

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 1758

(SENATE AUTHORS: BENSON, Brown and Osmek)

DATE	D-PG	OFFICIAL STATUS
03/16/2015	898	Introduction and first reading Referred to Environment and Energy

1.1

A bill for an act

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relating to energy; delaying achievement of the renewable energy standard for

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a utility experiencing substantial rate increases due to the standard; amending

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Minnesota Statutes 2014, section 216B.1691, subdivision 2b.

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

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Section 1. Minnesota Statutes 2014, section 216B.1691, subdivision 2b, is amended to

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read:

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Subd. 2b. **Modification or delay of standard.** (a) The commission shall modify or

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delay the implementation of a standard obligation, in whole or in part, if the commission

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determines it is in the public interest to do so. The commission, when requested to modify

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or delay implementation of a standard, must consider:

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(1) the impact of implementing the standard on its customers' utility costs, including

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the economic and competitive pressure on the utility's customers;

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(2) the effects of implementing the standard on the reliability of the electric system;

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(3) technical advances or technical concerns;

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(4) delays in acquiring sites or routes due to rejection or delays of necessary siting or

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other permitting approvals;

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(5) delays, cancellations, or nondelivery of necessary equipment for construction or

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commercial operation of an eligible energy technology facility;

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(6) transmission constraints preventing delivery of service; and

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(7) other statutory obligations imposed on the commission or a utility.

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The commission may modify or delay implementation of a standard obligation

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under clauses (1) to (3) only if it finds implementation would cause significant rate impact,

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requires significant measures to address reliability, or raises significant technical issues.

2.1 The commission may modify or delay implementation of a standard obligation under
2.2 clauses (4) to (6) only if it finds that the circumstances described in those clauses were due
2.3 to circumstances beyond an electric utility's control and make compliance not feasible.

2.4 (b) When considering whether to delay or modify implementation of a standard
2.5 obligation, the commission must give due consideration to a preference for electric
2.6 generation through use of eligible energy technology and to the achievement of the
2.7 standards set by this section.

2.8 (c) An electric utility requesting a modification or delay in the implementation of a
2.9 standard must file a plan to comply with its standard obligation in the same proceeding
2.10 that it is requesting the delay.

2.11 (d) If a utility reports under subdivision 2e that its retail rates have increased by
2.12 two percent or more as a result of activities necessary to comply with this section, the
2.13 commission shall delay by three years the required achievement of the utility's next
2.14 scheduled standard under subdivision 2a.

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