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HOUSE BILL 724

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

GARY K. KING

AN ACT

RELATING TO PUBLIC UTILITIES; ENACTING A NEW SECTION OF THE NMSA  
1978 TO AUTHORIZE THE NEW MEXICO PUBLIC UTILITY COMMISSION TO  
PERMIT RETAIL WHEELING.

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

Section 1. A new section of Chapter 62, Article 6 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] RETAIL WHEELING PERMITTED-- AUTHORITY OF  
COMMISSION. --

A. The intent and purpose of this section is to  
permit and encourage retail wheeling in the electric utility  
industry without impairing the provision of electric service to  
the state's residents. The commission may, by rule or order,  
authorize the nondiscriminatory and nonpreferential retail  
wheeling of electricity by any person subject to its

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1 jurisdiction.

2 B. The commission may, in its discretion, impose  
3 such terms and conditions on permitted retail wheeling as may be  
4 necessary to safeguard the adequacy, reliability and efficiency  
5 of electric service and to prevent undue hardship to or  
6 anticompetitive conduct by or on persons subject to its  
7 jurisdiction.

8 C. The rates and charges for the permitted retail  
9 wheeling of electricity shall be just, reasonable,  
10 nondiscriminatory and subject to the approval of the commission.

11 D. The commission shall by rule or order adopt  
12 directives, standards, forms and reporting requirements to  
13 effectuate this section.

14 E. The commission shall ensure that benefits  
15 available from retail wheeling accrue to electricity consumers  
16 as may be reasonably and equitably practical.

17 F. The commission shall conduct public hearings on  
18 any order or rule implementing retail wheeling in the electric  
19 utility industry to determine all legitimate and verifiable  
20 transition costs. The commission shall identify the transition  
21 costs of each person subject to its jurisdiction and shall  
22 report to the legislature before December 15, 1997 its findings  
23 and recommendations, by person, relating to the amount and  
24 recovery of transition costs.

25 G. Nothing in this section shall alter or modify the

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1 authority of the commission to regulate the rates and services  
2 of a person otherwise subject to its jurisdiction. "

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