AN ACT

RELATING TO UTILITIES; REQUIRING RATE DESIGNS TO DISCOURAGE THE EXCESSIVE USE OF ENERGY, TO DISCOURAGE THE INCREASED USE OF NONRENEWABLE ENERGY SOURCES AND TO ENCOURAGE MAXIMUM ENERGY EFFICIENCY AND THE USE OF RENEWABLE ENERGY SOURCES.

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

Section 1. A new section of the Efficient Use of Energy Act is enacted to read:

"[NEW MATERIAL] ENERGY EFFICIENT RATE DESIGN.--

A. The commission shall require that a utility's rate design:

(1) discourage the excessive use of energy consumption by dividing consumption levels into blocks and charging a higher price per unit of energy consumed for each succeeding higher block in each billing period; and

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1   (2)   for new development, discourage the

2   increased use of nonrenewable energy sources while encouraging

3   maximum energy efficiency and the use of renewable energy

4   sources.

5   B.   The rate design required in Subsection A of this

6   section shall not itself result in an increase or a decrease in

7   the overall revenue received by a utility at the time the rate

8   design is implemented."

9   Section 2.   EFFECTIVE DATE.--The effective date of the

10   provisions of this act is July 1, 2009.

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