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HOUSE BILL 91

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Kristina Ortez and Patricia Roybal Caballero and Mimi Stewart

AN ACT

RELATING TO PUBLIC UTILITIES; ALLOWING ADDITIONAL RATE  
STRUCTURES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 62-8-6 NMSA 1978 (being Laws 1941,  
Chapter 84, Section 42, as amended) is amended to read:

"62-8-6. DISCRIMINATION.--No public utility shall, as to  
rates or services, make or grant any unreasonable preference or  
advantage to any corporation or person within any  
classification or subject any corporation or person within any  
classification to any unreasonable prejudice or disadvantage.  
No public utility shall establish and maintain any unreasonable  
differences as to rates of service either as between localities  
or as between classes of service. Nothing shall prohibit,  
however, the commission from approving:

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- A. economic development rates; [~~and~~]
- B. rates designed to retain load; [~~or from~~  
approving]
- C. rates designed to reduce the burden of energy costs on low-income customers;
- D. rates that seek to decrease or eliminate participating customer arrears or increase the frequency of participating customer payments; provided that such programs would be designed to increase affordability and continuity of service for participating customers and reduce utility costs associated with customer account collection activities; and
- E. energy efficiency programs designed to reduce the burden of energy costs on low-income customers pursuant to the Efficient Use of Energy Act."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2025.