

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 105

01/12/2015 Authored by Garofalo
The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance
02/18/2015 Adoption of Report: Placed on the General Register as Amended
Read Second Time
04/23/2015 Referred to the Chief Clerk for Comparison with S. F. No. 2101
04/24/2015 Postponed Indefinitely

1.1 A bill for an act
1.2 relating to energy; modifying the treatment of certain utility advertising
1.3 expenditures; amending Minnesota Statutes 2014, section 216B.16, subdivision 8.

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

1.5 Section 1. Minnesota Statutes 2014, section 216B.16, subdivision 8, is amended to read:

1.6 Subd. 8. **Advertising expense.** (a) The commission shall disapprove the portion of
1.7 any rate which makes an allowance directly or indirectly for expenses incurred by a public
1.8 utility to provide a public advertisement which:

1.9 (1) is designed to influence or has the effect of influencing public attitudes toward
1.10 legislation or proposed legislation, or toward a rule, proposed rule, authorization or
1.11 proposed authorization of the Public Utilities Commission or other agency of government
1.12 responsible for regulating a public utility;

1.13 (2) is designed to justify or otherwise support or defend a rate, proposed rate,
1.14 practice or proposed practice of a public utility;

1.15 (3) is designed primarily to promote consumption of the services of the utility, except
1.16 for the promotion of: (i) electric vehicles; (ii) electric water heaters that are electronically
1.17 activated by a utility to operate when low-priced electricity generated from a renewable
1.18 source is available; or (iii) ground or air source heat pumps that displace propane or fuel oil;

1.19 (4) is designed primarily to promote good will for the public utility or improve the
1.20 utility's public image; or

1.21 (5) is designed to promote the use of nuclear power or to promote a nuclear waste
1.22 storage facility.

1.23 (b) The commission may approve a rate which makes an allowance for expenses
1.24 incurred by a public utility to disseminate information which:

2.1 (1) is designed to encourage conservation of energy supplies;

2.2 (2) is designed to promote safety; or

2.3 (3) is designed to inform and educate customers as to financial services made
2.4 available to them by the public utility.

2.5 (c) The commission shall not withhold approval of a rate because it makes an
2.6 allowance for expenses incurred by the utility to disseminate information about corporate
2.7 affairs to its owners.

2.8 (d) For the purposes of this subdivision:

2.9 (1) "electric vehicle" has the meaning given in section 169.011, subdivision 26a; and

2.10 (2) "renewable source" has the meaning given to "eligible energy technology" in
2.11 section 216B.1691, subdivision 1.

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