

State of New Mexico
Senate

FIFTY-FIFTH LEGISLATURE
SECOND SESSION

February 15, 2022

SENATE FLOOR AMENDMENT number _____ to HOUSE BILL 37, as amended

Amendment sponsored by Senator William E. Sharer

1. Strike House Energy, Environment and Natural Resources Committee Amendment 2.

2. On page 1, line 21, before the period, insert "; ALLOWING AN ABANDONED QUALIFYING GENERATING FACILITY TO OPERATE UNTIL JULY 1, 2024".

3. On page 21, between lines 3 and 4, insert the following new section:

"SECTION 8. TEMPORARY PROVISION--TEMPORARY CONTINUED OPERATION OF ABANDONED FACILITY.--

A. Notwithstanding abandonment approval of a qualifying generating facility granted by the public regulation commission on or after April 1, 2020, a qualifying utility may continue to operate such qualifying generating facility until July 1, 2024.

B. As used in this section:

(1) "qualifying generating facility" means a coal-fired generating facility in New Mexico that may be composed of multiple generating units that:

(a) has been granted a certificate of public convenience and for which abandonment authority is granted after December 31, 2018;

(b) is owned or leased, in whole or in part, by a qualifying utility; and

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(c) is to be abandoned prior to January 1, 2023;
and

(2) "qualifying utility" means a public utility that meets the requirements of Paragraph (1) of Subsection G of Section 62-3-3 NMSA 1978 and owns or leases all or a portion of a qualifying generating facility and its successor or assignees."

William E. Sharer

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____