

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 700

(SENATE AUTHORS: TOMASSONI)

DATE	D-PG	OFFICIAL STATUS
02/06/2017	525	Introduction and first reading Referred to Energy and Utilities Finance and Policy
03/06/2017	1012a	Comm report: To pass as amended
	1058	Second reading
04/03/2017	3055	Author stricken Eichorn
	6107	Rule 47, returned to Energy and Utilities Finance and Policy See SF1824 See SF1937, Art. 10, Sec. 25 See SF1456, Art. 10, Sec. 20

1.1 A bill for an act

1.2 relating to energy; allowing adjustment to the biomass fuel requirement by new

1.3 or amended power purchase agreement or early termination; amending Minnesota

1.4 Statutes 2016, section 216B.2424, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 216B.2424, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 9. **Adjustment of biomass fuel requirement.** (a) Notwithstanding any provision

1.9 in this section, a public utility that operates a nuclear-powered electric generating plant may

1.10 file a petition with the commission for approval of a new or amended power purchase

1.11 agreement, or, with the agreement of all parties, the early termination of a power purchase

1.12 agreement, with a facility that was previously approved to satisfy a portion of the biomass

1.13 mandate in this section.

1.14 (b) A new or amended power purchase agreement under this subdivision may be approved

1.15 by the commission regardless of the fuel requirements of this section if, by its terms:

1.16 (1) the new or amended power purchase agreement is in the best interest of the customers

1.17 of the public utility that operates a nuclear-powered electric generating plant; and

1.18 (2) the new or amended power purchase agreement is in the best interest of the customers

1.19 of a combined heat and power system operated by one or more municipal utilities.

1.20 (c) The termination of a power purchase agreement under this subdivision may be

1.21 approved by the commission if:

2.1 (1) all parties to the power purchase agreement agree to the early termination of the
2.2 agreement; and

2.3 (2) the termination of the power purchase agreement is in the best interest of the customers
2.4 of the public utility that operates a nuclear-powered electric generating plant.

2.5 (d) A new or amended power purchase agreement approved under paragraph (b) may
2.6 be for any term agreed to by the parties for any amount of energy agreed to by the parties.

2.7 (e) The approval of a new or amended power purchase agreement under paragraph (b),
2.8 or the approval of a termination of a power purchase agreement under paragraph (c), shall
2.9 not require the public utility that operates a nuclear-powered electric generation plant to
2.10 purchase additional biomass energy under this section.

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