A bill for an act

relating to energy; permitting utility to expend funds on renewable sources of electricity and receive credit to its conservation goals, under certain conditions; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 216B.241, is amended by adding a subdivision to read:

Subd. 2d. **Renewable energy projects.** Up to five percent of a utility's conservation spending obligation under subdivision 1a or any amount expended in order to satisfy a utility's energy-savings goal under subdivision 1c may be used for a project located in this state that produces electricity from an eligible energy technology as defined in section 216B.1691, subdivision 1, paragraph (a), provided that:

(1) the project is eligible to be counted toward a utility's renewable energy objective under section 216B.1691, subdivision 2, or its renewable energy obligation under section 216B.1691, subdivision 2a;

(2) the project produces electricity continuously at an essentially constant rate; and

(3) the project is a community-based energy development project, as defined in section 216B.1612, subdivision 2, paragraph (g).

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