

CHAPTER 216B

PUBLIC UTILITIES

216B.243 Certificate of need.

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[For text of subds 1 to 7, see M.S.1984]

Subd. 8. This section does not apply to cogeneration or small power production facilities as defined in the Federal Power Act, United States Code, title 16, sections 796(18)(A) and 796(17)(A), and having a combined capacity at a single site of less than 80,000 kilowatts or to plants or facilities for the production of ethanol or fuel alcohol nor in any case where the commission shall determine after being advised by the attorney general that its application has been preempted by federal law.

History: 1985 c 304 s 1