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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3060**

February 18, 2010

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The bill was read for the first time and referred to the Energy Finance and Policy Division

1.1 A bill for an act
1.2 relating to energy; deleting the burning of mixed municipal solid waste and
1.3 refuse-derived fuel and production of landfill gas from list of technologies that
1.4 fulfill utility's requirement to generate portion of electricity from renewable
1.5 energy resources; amending Minnesota Statutes 2008, section 216B.1691,
1.6 subdivision 1.

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

1.8 Section 1. Minnesota Statutes 2008, section 216B.1691, subdivision 1, is amended to
1.9 read:

1.10 Subdivision 1. **Definitions.** (a) Unless otherwise specified in law, "eligible energy
1.11 technology" means an energy technology that generates electricity from the following
1.12 renewable energy sources: (1) solar; (2) wind; (3) hydroelectric with a capacity of less
1.13 than 100 megawatts; (4) hydrogen, ~~provided that after January 1, 2010, the hydrogen~~
1.14 ~~must be~~ generated from the resources listed in this ~~clause~~ paragraph; or (5) biomass,
1.15 which includes, ~~without limitation, landfill gas~~; an anaerobic digester system; and the
1.16 predominantly organic components of wastewater effluent, sludge, or related byproducts
1.17 from publicly owned treatment works, but does not ~~including~~ include incineration
1.18 of wastewater sludge to produce electricity; ~~and an energy recovery facility used to~~
1.19 ~~capture the heat value of mixed municipal solid waste or refuse-derived fuel from mixed~~
1.20 ~~municipal 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 for
2.3 distribution to the retail customers of the distribution utility.

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