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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2729

03/06/2014 Authored by Garofalo

The bill was read for the first time and referred to the Committee on Energy Policy

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.