

A MEMORIAL

REQUESTING THE NEW MEXICO ATTORNEY GENERAL AND THE PUBLIC REGULATION COMMISSION TO COOPERATE IN DEVELOPMENT OF LEGISLATION TO TRANSFER CONSUMER ADVOCATE STAFF FROM THE PUBLIC REGULATION COMMISSION TO THE ATTORNEY GENERAL.

WHEREAS, the New Mexico attorney general has authority to participate in utility rate cases on behalf of consumers and ratepayers but has limited staff and resources; and

WHEREAS, the public regulation commission has advocacy staff that represent the public interest in utility cases before the commission, which includes but is not limited to the interests of consumers and ratepayers; and

WHEREAS, the public regulation commission has separate advisory staff that are able to consult with commissioners without regard to limits on ex parte communications, but this function is primarily legal in nature and suffers from a lack of sufficient technical professional positions;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico attorney general and the public regulation commission be requested to cooperate in studying and developing legislation to transfer professional and legal staff from the public regulation commission to the attorney general to form a fully staffed office of ratepayer advocacy and to transfer the

remaining utility advocacy staff within the commission to enhance the advisory function; and

BE IT FURTHER RESOLVED that the New Mexico attorney general and the public regulation commission report their recommendations to the appropriate committee appointed by the New Mexico legislative council by December 1, 2012 for consideration by the next regular session of the legislature; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico attorney general, the public regulation commissioners and the co-chairs of the New Mexico legislative council.