

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 4583

(SENATE AUTHORS: DRAHEIM)

DATE	D-PG	OFFICIAL STATUS
05/10/2022	8119	Introduction and first reading Referred to Energy and Utilities Finance and Policy

1.1A bill for an act

1.2relating to utilities; prohibiting rate recovery with respect to certain new facilities;

1.3amending Minnesota Statutes 2020, section 216B.16, by adding a subdivision.

1.4BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5Section 1. Minnesota Statutes 2020, section 216B.16, is amended by adding a subdivision

1.6to read:

1.7Subd. 20. New natural gas facilities; cost recovery prohibition. (a) A utility is

1.8prohibited from charging customers using rates under this section for any costs associated

1.9with an electric generating facility placed into service after August 1, 2022, that (1) uses

1.10natural gas as the electric generating facility's main source of fuel, and (2) is not used and

1.11useful in service to the public.

1.12(b) The commission must not approve (1) the securitization of costs related to the early

1.13retirement of a natural gas plant, or (2) a cost recovery method that accelerates cost recovery

1.14through rates charged to customers if the securitization or cost recovery method violates

1.15paragraph (a).

1.16(c) The commissioner may grant an exemption to this subdivision to a utility that

1.17demonstrates by clear and convincing evidence that (1) the exemption is in the best interests

1.18of ratepayers, and (2) the utility does not receive a rate of return on any ratepayer payments

1.19made under the exemption.