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SENATE JOINT MEMORIAL 53

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

John Arthur Smith

A JOINT MEMORIAL

DIRECTING THE PUBLIC REGULATION COMMISSION TO UNDERTAKE A NOTICE OF PROPOSED RULEMAKING TO CLARIFY THE METHODS OF PAYMENT AND RATE RECOVERY OF EXCESS COSTS DUE TO CONDITIONS IMPOSED ON SITING OF ELECTRIC AND GAS UTILITY FACILITIES BY LOCAL GOVERNMENTS.

WHEREAS, the construction of facilities by electric and gas utilities is a matter of statewide concern; and

WHEREAS, the construction of these facilities may affect the safety, reliability, adequacy, cost and efficiency of service to customers in areas within the jurisdiction of more than a single local government; and

WHEREAS, excess costs imposed by requirements of a local government for the construction of facilities will affect the rates and charges of the utilities to all customers, not just

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1 customers within the jurisdiction of the local government,
2 unless methods are developed to have those responsible for the
3 imposition of the costs pay for the costs; and

4 WHEREAS, it is in the public interest that the public
5 regulation commission take immediate action to resolve issues
6 regarding excess costs imposed by special requirements of a
7 local government for the construction of facilities that
8 affect the rates and charges of the utilities;

9 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
10 STATE OF NEW MEXICO that the public regulation commission be
11 requested to immediately undertake a rulemaking to clarify the
12 methods for payment and rate recovery of excess costs, imposed
13 by special requirements of a local government for the
14 construction of facilities that affect the rates and charges
15 of the electric and gas utilities, by those responsible for
16 the imposition of the costs; and

17 BE IT FURTHER RESOLVED that the public regulation
18 commission be requested to adopt a rule that clarifies the
19 methods for payment and rate recovery of excess costs before
20 the end of 1999; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to members of the public regulation commission.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 19, 1999
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8 Mr. Speaker:
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10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
11 whom has been referred
12

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15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
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22 James G. Taylor, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

Excused: Sandel

Absent: None

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