

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

(7) transmission constraints preventing delivery of service;

(8) other statutory obligations imposed on the commission or a utility;

(9) impacts on environmental justice areas; and

(10) additional electric load from beneficial electrification and the greenhouse gas emissions savings associated with those loads as compared to serving the load with nonelectric energy sources.

For the purposes of this paragraph, "beneficial electrification" means the substitution of electricity for a fossil fuel, provided that the substitution meets at least one of the following conditions without adversely affecting either of the other two, as determined by the commission:

(i) saves a consumer money over the long run compared with continued use of the fossil fuel;

(ii) enables an electric utility to better manage the electric utility's electric grid network; or

(iii) reduces negative environmental impacts of fuel use, including but not limited to statewide greenhouse gas emissions.

(b) The commission may modify or delay implementation of a standard obligation under paragraph (a), clauses (1) to (4), only if it finds implementation would cause significant rate impact, requires significant measures to address reliability, or raises significant technical issues. The commission may modify or delay implementation of a standard obligation under paragraph (a), clauses (5) to (7), only if it finds that the circumstances described in those clauses were due to circumstances beyond an electric utility's control and make compliance not feasible.

(c) When evaluating transmission capacity constraints under paragraph (a), clause (7), the commission must consider whether the utility has:

(1) taken reasonable measures that are under the utility's control and consistent with the utility's obligations under local, state, and federal laws and regulations, and the utility's obligations as a member of a regional transmission organization or independent system operator, to acquire sites, necessary permit approvals, and necessary equipment to develop

and construct new transmission lines or upgrade existing transmission lines to transmit electricity generated by eligible energy technologies; and

(2) taken all reasonable operational measures to maximize cost-effective electricity delivery from eligible energy technologies in advance of transmission availability.

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

(e) An electric utility that requests a modification or delay to the implementation of a standard must file a plan to comply with the electric utility's standard obligation as part of the same proceeding in which the electric utility requests the modification or delay.

(f) The requirement to meet a standard obligation under this section is automatically delayed for three years for an electric utility that does not meet the goal established under section 216C.05, subdivision 2, clause (4), as determined by the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. **[216B.2442] RETIRED FOSSIL-FUEL-POWERED ELECTRIC GENERATING PLANT; DEMOLITION.**

A political subdivision is prohibited from issuing a permit to an electric utility to demolish a fossil-fuel-powered electric generating plant if the utility fails to meet the goal established under section 216C.05, subdivision 2, clause (4), as determined by the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment.