

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 113

(SENATE AUTHORS: CARLSON, Rosen, Stumpf, Skoe and Magnus)

DATE	D-PG	OFFICIAL STATUS
01/27/2011	115	Introduction and first reading Referred to Energy, Utilities and Telecommunications
03/16/2011	517a 518 3599	Comm report: To pass as amended Second reading Rule 47, returned to Energy, Utilities and Telecommunications See SF1197, Sec. 14

1.1

A bill for an act

1.2

relating to energy; modifying definition used to calculate renewable energy

1.3

standard obligation; amending Minnesota Statutes 2010, 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 2010, section 216B.1691, subdivision 1, is amended to

1.7

read:

1.8

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

1.9

technology" means an energy technology that generates electricity from the following

1.10

renewable energy sources:

- 1.11

(1) solar;
- 1.12

(2) wind;
- 1.13

(3) hydroelectric with a capacity of less than 100 megawatts;
- 1.14

(4) hydrogen, provided that after January 1, 2010, the hydrogen must be generated
- 1.15

from the resources listed in this paragraph; or
- 1.16

(5) biomass, which includes, without limitation, landfill gas; an anaerobic digester
- 1.17

system; the predominantly organic components of wastewater effluent, sludge, or related
- 1.18

by-products from publicly owned treatment works, but not including incineration of
- 1.19

wastewater sludge to produce electricity; and an energy recovery facility used to capture
- 1.20

the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal
- 1.21

solid waste as a primary fuel.
- 1.22

(b) "Electric utility" means a public utility providing electric service, a generation
- 1.23

and transmission cooperative electric association, a municipal power agency, or a power
- 1.24

district.

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

2.8 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2010,  
2.9 and applies to sales of electricity made on and after that date.