moves to amend H.F. No. 1405, the delete everything amendment (H1405DE1), as follows:

Page 10, after line 6, insert:

"(h) The commission shall not approve a resource plan under this section of a public utility that has between 100,000 and 200,000 customers in Minnesota, if the resource plan includes the retirement of a generating facility that has a positive net book value, unless the public utility has demonstrated that:

(1) the retirement is consistent with the public interest;

(2) the resource plan promotes the energy policy of the state to ensure competitive electric rates for energy-intensive, trade-exposed customers, as required in section 216B.1696, subdivision 2, paragraph (a); and

(3) the costs of operating and maintaining the facility exceed the costs of retirement based on the following factors:

(i) all costs associated with decommissioning the generating resource;

(ii) any stranded asset costs, including but not limited to, costs that have not been depreciated and recovered by the utility having an ownership interest in the asset;

(iii) any investments in replacement generation, including the utility's transmission and distribution systems, to ensure all utility system reliability, energy, and capacity needs are met once the generating resource is retired;

(iv) any projected investments necessary to continue operating the generation facility; and

(v) any operation and maintenance saving from retiring the generation facility."