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HOUSE JOINT MEMORIAL 81

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

TED HOBBS

A JOINT MEMORIAL

DECLARING THE INTENT OF THE LEGISLATURE REGARDING
IMPLEMENTATION OF RETAIL ELECTRIC COMPETITION.

WHEREAS, the legislature has been studying retail electric competition since 1993 to determine if its implementation in New Mexico is in the public interest; and

WHEREAS, in 1996 the legislature unanimously adopted Senate Joint Memorial 42, which declared that retail electric competition was not at that time in the public interest of the state, but directed the New Mexico public utility commission to study and monitor developments nationally and report back to the legislature during the 1997 session; and

WHEREAS, the commission issued a report for the 1998 session that it believes that implementation of retail electric competition is now in the public interest; and

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1 WHEREAS, the implementation of retail electric
2 competition requires the addressing of numerous interrelated
3 and complex issues that cannot be adequately resolved; and

4 WHEREAS, the commission is without the requisite
5 statutory authority to mandate retail electric competition;

6 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
7 STATE OF NEW MEXICO that it be the declared intent of the
8 legislature to address retail electric competition through
9 legislation in the 1999 legislative session in a manner that
10 is consistent with the principles articulated in Senate Joint
11 Memorial 42, passed in 1996, with an effective date for
12 customer choice no earlier than January 1, 2001; and

13 BE IT FURTHER RESOLVED that the legislature determine
14 whether retail electric competition should begin before the
15 operation of New Mexico transmission systems is transferred to
16 an independent system operator approved by the federal energy
17 regulatory commission and the system is operational; and

18 BE IT FURTHER RESOLVED that neither the New Mexico public
19 utility commission nor its successor agency as of January 1,
20 1999, the public regulation commission, take any steps in
21 furtherance of requiring retail electric competition until the
22 legislature provides the necessary statutory authority; and

23 BE IT FURTHER RESOLVED that a copy of this memorial be
24 transmitted to the New Mexico legislative council, the New
25 Mexico public utility commission and the public regulation

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commission when it commences operations.

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