

A bill for an act
relating to energy; modifying renewable energy standard; amending Minnesota
Statutes 2008, section 216B.1691, subdivisions 2a, 2b.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 216B.1691, subdivision 2a, is amended to
read:

Subd. 2a. **Eligible energy technology standard.** (a) Except as provided in
paragraph (b), each electric utility shall generate or procure sufficient electricity generated
by an eligible energy technology to provide its retail customers in Minnesota, or the
retail customers of a distribution utility to which the electric utility provides wholesale
electric service, so that at least the following standard percentages of the electric utility's
total retail electric sales to retail customers in Minnesota are generated by eligible energy
technologies by the end of the year indicated:

(1)	2012	12 percent
(2)	2016	17 percent
(3)	2020	20 percent
(4)	2025	25 percent-
<u>(5)</u>	<u>2050</u>	<u>100 percent.</u>

(b) An electric utility that owned a nuclear generating facility as of January 1, 2007,
must meet the requirements of this paragraph rather than paragraph (a). An electric utility
subject to this paragraph must generate or procure sufficient electricity generated by
an eligible energy technology to provide its retail customers in Minnesota or the retail
customer of a distribution utility to which the electric utility provides wholesale electric
service so that at least the following percentages of the electric utility's total retail electric

2.1 sales to retail customers in Minnesota are generated by eligible energy technologies by the
2.2 end of the year indicated:

- | | | | |
|-----|------------|-------------|---------------------|
| 2.3 | (1) | 2010 | 15 percent |
| 2.4 | (2) | 2012 | 18 percent |
| 2.5 | (3) | 2016 | 25 percent |
| 2.6 | (4) | 2020 | 30 percent: |
| 2.7 | <u>(5)</u> | <u>2050</u> | <u>100 percent.</u> |

2.8 Of the 30 percent in 2020, at least 25 percent must be generated by wind energy
2.9 conversion systems and the remaining five percent by other eligible energy technology.

2.10 Sec. 2. Minnesota Statutes 2008, section 216B.1691, subdivision 2b, is amended to
2.11 read:

2.12 Subd. 2b. **Modification or delay of standard.** (a) The commission shall modify or
2.13 delay the implementation of a standard obligation, in whole or in part, if the commission
2.14 determines it is in the public interest to do so. The commission, when requested to modify
2.15 or delay implementation of a standard, must consider:

2.16 (1) the impact of implementing the standard on its customers' utility costs, including
2.17 the economic and competitive pressure on the utility's customers;

2.18 (2) the effects of implementing the standard on the reliability of the electric system;

2.19 (3) technical advances or technical concerns;

2.20 (4) delays in acquiring sites or routes due to rejection or delays of necessary siting or
2.21 other permitting approvals;

2.22 (5) delays, cancellations, or nondelivery of necessary equipment for construction or
2.23 commercial operation of an eligible energy technology facility;

2.24 (6) transmission constraints preventing delivery of service; and

2.25 (7) other statutory obligations imposed on the commission or a utility.

2.26 The commission may modify or delay implementation of a standard obligation under
2.27 clauses (1) to (3) only if it finds implementation would cause significant rate impact,
2.28 requires significant measures to address reliability, or raises significant technical issues.

2.29 The commission may modify or delay implementation of a standard obligation under
2.30 clauses (4) to (6) only if it finds that the circumstances described in those clauses were due
2.31 to circumstances beyond an electric utility's control and make compliance not feasible.

2.32 (b) When considering whether to delay or modify implementation of a standard
2.33 obligation, the commission must give due consideration to a preference for electric
2.34 generation through use of eligible energy technology and to the achievement of the
2.35 standards set by this section.

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3.1 (c) An electric utility requesting a modification or delay in the implementation of a
3.2 standard must file a plan to comply with its standard obligation in the same proceeding
3.3 that it is requesting the delay.

3.4 (d) This subdivision does not apply to the standard obligation for the year 2050.

3.5 Sec. 3. **EFFECTIVE DATE.**

3.6 Sections 1 and 2 are effective the day following final enactment.