

LFC Requester:

Julisa Rodriguez

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov
(Analysis must be uploaded as a PDF)**

SECTION I: GENERAL INFORMATION

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

Date Prepared: 01/26/2026 *Check all that apply:*
Bill Number: SB 109 Original Correction
Amendment Substitute

Sponsor: Senators Pope, Stefanics & O'Malley **Agency Name and Code Number:** 430 – Public Regulation Commission
Short Title: ABANDONED UTILITY TRANSITION COST RECOVERY **Person Writing:** Gabriella Dasheno
Phone: (505)490-2696 **Email:** jerri.mares@prc.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

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

BILL SUMMARY

Synopsis:

SB109 proposes to amend Section 62-18-4 NMSA 1978 (being Laws 2019, Chapter 65, Section 4) Financing order, or the authority of securitization by denying cost recovery through securitization of abandoned resources to a utility per the provisions of the Energy Transition Act. This would apply to all utilities who sought or seek to abandon resources per the Energy Transition Act and go on to build gas generating units for the purpose of providing electricity to its customers. The bill would remove securitization recovery for resources that have previously been abandoned if a utility engages in building gas generating resources as a source for electricity. The bill would also deny securitization for abandoned resources forward looking if gas generation is built by a utility seeking to utilize the provisions in the Energy Transition Act. SB 109 also seeks to remove the verbiage “Energy Transition Act “ and use 62-18-6 NMSA 1978, instead.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None noted.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

N/A