

1.1 ..... moves to amend H.F. No. 623 as follows:

1.2 Page 2, line 14, strike "Minnesota jurisdictional portion of the"

1.3 Page 2, line 32, delete "March 31, 2013" and insert "the effective date of this act"

1.4 Page 3, line 10, after the second "owner" insert "during the applicable month"

1.5 Page 3, delete lines 12, to 14, and insert "purchase agreement to the extent such costs  
1.6 exceeded \$3.40 per million metric British thermal unit (MMBTU), in addition to the price  
1.7 to be paid for the energy produced and delivered by the project owner. Beginning with  
1.8 2012, at the end of each calendar year of the term of the power purchase agreement, the  
1.9 project owner shall calculate the amount by which actual fuel costs for the year exceeded  
1.10 \$3.40 per million metric British thermal unit, and prior monthly payment for such fuel  
1.11 costs shall be reconciled against actual fuel costs for the applicable calendar year. If such  
1.12 prior monthly fuel payments for the year in the aggregate exceed the amount due based on  
1.13 the annual calculation, the project owner shall credit the public utility for the excess paid.  
1.14 If the annual calculation of fuel costs due exceeds the prior monthly fuel payments for the  
1.15 year in the aggregate, the project owner shall be entitled to be paid for the deficiency with  
1.16 the next invoice to the public utility. The amendment shall be negotiated and executed  
1.17 within 45 days of the enactment of this act and shall be effective for fuel costs incurred  
1.18 and prices after January 1, 2012. The amendment shall be negotiated"

1.19 Page 3, line 19, strike "Minnesota jurisdictional portion of the"

1.20 Page 3, line 27, after the comma, insert "beginning with 2012,"

1.21 Page 3, after line 33, insert:

1.22 "**EFFECTIVE DATE.** The section is effective the day following final enactment."