consumer or a regulatory entity should have a mechanism to seek recourse and recuperate damages. While it is incumbent on the consumer to do his or her homework before participating in any program or purchasing any power system, any solar incentive program should include consumer protections from deceptive practices. In other states where the availability of solar technologies have expanded, consumers have reported experiencing promises of savings that did not occur, earnings that did not materialize, rebates that were not available, and ongoing expenses not revealed. In 2011 when the Department's Office of Energy was tasked with completing the state's solar rebate program, we heard first-hand accounts of issues ranging from the misrepresentation of funds that were available to promises of savings that never materialized.

As the Commission considers demand-side and supply-side policies and programs to enhance the development of solar technologies in Florida, it must carefully evaluate the unintended consequences such policies and programs may have on Florida's consumers without thoughtful protections in place to mitigate fraud and deception.

Respectfully submitted,

Kelley Burk, Acting Director
Office of Energy

Tom Steckler, Director
Division of Consumer Services