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HOUSE MEMORIAL 41

**57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

INTRODUCED BY

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A MEMORIAL

REQUESTING THE UNIVERSITY OF NEW MEXICO BUREAU OF BUSINESS AND  
ECONOMIC RESEARCH TO CONDUCT AND OVERSEE A STUDY TO DETERMINE  
THE GENERAL FEASIBILITY OF CREATING A PUBLICLY OWNED ELECTRIC  
UTILITY.

WHEREAS, reliable and resilient energy infrastructure is  
essential to support the health, safety and economic security  
and meet the needs of residents across New Mexico; and

WHEREAS, publicly owned electric utilities offer a state  
the opportunity to safeguard critical energy infrastructure,  
ensuring reliable service delivery that is aligned with the  
public interest; and

WHEREAS, residential customers served by publicly owned  
electric utilities pay the lowest electricity bills on average  
in thirty-five states, reflecting the not-for-profit,

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1 community-owned structure of the publicly owned electric  
2 utility model; and

3 WHEREAS, many publicly owned electric utilities use power  
4 purchase agreements to supplement their owned generation  
5 resources, with more than twenty-three thousand megawatts of  
6 renewable energy being contracted through power purchase  
7 agreements in 2023; and

8 WHEREAS, despite only ten percent of electricity in the  
9 United States coming from publicly owned electric utilities,  
10 approximately forty percent of that electricity is generated  
11 from non-carbon emitting sources; and

12 WHEREAS, even without accounting for purchased power,  
13 publicly owned electric utilities rely on a higher proportion  
14 of clean energy generation than the private electric industry  
15 overall; and

16 WHEREAS, publicly owned electric utilities generate more  
17 than sixty billion dollars (\$60,000,000,000) in annual revenue  
18 and invest more than two billion dollars (\$2,000,000,000)  
19 annually directly back into their communities; and

20 WHEREAS, publicly owned electric utilities invest this  
21 revenue back into their communities in myriad ways, including  
22 through payments in lieu of taxes, creating local jobs with  
23 great benefits, offering free or reduced-cost electric services  
24 and supporting local causes and charities; and

25 WHEREAS, other states have successfully used the publicly

1 owned electric utility model to provide affordable and reliable  
2 energy to customers, including:

3 A. Nebraska, which has operated a fully electric  
4 publicly owned power utility since 1949 that contributes more  
5 than thirty million dollars (\$30,000,000) per year in payments  
6 in lieu of taxes that support various state-provided services;

7 B. New York, which operates the largest state-  
8 owned public power utility that has been successfully serving  
9 residents since 1931;

10 C. Tennessee, which operates a publicly owned  
11 electric utility, created in 1933 as part of the New Deal  
12 initiatives, that serves most of Tennessee along with parts of  
13 six surrounding states; and

14 D. a handful of other states that have various  
15 county- and city-owned public power utilities, some of which  
16 date back to the late 1800s;

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
18 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the university  
19 of New Mexico bureau of business and economic research be  
20 requested to study the general feasibility of acquiring and  
21 operating an electric utility for the purpose of creating a  
22 publicly owned electric utility in New Mexico; and

23 BE IT FURTHER RESOLVED that the university of New Mexico  
24 bureau of business and economic research be requested to  
25 consult with the public regulation commission, the New Mexico

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1 renewable energy transmission authority and the energy,  
2 minerals and natural resources department when conducting the  
3 study; and

4 BE IT FURTHER RESOLVED that the university of New Mexico  
5 bureau of business and economic research be requested to  
6 explore the necessary authority needed by the state to acquire  
7 and operate an electric utility; identify applicable federal,  
8 state and local laws; consider franchise rights, potential  
9 service area issues, condemnation and eminent domain risks; and  
10 investigate labor law, union and labor transition  
11 considerations; and

12 BE IT FURTHER RESOLVED that the university of New Mexico  
13 bureau of business and economic research be requested to create  
14 an inventory of key public and private entities, data sources  
15 and repositories; if possible, collect high-level data  
16 appropriate for understanding assets; and assess the strengths  
17 and limitations of various valuation methods that may be used  
18 to evaluate a publicly owned electric utility; and

19 BE IT FURTHER RESOLVED that the university of New Mexico  
20 bureau of business and economic research be requested to  
21 investigate the trends toward or away from private to public  
22 ownership of electric utilities, and vice-versa, across the  
23 country, including attempting to understand key reasons for the  
24 trends, and benefits and drawbacks of public and private  
25 ownership of electric utilities; and

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1           BE IT FURTHER RESOLVED that the university of New Mexico  
2 bureau of business and economic research be requested to assess  
3 the potential operational and management needs that a  
4 transition to a publicly owned electric utility model might be  
5 required to meet, including exploring potential transition  
6 plans from a current owner to a state-owned utility,  
7 identifying required expertise necessary to make that  
8 transition successful and any related customer service,  
9 information technology and emergency response needs that must  
10 be addressed; and

11           BE IT FURTHER RESOLVED that the university of New Mexico  
12 bureau of business and economic research be requested to  
13 publish a report containing its determinations as to the  
14 general feasibility of a publicly owned electric utility model  
15 for New Mexico and any alternatives to an outright purchase of  
16 an electric utility that might still achieve the same  
17 interests, along with any additional findings or  
18 recommendations that the bureau identifies as useful to  
19 policymaking around the concept of publicly owned electric  
20 utilities; and

21           BE IT FURTHER RESOLVED that the university of New Mexico  
22 bureau of business and economic research be requested to  
23 present its findings and recommendations to the relevant  
24 interim legislative committee on or before June 30, 2027; and

25           BE IT FURTHER RESOLVED that copies of this memorial be

1 transmitted to the director of the university of New Mexico  
2 bureau of business and economic research, the chair of the  
3 public regulation commission, the executive director of the New  
4 Mexico renewable energy transmission authority and the  
5 secretary of energy, minerals and natural resources.

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