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Senate Bill _____

51ST LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2013

INTRODUCED BY _____

AN ACT

RELATING TO ENERGY; ENACTING A NEW SECTION OF THE PUBLIC
UTILITY ACT TO PROVIDE FOR A PUBLIC UTILITY TO HAVE FIRST RIGHT TO
CONSTRUCT, OWN, AND MAINTAIN CERTAIN TRANSMISSION FACILITIES
APPROVED FOR CONSTRUCTION BY A FEDERALLY REGISTERED REGIONAL
TRANSMISSION PLANNING AUTHORITY.

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

Section 1. A new section of the Public Utility Act is enacted to read:

“[NEW MATERIAL] A. When used in this section: (1) “an electric transmission
line” means an electric transmission line and associated facilities designed for or capable
of operations at a nominal voltage of one hundred fifteen kilovolts or more that will
interconnect with transmission lines owned or operated by a public utility.

(2) “public utility” has the meaning defined in Section 62-3-3(G) of the Public
Utility Act [62-13-1 NMSA 1978].

1 B. An electric transmission line that has been approved for construction by a
2 federally registered regional transmission planning authority shall be built by the public
3 utility that the transmission line is interconnecting with if that public utility is willing and
4 able to construct, own, and maintain the approved transmission line. If the transmission
5 line has been approved for construction by a federally registered regional transmission
6 planning authority, the public utility, in its sole discretion, may give notice to the
7 commission, in writing, within one hundred twenty days of approval by the federally
8 registered regional planning authority, of its intent to construct, own, and maintain the
9 approved transmission line. If no notice is provided within the one hundred twenty day
10 period, the public utility shall surrender its first right to construct, own, and maintain the
11 approved transmission line.

12