

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 2813

(SENATE AUTHORS: THOMPSON and Weber)

DATE	D-PG	OFFICIAL STATUS
03/19/2014	6386	Introduction and first reading Referred to Environment and Energy

1.1

A bill for an act

1.2

relating to energy; renewables; eliminating a capacity limitation on hydroelectric

1.3

generation; amending Minnesota Statutes 2012, section 216B.1691, subdivision 1.

1.4

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

1.5

Section 1. Minnesota Statutes 2012, section 216B.1691, subdivision 1, is amended to

1.6

read:

1.7

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

1.8

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

1.9

renewable energy sources:

- 1.10
- (1) solar;
- 1.11
- (2) wind;
- 1.12
- (3) hydroelectric ~~with a capacity of less than 100 megawatts;~~
- 1.13
- (4) hydrogen, provided that after January 1, 2010, the hydrogen must be generated
- 1.14
- from the resources listed in this paragraph; or
- 1.15
- (5) biomass, which includes, without limitation, landfill gas; an anaerobic digester
- 1.16
- system; the predominantly organic components of wastewater effluent, sludge, or related
- 1.17
- by-products from publicly owned treatment works, but not including incineration of
- 1.18
- wastewater sludge to produce electricity; and an energy recovery facility used to capture
- 1.19
- the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal
- 1.20
- solid waste as a primary fuel.
- 1.21
- (b) "Electric utility" means a public utility providing electric service, a generation
- 1.22
- and transmission cooperative electric association, a municipal power agency, or a power
- 1.23
- 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.