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**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 10

Ordinance/Resolution# 14-044

For Meeting of \_\_\_\_\_  
 (Ordinance First Reading Date)

For Meeting of September 3, 2013  
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE: A RESOLUTION SUPPORTING THE BALANCED RENEWABLE ENERGY POLICY ADOPTED BY THE NEW MEXICO PUBLIC REGULATION COMMISSION.**

**PURPOSE(S) OF ACTION:**

To support the development of the balanced renewable energy policy in New Mexico.

<b>COUNCIL DISTRICT:</b> N/A		
<b>Drafter/Staff Contact:</b> Harry S. (Pete) Connelly	<b>Department/Section:</b> Legal/City Attorney	<b>Phone:</b> (575) 541-2128
<b>City Manager Signature:</b> 		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

Renewable energy is locally generated and creates local jobs; and the New Mexico Renewable Energy Act is a statute that requires electric utilities to provide 20% of their electricity from renewable energy sources in the best interest of New Mexicans and residents of the City of Las Cruces.

Renewable energy is clean and affordable thereby preserving the City's air quality, water resources and controlling energy costs for City residents; and renewable energy has proven to be a significant and sustaining positive force for the City.

The New Mexico Public Regulation Commission ("NMPRC") is charged with representing the citizens of New Mexico in the regulation of public utilities.

The Las Cruces City Council has a Sustainability Plan which includes goals for increasing renewable energy generation in the City; and in order to ensure that the renewable portfolio standard ("RPS") and diversity requirements in the Renewable Energy Act be implemented.

The matter of whether §17.9.572.7(G) NMAC should be amended, not amended, or deleted altogether is before the NMPRC.

The cost of distributed generation ("dg") has been reduced from \$130/Mwh to \$40/Mwh in four years which means that the dg has created local jobs, expanded local industry, improved

(Continue on additional sheets as required)

environmental quality, increased citizen awareness of the costs and benefits of renewable energy, and resulted in capacity and transmission savings and lowered some citizens' electric utility bills when they have availed themselves of solar/wind power attainable energy generation devices.

The City Council notes the importance of a viable Renewable Energy Credit rate is necessary to continue to promote renewable energy, particularly in residential and small output facilities, and should be continued.

By passing this Resolution, the City Council of Las Cruces signifies that it supports balanced renewable energy in New Mexico.

**SUPPORT INFORMATION:**

- Resolution.

**SOURCE OF FUNDING:**

Is this action already budgeted?  N/A	Yes		<input type="checkbox"/>	See fund summary below	
	No		<input type="checkbox"/>	If No, then check one below:	
	<i>Budget Adjustment Attached</i>			<input type="checkbox"/>	Expense reallocated from: _____
				<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
				<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?	Yes		<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.	
	No		<input checked="" type="checkbox"/>	There is no new revenue generated by this action.	

**BUDGET NARRATIVE**

N/A
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**FUND EXPENDITURE SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

(Continue on additional sheets as required)

**OPTIONS/ALTERNATIVES:**

1. Vote "Yes"; this will show the City Council's approval of balanced renewable energy in New Mexico.
2. Vote "No"; this will show the City Council's disapproval of balanced renewable energy in New Mexico.
3. Vote to "Amend"; this would allow Council to propose modifications to the Resolution.
4. Vote to "Table"; this would allow Council to postpone consideration of the Resolution.

**REFERENCE INFORMATION:**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A

(Continue on additional sheets as required)

**RESOLUTION NO. 14-044****A RESOLUTION SUPPORTING THE BALANCED RENEWABLE ENERGY POLICY ADOPTED BY THE NEW MEXICO PUBLIC REGULATION COMMISSION.**

The City Council is informed that:

**WHEREAS**, renewable energy is locally generated and creates local jobs; and

**WHEREAS**, the New Mexico Renewable Energy Act is a statute that requires electric utilities to provide 20% of their electricity from renewable energy sources in the best interest of New Mexicans and residents of the City of Las Cruces; and

**WHEREAS**, renewable energy is clean and affordable thereby preserving the City's air quality, water resources and controlling energy costs for City residents; and

**WHEREAS**, renewable energy has proven to be a significant and sustaining positive force for the City; and

**WHEREAS**, the New Mexico Public Regulation Commission ("NMPRC") is charged with representing the citizens of New Mexico in the regulation of public utilities; and

**WHEREAS**, the Las Cruces City Council has a Sustainability Plan which includes goals for increasing renewable energy generation in the City; and

**WHEREAS**, in order to ensure that the renewable portfolio standard ("RPS") and diversity requirements in the Renewable Energy Act be implemented, that in the matter of whether §17.9.572.7(G) NMAC should be amended, not amended, or deleted altogether is before the NMPRC; and

**WHEREAS**, the cost of distributed generation ("dg") has been reduced from \$130/Mwh to \$40/Mwh in four years means that the dg has created local jobs, expanded local industry, improved environmental quality, increased citizen awareness

of the costs and benefits of renewable energy, and resulted in capacity and transmission savings and lowered some citizens' electric utility bills when they have availed themselves of solar/wind power attainable energy generation devices; and

**WHEREAS**, the City Council appreciates the continued efforts of El Paso Electric Company ("EPE") in promoting renewable energy and their progress in meeting their goal of renewable energy; and

**WHEREAS**, the City Council notes the importance of a viable Renewable Energy Credit rate is necessary to continue to promote renewable energy, particularly in residential and small output facilities, and should be continued.

**NOW, THEREFORE**, Be it resolved by the governing body of the City of Las Cruces:

**(I)**

**THAT** it recommends that the NMPRC should retain the diversity requirement of renewable energy with all sections unchanged.

**(II)**

**THAT** in order for the capacity and other benefits of renewable energy to be accurately accounted for, the existing language in §17.9.572.14(C)(1) NMAC should be kept in its current form, including the phrase "environmental credits pursuant to compliance rules in effect during the plan year, and costs for capacity, transmission, or distribution that can be shown to result in actual reductions in costs to ratepayer."

**(III)**

**THAT** a copy of this Resolution shall be conveyed to the individual members of the NMPRC and other appropriate elected and appointed officials.

(IV)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney For Honorable Council