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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 81

01/09/2017 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; eliminating the size limitation on hydropower sources that may
1.3 satisfy the renewable energy standard; amending Minnesota Statutes 2016, 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 2016, section 216B.1691, subdivision 1, is amended to 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 from
1.14 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 and
1.22 transmission cooperative electric association, a municipal power agency, or a power district.

2.1 (c) "Total retail electric sales" means the kilowatt-hours of electricity sold in a year by
2.2 an electric utility to retail customers of the electric utility or to a distribution utility for
2.3 distribution to the retail customers of the distribution utility. ~~"Total retail electric sales"~~
2.4 ~~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 further~~
2.7 ~~allocation to a distribution utility.~~