

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 8

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2017

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO PUBLIC UTILITIES; CREATING THE PUBLIC UTILITY FEE FUND; AMENDING SECTION 62-13-2 NMSA 1978 (BEING LAWS 1957, CHAPTER 25, SECTION 2, AS AMENDED); MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public Utility Act is enacted to read:

"~~[NEW MATERIAL]~~ PUBLIC UTILITY FEE FUND--CREATED.--

A. The "public utility fee fund" is created in the state treasury.

B. The fund consists of the fees collected pursuant to Section 62-13-2 NMSA 1978, appropriations, gifts, grants, donations and earnings on investment of the fund.

C. Money in the fund shall not revert to any other fund at the end of a fiscal year.

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 D. The commission shall administer the fund.
2 Payments from the fund shall be made upon vouchers issued and
3 signed by the director of the administrative services division
4 of the commission or the director's authorized representative
5 upon warrants drawn by the secretary of finance and
6 administration.

7 E. Money in the fund is appropriated to the
8 commission to carry out its duties under the Public Regulation
9 Commission Act, the Rural Electric Cooperative Act, the
10 Renewable Energy Act and the Efficient Use of Energy Act."

11 **SECTION 2.** Section 62-13-2 NMSA 1978 (being Laws 1957,
12 Chapter 25, Section 2, as amended) is amended to read:

13 "62-13-2. FEES.--

14 A. The commission shall impose an administrative
15 fee for the reasonable and necessary expense that the
16 commission incurs for processing each application, petition,
17 notice or complaint filed by public utilities, including those
18 filed for rate changes pursuant to Section 62-8-7 NMSA 1978;
19 certificates of public convenience and necessity filed pursuant
20 to Section 62-9-1 NMSA 1978; approval of location pursuant to
21 Section 62-9-3 NMSA 1978; approval of renewable energy
22 procurement plans pursuant to Section 62-16-4 NMSA 1978; or
23 approval of energy efficiency and load management programs
24 filed pursuant to Section 62-17-5 NMSA 1978. The commission
25 shall determine the amount of the fee pursuant to regulation.

.208621.1

underscoring material = new
[bracketed material] = delete

1 B. A public utility shall have the right to recover
2 the fees from its ratepayers in the manner determined and
3 approved by the commission.

4 C. The commission shall collect the following
5 additional fees: [~~which shall be remitted to the state~~
6 ~~treasurer not later than the day following receipt:~~

7 ~~A. for filing any rate schedule, service rule or~~
8 ~~regulation or sample form, or amendment thereto, one dollar~~
9 ~~(\$1.00);~~

10 ~~B.]~~ (1) for filing each [~~application~~] petition
11 or complaint by a non-public utility, twenty-five dollars
12 (\$25.00);

13 ~~[-]~~ (2) for copies of papers, testimony and
14 records, the reasonable cost of such copies as the commission
15 may provide from time to time by rule; and

16 ~~[-]~~ (3) for certifying any copy of any paper,
17 testimony or record, two dollars (\$2.00).

18 D. All fees collected by the commission shall be
19 deposited in the public utility fee fund not later than the
20 next business day following receipt."