

1 SENATE BILL 245

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Jacob Candelaria

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10 AN ACT

11 RELATING TO UTILITIES; ENACTING A NEW SECTION OF CHAPTER 62,
12 ARTICLE 8 NMSA 1978 TO PROVIDE FOR INFORMATION DISCLOSURE TO
13 CUSTOMERS.

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

16 SECTION 1. A new section of Chapter 62, Article 8 NMSA
17 1978 is enacted to read:

18 "[NEW MATERIAL] DISCLOSURE TO CUSTOMERS OF ELECTRICITY
19 PORTFOLIO.--

20 A. A public utility furnishing electricity in New
21 Mexico shall disclose to its retail customers the composition
22 of its retail electricity sales by fuel type.

23 B. For each fuel type, the public utility shall
24 disclose to customers, based on the generating plants and
25 supply contracts it used to serve its customers during the

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1 preceding year:

- 2 (1) the percentage of retail sales
3 attributable to that fuel type;
4 (2) the cost to the utility per kilowatt-hour,
5 including costs for capacity;
6 (3) carbon dioxide emitted per kilowatt-hour;
7 (4) water consumed per kilowatt-hour;
8 (5) nitrogen oxide emitted per kilowatt-hour;
9 (6) mercury emitted per kilowatt-hour; and
10 (7) any other characteristic whose disclosure
11 would serve to inform customers of a significant environmental
12 impact.

13 C. For the purposes of this section, the following
14 shall be considered distinct fuel sources: coal, natural gas,
15 oil, hydropower, wind energy, nuclear energy, solar energy,
16 geothermal energy and biomass. Biomass shall include biogas
17 and biofuels. Any fuel source not specified in this subsection
18 shall be identified as other.

19 D. The public utility shall include in its
20 disclosure electricity produced at generating plants in which
21 it has an ownership interest and electricity purchased through
22 contracts having a duration of three months or longer. The
23 public utility may reasonably estimate or approximate the
24 values used in its disclosure.

25 E. The commission shall adopt rules by January 1,

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1 2014 to implement the provisions of this section, including,
2 but not limited to, specifying the frequency of disclosures,
3 reporting units to be used, any additional pollutants or
4 environmental impacts to be disclosed, requirements for
5 disclosure of electricity procured through purchase contracts
6 having a duration of three months or longer and the development
7 of a standardized format for disclosure. Disclosures shall be
8 standardized, simple and understandable to customers and shall
9 be provided on at least a biannual basis to customers as a bill
10 insert.

11 F. The commission shall review and analyze the
12 customer disclosure required by this section and shall submit a
13 report to the legislature with any necessary recommendations by
14 September 30, 2016."

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