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HOUSE BILL 1291

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO UTILITIES; ENACTING A NEW SECTION OF CHAPTER 62,
ARTICLE 6 NMSA 1978 TO REQUIRE THE PUBLIC REGULATION COMMISSION
TO ADOPT RULES FOR A PAY AS YOU SAVE PROGRAM PROVIDING FOR
FINANCING OF ENERGY-EFFICIENT APPLIANCES AND HEATING AND
COOLING SYSTEMS.

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 ADDITIONAL DUTIES--PAY AS YOU SAVE.--

A. The commission shall adopt rules to establish a
pilot pay as you save program that:

(1) if the estimated life cycle electricity
savings from the product exceeds the cost of the product,
allows a residential public utility customer to purchase

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1 energy-efficient appliances and heating and cooling systems:

2 (a) with no upfront payments; and

3 (b) by paying the cost of the products
4 over time on the customer's electricity bill;

5 (2) provides for billing and payment of the
6 product on the utility bill;

7 (3) provides for disconnection of utility
8 service for nonpayment of the pay as you save product payments;
9 and

10 (4) allows for assignment of the product
11 repayment costs attached to the meter location.

12 B. The commission shall determine the period of
13 time for the pilot pay as you save program and gather and
14 analyze information to evaluate the program.

15 C. No later than June 30, 2008, each public utility
16 shall implement by tariff a pay as you save pilot program for
17 residential customers. Each public utility shall provide at
18 least six months prior notice of its proposed tariff to the
19 commission. Within the prescribed notice period, the
20 commission shall review the proposed tariff and, after a
21 hearing, may require modifications to the proposed tariff as
22 necessary.

23 D. The commission shall ensure that all reasonable
24 costs incurred by public utilities to start and implement the
25 pay as you save pilot program are recovered as part of the

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1 utility's rate base, including necessary billing system
2 adjustments and any costs for pay as you save pilot program
3 efficiency measures that are not recovered from residential
4 customers' payments."

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