

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-SEVENTH LEGISLATURE**

**S.F. No. 113**

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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.

**S.F. No. 113, 1st Engrossment - 87th Legislative Session (2011-2012) [S0113-1]**

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.