

LFC Requester:	Rodriguez, Julisa
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AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: February 4, 2026

Check all that apply:

Bill Number: HB 303

Original X Correction
 Amendment Substitute

Sponsor: Rep. Raymundo Lara; Rep. Joseph L. Sanchez

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing

Short Title: Utility Certificate of Public Convenience

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: HB 303 changes the conditions that require public utilities to seek certificates of public convenience and necessity (CCNs) from the Public Regulation Commission (PRC) when providing additional services. Currently, this requirement is triggered when a public utility seeks to “begin the construction or operation of” any public utility plant or system. HB 303 would change this to require CCNs when a public utility would “provide service to New Mexico customers from any plant or system.” CCNs would still be required for the extension of any plant or system under both current law and HB 303.

Section 1: This section makes the substantive changes outlined above. It also allows the PRC to issue orders resolving conflicts between public utilities “provid[ing] service to New Mexico customers” when one utility’s provision of service interferes with that of another.

Section 2: This section of HB 303 proposes an emergency clause that states this act will take effect immediately.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

If the bill intends to remove all references to new construction as a triggering factor for PRC review, note that orders resolving alleged interference at the end of Subsection A are still only available when a public utility is “constructing or extending its line.”

Also note that if a plant is built in New Mexico but provides service exclusively to out-of-state customers, a CCN would no longer be required under HB 303.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.