

**SENATE
STATE OF MINNESOTA
SPECIAL SESSION**

S.F. No. 71

(SENATE AUTHORS: MATHEWS)

DATE
07/07/2021

D-PG

Introduction and first reading
Referred to Rules and Administration

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to energy; requiring construction and operation of a natural gas combined
1.3 cycle electric generation plant or idling of the existing plant; amending Laws 2017,
1.4 chapter 5, section 1.

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

1.6 Section 1. Laws 2017, chapter 5, section 1, is amended to read:

1.7 Section 1. **NATURAL GAS COMBINED CYCLE ELECTRIC GENERATION**
1.8 **PLANT.**

1.9 (a) Notwithstanding Minnesota Statutes, section 216B.243 and Minnesota Statutes,
1.10 chapter 216E, a public utility ~~may, at its sole discretion,~~ shall construct, own, and operate
1.11 a natural gas combined cycle electric generation plant as the utility proposed to the Public
1.12 Utilities Commission in docket number E-002/RP-15-21, ~~or as revised by the utility and~~
1.13 ~~approved by the Public Utilities Commission in the latest resource plan filed after the~~
1.14 ~~effective date of this section,~~ provided that the plant is located on property in Sherburne
1.15 County, Minnesota, already owned by the public utility, and will be constructed after January
1.16 1, 2018. A public utility may, in the alternative to constructing, owning, and operating a
1.17 natural gas combined cycle electric generation plant as the utility proposed to the Public
1.18 Utilities Commission in docket number E-002/RP-15-21, idle the existing plant located on
1.19 the property in Sherburne County, Minnesota, already owned by the public utility.

1.20 (b) Reasonable and prudently incurred costs and investments by a public utility under
1.21 this section may be recovered pursuant to the provisions of Minnesota Statutes, section
1.22 216B.16.

2.1 (c) No less than 20 months prior to the start of construction, a public utility intending
2.2 to construct a plant under this section shall file with the commission an evaluation of the
2.3 utility's forecasted costs prepared by an independent evaluator and may ask the commission
2.4 to establish a sliding scale rate of return mechanism for this capital investment to provide
2.5 an incentive for the utility to complete the project at or under the forecasted costs.

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