

**SENATE
STATE OF MINNESOTA
SPECIAL SESSION**

S.F. No. 71

(SENATE AUTHORS: MATHEWS)

DATE
07/07/2021

D-PG
1290

Introduction and first reading
Referred to Rules and Administration

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to energy; requiring construction and operation of a natural gas combined
- 1.3 cycle electric generation plant or idling of the existing plant; amending Laws 2017,
- 1.4 chapter 5, section 1.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Laws 2017, chapter 5, section 1, is amended to read:
- 1.7 Section 1. **NATURAL GAS COMBINED CYCLE ELECTRIC GENERATION**
- 1.8 **PLANT.**
- 1.9 (a) Notwithstanding Minnesota Statutes, section 216B.243 and Minnesota Statutes,
- 1.10 chapter 216E, a public utility ~~may, at its sole discretion, shall~~ construct, own, and operate
- 1.11 a natural gas combined cycle electric generation plant as the utility proposed to the Public
- 1.12 Utilities Commission in docket number E-002/RP-15-21, ~~or as revised by the utility and~~
- 1.13 ~~approved by the Public Utilities Commission in the latest resource plan filed after the~~
- 1.14 ~~effective date of this section,~~ provided that the plant is located on property in Sherburne
- 1.15 County, Minnesota, already owned by the public utility, and will be constructed after January
- 1.16 1, 2018. A public utility may, in the alternative to constructing, owning, and operating a
- 1.17 natural gas combined cycle electric generation plant as the utility proposed to the Public
- 1.18 Utilities Commission in docket number E-002/RP-15-21, idle the existing plant located on
- 1.19 the property in Sherburne County, Minnesota, already owned by the public utility.
- 1.20 (b) Reasonable and prudently incurred costs and investments by a public utility under
- 1.21 this section may be recovered pursuant to the provisions of Minnesota Statutes, section
- 1.22 216B.16.

2.1 (c) No less than 20 months prior to the start of construction, a public utility intending
2.2 to construct a plant under this section shall file with the commission an evaluation of the
2.3 utility's forecasted costs prepared by an independent evaluator and may ask the commission
2.4 to establish a sliding scale rate of return mechanism for this capital investment to provide
2.5 an incentive for the utility to complete the project at or under the forecasted costs.

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