

**7835.3300 AVERAGE RETAIL UTILITY ENERGY RATE.**

Subpart 1. **Applicability.** The average retail utility energy rate is available only to qualifying facilities with capacity of less than 40 kilowatts which choose not to offer electric power for sale on either a time-of-day basis or a simultaneous purchase and sale basis.

Subp. 2. **Method of billing.** The utility must bill the qualifying facility for the excess of energy supplied by the utility above energy supplied by the qualifying facility during each billing period according to the utility's applicable retail rate schedule.

Subp. 3. **Additional calculations for billing.** When the energy generated by the qualifying facility exceeds that supplied by the utility during a billing period, the utility must compensate the qualifying facility for the excess energy at the average retail utility energy rate.

**Statutory Authority:** *MS s 216A.05; 216B.08; 216B.164*

**History:** *9 SR 993; 40 SR 348*

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