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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1721

03/10/2015 Authored by Newberger

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance

1.1 A bill for an act
1.2 relating to energy; allowing energy conservation to count towards a utility's
1.3 renewable energy standard; amending Minnesota Statutes 2014, section
1.4 216B.1691, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2014, 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:

1.10 (1) generates electricity from the following renewable energy sources:

1.11 ~~(1)~~ (i) solar;

1.12 ~~(2)~~ (ii) wind;

1.13 ~~(3)~~ (iii) hydroelectric with a capacity of less than 100 megawatts;

1.14 ~~(4)~~ (iv) hydrogen, provided that after January 1, 2010, the hydrogen must be
1.15 generated from the resources listed in this paragraph; or

1.16 ~~(5)~~ (v) biomass, which includes, without limitation, landfill gas; an anaerobic
1.17 digester system; the predominantly organic components of wastewater effluent, sludge, or
1.18 related by-products from publicly owned treatment works, but not including incineration
1.19 of wastewater sludge to produce electricity; and an energy recovery facility used to
1.20 capture the heat value of mixed municipal solid waste or refuse-derived fuel from mixed
1.21 municipal solid waste as a primary fuel; or

1.22 (2) results in energy conservation, as defined in section 216B.241, subdivision 1.

2.1 (b) "Electric utility" means a public utility providing electric service, a generation
2.2 and transmission cooperative electric association, a municipal power agency, or a power
2.3 district.

2.4 (c) "Total retail electric sales" means the kilowatt-hours of electricity sold in a year
2.5 by an electric utility to retail customers of the electric utility or to a distribution utility
2.6 for distribution to the retail customers of the distribution utility. "Total retail electric
2.7 sales" does not include the sale of hydroelectricity supplied by a federal power marketing
2.8 administration or other federal agency, regardless of whether the sales are directly to a
2.9 distribution utility or are made to a generation and transmission utility and pooled for
2.10 further allocation to a distribution utility.

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