

A bill for an act relating to energy; providing for competition in electricity for customers entering into 100 percent renewable energy contracts; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Section 1.

[CITATION] This act may be cited as the 'Minnesota Options for Renewable Electricity Act.'

Section 2.

**[216B.1697] 100 PERCENT RENEWABLE OPTIONS**

**Subd. 1 Definitions.**

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For the purposes of this section, the following terms have the meanings given them.

"Renewable energy" has the meaning given in section 216B.2422, subdivision 1, paragraph (c).

"Renewable energy contract," means a contract established under section subdivision 2 between an individual customer and an owner or developer of a renewable energy facility or facilities that provides for the delivery of electricity to the customer by one of the following means:

- (a) From one renewable energy facility to a contract customer's single metered delivery location;
- (b) From multiple renewable energy facilities to a contract customer's single metered delivery location;
- (c) From one or more renewable energy facilities to a single contract customer's multiple metered delivery locations; or
- (d) From one or more renewable energy facilities to a single contract customer for distribution to multiple contract customers' metered delivery locations;

"Renewable energy facility," means a facility for the production of renewable energy, and does not include an electric generating facility whose costs have been included in an electric utility's rates as a facility providing electric service to the utility's system;

"Utility" means a public utility, municipal utility, or cooperative electric association providing electric service at retail to Minnesota consumers.

**Subd. 2.**

Following the publication of rules and regulations necessary to implement this section, an individual customer, regardless of class, may purchase electric energy provided 100 percent from renewable energy from an owner or developer of a renewable energy facility or facilities,

if the incumbent electric utility serving the exclusive service territory does not offer an approved tariff for electric energy provided 100 percent from renewable energy.

Subd. 3

An individual customer, regardless of customer class, may continue to purchase renewable energy pursuant to the terms of a power purchase agreement in effect on the date a tariff for the incumbent utility that serves the exclusive service territory in which the customer is located to offer electric energy provided 100 percent from renewable energy is approved by the Commission.

Subd. 4

An owner or developer of a renewable energy facility that enters into a renewable energy contract described in this section shall not thereby be deemed to be an utility as defined in this section.

Subd. 5

The Commission shall promulgate such rules and regulations as shall be necessary to carry out this section.