

FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007

SB 994/a

February 19, 2007

Madam President:

Your **CORPORATIONS AND TRANSPORTATION COMMITTEE**, to whom has been referred

SENATE BILL 994

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 13, after the first occurrence of "FACILITIES" insert ", RECYCLED ENERGY FACILITIES, RENEWABLE ENERGY STORAGE FACILITIES".

2. On page 2, line 13, after "facility" insert "that may include an associated renewable energy storage facility or recycled energy projects".

3. On page 2, line 16, after "facility" insert ", if any,".

4. On page 3, line 2, strike "emitted".

5. On page 3, line 14, strike "fate" and insert in lieu thereof "disposition".

6. On page 3, line 17, strike "nameplate" and insert in lieu thereof "name-plate", strike "and" and between lines 17 and 18, insert the following new paragraph:

"(4) "recycled energy" means energy produced by a generation unit with a name-plate capacity of not more than fifteen megawatts that converts the otherwise lost energy from the exhaust stacks or pipes to electricity without combustion of additional fossil fuel; and".

7. Renumber the succeeding paragraph accordingly.

8. On page 3, line 21, after "oil" insert ", coalbed methane".

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9. On page 4, line 17, after "a" insert "new".
10. On page 4, lines 18 and 19, strike "after advanced energy tax credits become available" and insert in lieu thereof "and that begins construction after January 1, 2007".
11. On page 5, line 20, after "shall" insert a colon and the subparagraph designation "(a)".
12. On page 5, line 22, strike ", including" insert in lieu thereof a semicolon and:

"(b) issue".
13. On page 5, line 24, strike the period and insert in lieu thereof "; and

(c) deposit fees collected pursuant to this paragraph in the state air quality permit fund created pursuant to Section 74-2-15 NMSA 1978."
14. On page 7, strike lines 8 through 11 in their entirety.
15. Renumber the succeeding sections accordingly.
16. On page 7, line 12, strike "the Renewable Energy Act" and insert in lieu thereof "Chapter 62, Article 6 NMSA 1978".
17. On page 7, line 14, after "INVESTMENTS" insert "--AUTHORIZATION".
18. On page 7, line 17, strike "an" and insert in lieu thereof "a reasonable", strike "commission-approved" and on line 18, strike "made" and insert in lieu thereof "incurred".
19. On page 7, line 24, before "incurred" insert "reasonably" and strike "as of" and insert "up to".

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20. On page 7, line 25, strike "goes forward" and insert in lieu thereof "is in service" and after the period insert:

"This section does not relieve a public utility of its duty to act reasonably and prudently as circumstances indicate once development and construction of a clean energy project begins."

21. On page 9, line 2, strike "emitted".

22. On page 9, line 14, strike "fate" and insert in lieu thereof "disposition".

23. On page 9, line 25, strike "advanced coal technology" and insert in lieu thereof "associated renewable energy storage facilities".

24. On page 10, line 1, after "energy" insert "and, for the limited purposes of this section, advanced coal technology,", strike "determined" and insert in lieu thereof "deemed appropriate".

25. On page 10, line 13, strike "and does not combust" and insert in lieu thereof "without combustion of".

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26. On page 10, line 18, after "oil" insert ", coalbed methane".,

and thence referred to the **FINANCE COMMITTEE**.

Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Boitano, Duran, Ingle, Nava

Absent: None

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