



CHARLIE CRIST
GOVERNOR

March 23, 2009

Secretary Steven Chu
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Secretary Chu:

As a condition of receiving Florida's share of the \$3.1 billion funding for the State Energy Program (SEP), pursuant to Section 410, Division A – Title IV of the American Recovery and Renewal Act of 2009 (ARRA), I am providing the following notification.

I have received written assurance from the Florida Public Service Commission (FPSC) that it believes that the Florida Energy Efficiency and Conservation Act (Chapter 366, Florida Statutes) as implemented by the FPSC satisfies the requirements in Section 410(1) of the ARRA. Specifically, Florida's general policies ensure that utility financial incentives are aligned with helping their customers use energy more efficiently and that provide timely cost recovery and a timely earnings opportunity for utilities associated with cost-effective measurable and verifiable efficiency savings, in a way that sustains or enhances utility customers' incentives to use energy more efficiently (see attachment A).

I have also received written assurance from the Florida Building Commission (FBC) that the Florida Energy Efficiency Code for Building Construction (Code) is already substantially equivalent to the federal benchmark standards in Section 410(2) of the ARRA and that Florida's Code will be at a minimum 20% more stringent than the benchmark standards within eight years of enactment of the ARRA. Specifically, Florida's law will: (A) meet or exceed the most recent International Energy Conservation Code, or will achieve equivalent or greater energy savings; (B) meet or exceed the ANSI/ASHRAE/IESNA Standard 90.1-2007, or will achieve equivalent or greater energy savings and (C) achieve 90 percent compliance with the above energy codes within eight years and will include active training and enforcement programs and annual measurement of the rate of compliance (see attachment B).

Efforts are already underway within local governments that assure compliance with our statewide building codes. The State will to the extent practicable prioritize the grants toward funding energy efficiency and renewable energy programs as provided in Section 410(3) of the ARRA.

Secretary Steven Chu
March 23, 2009
Page Two

I can assure you that, within the limits of my authority, we will continue to move forward in these critical areas. We look forward to immediate distribution of the Federal SEP funds to employ Floridians in building a secure and safe energy future for our state.

Sincerely,



Charlie Crist

cc: Gil Sperling, Director, Office of Weatherization and Intergovernmental Programs
U.S. Department of Energy

Don Winstead, Special Advisor to the Governor for the Implementation of ARRA