

State of Minnesota

H. F. No. 393

01/23/2017 Authored by Newberger  
The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance

1.1 A bill for an act

1.2 relating to energy; allowing energy conservation to count towards a utility's

1.3 renewable energy standard; amending Minnesota Statutes 2016, section 216B.1691,

1.4 subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 216B.1691, subdivision 1, is amended to read:

1.7 Subdivision 1. **Definitions.** (a) Unless otherwise specified in law, "eligible energy

1.8 technology" means an energy technology that:

1.9 (1) generates electricity from the following renewable energy sources:

1.10 ~~(1)~~ (i) solar;

1.11 ~~(2)~~ (ii) wind;

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

1.13 ~~(4)~~ (iv) hydrogen, provided that after January 1, 2010, the hydrogen must be generated

1.14 from the resources listed in this paragraph; or

1.15 ~~(5)~~ (v) biomass, which includes, without limitation, landfill gas; an anaerobic digester

1.16 system; the predominantly organic components of wastewater effluent, sludge, or related

1.17 by-products from publicly owned treatment works, but not including incineration of

1.18 wastewater sludge to produce electricity; and an energy recovery facility used to capture

1.19 the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal

1.20 solid waste as a primary fuel; or

1.21 (2) results in energy conservation, as defined in section 216B.241, subdivision 1.

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

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

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