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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 95

01/12/2015 Authored by Newberger, Scott, Fabian, Dill, Hancock and others

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; eliminating the size limitation on hydropower sources that
1.3 may satisfy the renewable energy standard; amending Minnesota Statutes 2014,
1.4 section 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 generates electricity from the following
1.10 renewable energy sources:

1.11 (1) solar;

1.12 (2) wind;

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

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

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

1.22 (b) "Electric utility" means a public utility providing electric service, a generation
1.23 and transmission cooperative electric association, a municipal power agency, or a power
1.24 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.~~