

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE APPROPRIATE INTERIM LEGISLATIVE COMMITTEE TO STUDY POSSIBLE REGULATION OF THE PROPANE GAS INDUSTRY BY THE PUBLIC REGULATION COMMISSION.

WHEREAS, rising fuel costs across the country are of increasing concern to the public, especially low-income persons in rural areas of New Mexico; and

WHEREAS, many low-income persons in the rural areas depend on propane gas as an energy source to heat their homes in the winter; and

WHEREAS, it is necessary that those New Mexicans who are most vulnerable to the high costs of fuel be protected; and

WHEREAS, the propane gas industry and the rates charged for propane gas services are not currently regulated by the public regulation commission; and

WHEREAS, including the propane gas industry under the Public Utility Act would provide the public regulation commission with authority over entities manufacturing, storing, selling, or distributing propane gas in enclosed containers or tank trucks for use by consumers, except consumers who receive their supply through any pipeline system operating under municipal authority; and

WHEREAS, oversight of the propane gas industry by the

public regulation commission would ensure that New Mexicans, particularly low-income New Mexicans, are paying fair prices for propane gas;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to direct the appropriate interim legislative committee to study possible regulation of the propane gas industry by the public regulation commission; and

BE IT FURTHER RESOLVED that the study include a review of the following:

A. the relationship between the low income home energy assistance program and the propane industry;

B. current regulation of propane installations by the construction industries division of the regulation and licensing department; and

C. liability issues associated with the propane industry; and

BE IT FURTHER RESOLVED that the appropriate interim legislative committee be directed to hold a hearing on the issue by November 1, 2008; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico legislative council and the chair of the public regulation commission.