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FISCAL IMPACT REPORT

ORIGINAL DATE 02/21/11

SPONSOR SFL LAST UPDATED _____ HB _____

SHORT TITLE Public Access To PRC Rulemaking & Case Info SB CS/49/aSFL#1

ANALYST Haug

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY11	FY12	FY13	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$50.0 - \$150.0	\$50.0	\$200.0	Recurring*	Various*

(Parenthesis () Indicate Expenditure Decreases)

* The FY 13 amount would be recurring. Potential Sunshine Portal modification costs in FY 12 would be nonrecurring. See Fiscal Impact below.

Relates to SB 30

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Regulation Commission (PRC)

Department of Information Technology (DoIT)

SUMMARY

Synopsis of SFL Amendment #1

Senate Floor Amendment #1 removes all references to accessing PRC information through a “link” on the Sunshine Portal, effectively requiring the data be maintained on the Sunshine Portal site rather than, or in addition to, the PRC website.

Synopsis of Original Bill

The PRC notes that the bill increases the public availability of information regarding the most critical Commission proceedings, while the substitute confers on the Commission the discretion to develop the most appropriate and efficient procedures for accomplishing this purpose.

Senate Floor Substitute for Senate Bill 49 would require the PRC to adopt procedures for posting information about its cases at DoIT’s Sunshine Portal, including notice information previously required only for newspaper publication. It also requires the PRC, by September 1, 2011, to create a process for posting at that portal executive summaries of all filings in five types of cases:

ratemaking, efficiency plans, renewable plans, certificates of convenience, and integrated resource plans. The bill would require the PRC to consult with interested parties and consumers to identify the summary information that would be most valuable. Comparative costs of alternative options and benefits realized would be reported only after the commission has rendered a final decision in the case.

The bill would also require the PRC to post at the portal the annual reports filed by utilities with the PRC.

FISCAL IMPLICATIONS

The PRC provides only NA as potential cost considerations for Senate Floor Substitute for Senate Bill 49.

Should the DoIT need to contract for modifications to the Sunshine Portal in the DoIT scenario described below, their “significant” cost could easily range from \$50 thousand to \$150 thousand which is used as the range estimate in the table above. This cost would be non-recurring and would likely be spread among various Funds.

The DoIT analysis states that if DoIT is requested to extract, transform, load, and render data within the Sunshine Portal from the existing PRC public system, significant contract funding would be necessary to accommodate modifications to the Sunshine Portal. Moreover, a new administrative function would need to be established between the DoIT and PRC to facilitate a data exchange process. The fiscal implication is anticipated to be significant and will require further research to develop an estimated cost. The PRC may also incur costs for potential modifications to the existing PRC public system (Infoshare).

SIGNIFICANT ISSUES

The bill will provide to consumers, the public, and the press better access to, and transparency of, the workings of one of the most influential State agencies. The posting at the sunshine portal of case information, notices of proposed rulemaking, and utilities’ annual reports should not present problems as these documents are already placed in the NMPRC’s website via Infoshare’s e-docket.

RELATIONSHIP

Senate Bill 49 is related to Senate Bill 30 regarding rulemaking requirements.

GH/bym:svb