



# New Mexico Public Regulation Commission

## Public Regulation Commission Community Solar Rulemaking Update

**NM Tribal Solar Economic Forum  
NMPRC Commissioner Joseph M. Maestas, P.E.  
(Oct. 14, 2021)**



# New Mexico Public Regulation Commission

## NM Public Regulation Commission's Role:

- **The PRC is responsible for the administration and enforcement of the Community Solar Act, including regulations of subscriber organizations and oversight and review of consumer protections established for the Community Solar Program (CSP).**
- **As provided for by the Community Solar Act, the PRC shall develop rules to establish the CSP by addressing a number of issues.**
- **SB 84 authorized the PRC to collect fees to cover the cost of implementing and administering the CSP**



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## Key Community Solar Act Milestones:

- **April 5, 2021 - New Mexico Legislature passes Community Solar Act (SB 84), establishing a community solar program in NM.**
- **\*June 24, 2021 – First PRC workshop held with Strategen, the consultant, and Stakeholders.**
- **\*August 27, 2021 - Second PRC workshop held with Stakeholders and Strategen to inform rulemaking.**
- **\*October 19, 2021, 10:00 am – Third PRC workshop to be held with Stakeholders to discuss Strategen working group report and rulemaking process.**
- **April 1, 2022 – Statutory deadline to issue the final rule.**

**(\* - Pre-Rulemaking stakeholder involvement process)**



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## Applicable Statutory Provisions:

- ***“The provisions of this section shall not apply to a native community solar project. . .” - NMSA 1978 Section 62-16B-3(B) and 62-16B-5(B)***
- ***“Nothing in the Community Solar Act shall preclude an Indian nation, tribe or pueblo from using financial mechanisms other than subscription models, including virtual and aggregate net-metering, for native community solar projects.” - 62-16B-6(E)***
- ***Tribal & Pueblo Community Solar projects are generally exempt from the provisions of the Community Solar Act, but the statute clearly envisions them being established to benefit Native communities.***



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## Five Areas to be Addressed in Rulemaking:

1. **Consumer Protection**
2. **Ratemaking Issues**
3. **Market Oversight**
4. **Community Outreach & Involvement**
5. **Information Collection for Nov. 2024 Report**



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## Rulemaking Procedure & Timeline:



**Oct. 20/27, 2021**

\* PRC issues NOPR



**Dec. 2021**

\*Comments Due  
\* Initial comments, 12/9  
\*Response Comments, 12/29



**Jan. 2022**

\*Public Hearing/Comment  
period  
\*Reply comments due by EOM



**Feb.-March 2022**

\*Review period and drafting final  
rule for submittal to PRC



**March 23/30, 2022**

\*Final Rule issued by PRC  
\*(2 mtgs to consider/discuss  
rule)





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**Thank You!!!**

**NMPRC Commissioner Joseph M. Maestas, P.E.**

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