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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2924

03/10/2014 Authored by Garofalo and Hortman
The bill was read for the first time and referred to the Committee on Energy Policy

1.1 A bill for an act
1.2 relating to energy; regulating siting large electric power generating plants;
1.3 allowing solar generation facilities to be eligible for alternative review;
1.4 amending Minnesota Statutes 2012, sections 216E.01, by adding a subdivision;
1.5 216E.04, subdivision 2; 216E.05, subdivision 2; proposing coding for new law
1.6 in Minnesota Statutes, chapter 216E.

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

1.8 Section 1. Minnesota Statutes 2012, section 216E.01, is amended by adding a
1.9 subdivision to read:

1.10 Subd. 8a. Solar energy generating system. "Solar energy generating system"
1.11 means a set of devices whose primary purpose is to produce electricity by means of any
1.12 combination of collecting, transferring, or converting solar-generated energy.

1.13 Sec. 2. **[216E.021] SOLAR ENERGY SYSTEM SIZE DETERMINATION.**

1.14 (a) This section must be used to determine whether a combination of solar energy
1.15 generating systems meets the definition of large electric power generating plant and is
1.16 subject to the commission's siting authority jurisdiction under this chapter. The alternating
1.17 current nameplate capacity of one solar energy generating system must be combined with
1.18 the alternating current nameplate capacity of any other solar energy generating system that:

1.19 (1) is constructed within the same 12-month period as the solar energy generating
1.20 system; and

1.21 (2) exhibits characteristics of being a single development, including but not limited
1.22 to ownership structure, an umbrella sales arrangement, shared interconnection, revenue
1.23 sharing arrangements, and common debt or equity financing.

2.1 (b) The commissioner of commerce shall provide forms and assistance for applicants
 2.2 to make a request for a size determination. Upon written request of an applicant, the
 2.3 commissioner shall provide a written size determination within 30 days of receipt of the
 2.4 request and of any information requested by the commissioner. In the case of a dispute,
 2.5 the chair of the Public Utilities Commission shall make the final size determination.

2.6 Sec. 3. Minnesota Statutes 2012, section 216E.04, subdivision 2, is amended to read:

2.7 Subd. 2. **Applicable projects.** The requirements and procedures in this section
 2.8 apply to the following projects:

2.9 (1) large electric power generating plants with a capacity of less than 80 megawatts;

2.10 (2) large electric power generating plants that are fueled by natural gas;

2.11 (3) high-voltage transmission lines of between 100 and 200 kilovolts;

2.12 (4) high-voltage transmission lines in excess of 200 kilovolts and less than five miles
 2.13 in length in Minnesota;

2.14 (5) high-voltage transmission lines in excess of 200 kilovolts if at least 80 percent
 2.15 of the distance of the line in Minnesota will be located along existing high-voltage
 2.16 transmission line right-of-way;

2.17 (6) a high-voltage transmission line service extension to a single customer between
 2.18 200 and 300 kilovolts and less than ten miles in length; ~~and~~

2.19 (7) a high-voltage transmission line rerouting to serve the demand of a single
 2.20 customer when the rerouted line will be located at least 80 percent on property owned or
 2.21 controlled by the customer or the owner of the transmission line; and

2.22 (8) large electric power generating plants that are powered by solar.

2.23 Sec. 4. Minnesota Statutes 2012, section 216E.05, subdivision 2, is amended to read:

2.24 Subd. 2. **Applicable projects.** Applicants may seek approval from local units of
 2.25 government to construct the following projects:

2.26 (1) large electric power generating plants with a capacity of less than 80 megawatts;

2.27 (2) large electric power generating plants of any size that burn natural gas and are
 2.28 intended to be a peaking plant;

2.29 (3) large electric power generating plants that are powered by solar;

2.30 (4) high-voltage transmission lines of between 100 and 200 kilovolts;

2.31 ~~(4)~~ (5) substations with a voltage designed for and capable of operation at a nominal
 2.32 voltage of 100 kilovolts or more;

2.33 ~~(5)~~ (6) a high-voltage transmission line service extension to a single customer
 2.34 between 200 and 300 kilovolts and less than ten miles in length; and

3.1 ~~(6)~~ (7) a high-voltage transmission line rerouting to serve the demand of a single
3.2 customer when the rerouted line will be located at least 80 percent on property owned or
3.3 controlled by the customer or the owner of the transmission line.

3.4 Sec. 5. **EFFECTIVE DATE.**

3.5 This act is effective the day following final enactment.