

1.1 moves to amend H.F. No. 880 as follows:

1.2 Page 2, after line 25, insert:

1.3 "Sec. 3. Minnesota Statutes 2012, section 216B.1691, subdivision 1, is amended to read:

1.4 Subdivision 1. **Definitions.** (a) Unless otherwise specified in law, "eligible energy
1.5 technology" means an energy technology that generates electricity from the following
1.6 renewable energy sources:

1.7 (1) solar;

1.8 (2) wind;

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

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

1.12 (5) biomass, which includes, without limitation, landfill gas; an anaerobic digester
1.13 system; the predominantly organic components of wastewater effluent, sludge, or related
1.14 by-products from publicly owned treatment works, but not including incineration of
1.15 wastewater sludge to produce electricity; and an energy recovery facility used to capture
1.16 the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal
1.17 solid waste as a primary fuel, except as provided in subdivision 2g.

1.18 (b) "Electric utility" means a public utility providing electric service, a generation
1.19 and transmission cooperative electric association, a municipal power agency, or a power
1.20 district.

1.21 (c) "Total retail electric sales" means the kilowatt-hours of electricity sold in a year
1.22 by an electric utility to retail customers of the electric utility or to a distribution utility
1.23 for distribution to the retail customers of the distribution utility. "Total retail electric
1.24 sales" does not include the sale of hydroelectricity supplied by a federal power marketing
1.25 administration or other federal agency, regardless of whether the sales are directly to a
1.26 distribution utility or are made to a generation and transmission utility and pooled for
1.27 further allocation to a distribution utility.

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

2.2 Page 4, after line 26, insert:

2.3 "Sec. 5. Minnesota Statutes 2012, section 216B.1691, is amended by adding a
2.4 subdivision to read:

2.5 Subd. 2g. **Certain biomass sources; exclusion.** Mixed municipal solid waste or
2.6 refuse-derived fuel from mixed municipal solid waste when used as a primary fuel whose
2.7 heat value is captured by an energy recovery facility is not an eligible energy technology if
2.8 it is processed at an energy recovery facility: (1) that is constructed after July 1, 2013, or
2.9 (2) as a result of an expansion in the capacity of the energy recovery facility that takes
2.10 place after July 1, 2013.

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

2.12 Renumber the sections in sequence and correct the internal references

2.13 Amend the title accordingly