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**HOUSE JOINT MEMORIAL 94**

**45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002**

**INTRODUCED BY**

**Manuel G. Herrera**

**A JOINT MEMORIAL**

**REQUESTING THE PUBLIC REGULATION COMMISSION TO ENSURE THAT  
OUT-OF-STATE GENERATION AND TRANSMISSION COOPERATIVES  
PROVIDING ELECTRICITY FOR NEW MEXICO'S RURAL AREAS ACT IN THE  
BEST INTERESTS OF NEW MEXICO'S RURAL POPULATION.**

**WHEREAS, outside New Mexico there exist cooperative  
nonprofit membership corporations organized pursuant to the  
Rural Electric Cooperative Act that generate and transmit  
electric power and energy that can be sold into New Mexico's  
rural areas; and**

**WHEREAS, out-of-state generation and transmission  
cooperatives are subject to only limited rate regulation by  
the public regulation commission, pursuant to Section 62-6-4  
NMSA 1978; and**

**WHEREAS, rural communities in New Mexico that receive**

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1 their power from an out-of-state generation and transmission  
2 cooperative were recently notified of an increase to electric  
3 rates by that generation and transmission cooperative, and  
4 that increase was not reviewable by the public regulation  
5 commission; and

6 WHEREAS, New Mexico's rural population is often very poor  
7 and unable to afford significant increases to an essential  
8 commodity such as electricity; and

9 WHEREAS, New Mexico's rural businesses are essential to  
10 the well-being of New Mexico's rural communities, and electric  
11 rate increases to those businesses can jeopardize their  
12 viability and ability to provide economic sustenance to the  
13 rural communities in which they reside;

14 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
15 STATE OF NEW MEXICO that the public regulation commission be  
16 requested to ensure that any out-of-state generation and  
17 transmission cooperative providing electricity for New  
18 Mexico's rural areas ensure that the rates charged for that  
19 electricity are reasonable and affordable; and

20 BE IT FURTHER RESOLVED that the public regulation  
21 commission ensure that any out-of-state generation and  
22 transmission cooperative providing electricity for New  
23 Mexico's rural areas not take advantage of limited rate  
24 regulation in New Mexico to charge electric rates in the state  
25 that are unreasonable or unaffordable; and

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