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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2190

02/13/2012 Authored by Beard, Kelly and Vogel

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to energy; eliminating the size limitation on hydropower sources that
1.3 may satisfy the renewable energy standard; amending Minnesota Statutes 2011
1.4 Supplement, section 216B.1691, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2011 Supplement, section 216B.1691, subdivision 1,
1.7 is amended to read:

1.8 Subdivision 1. **Definitions.** (a) Unless otherwise specified in law, "eligible energy
1.9 technology" means an energy technology that generates electricity from the following
1.10 renewable energy sources:

1.11 (1) solar;

1.12 (2) wind;

1.13 (3) hydroelectric ~~with a capacity of less than 100 megawatts;~~

1.14 (4) hydrogen, provided that after January 1, 2010, the hydrogen must be generated
1.15 from the resources listed in this paragraph; or

1.16 (5) biomass, which includes, without limitation, landfill gas; an anaerobic digester
1.17 system; the predominantly organic components of wastewater effluent, sludge, or related
1.18 by-products from publicly owned treatment works, but not including incineration of
1.19 wastewater sludge to produce electricity; and an energy recovery facility used to capture
1.20 the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal
1.21 solid waste as a primary fuel.

1.22 (b) "Electric utility" means a public utility providing electric service, a generation
1.23 and transmission cooperative electric association, a municipal power agency, or a power
1.24 district.

2.1 (c) "Total retail electric sales" means the kilowatt-hours of electricity sold in a year
2.2 by an electric utility to retail customers of the electric utility or to a distribution utility
2.3 for distribution to the retail customers of the distribution utility. "Total retail electric
2.4 sales" does not include the sale of hydroelectricity supplied by a federal power marketing
2.5 administration or other federal agency, regardless of whether the sales are directly to a
2.6 distribution utility or are made to a generation and transmission utility and pooled for
2.7 further allocation to a distribution utility.