

NOTICE OF PROPOSED RULEMAKING

The New Mexico Energy, Minerals and Natural Resources Department (EMNRD) hereby gives notice of a proposed rulemaking and a public hearing on the proposed New Solar Market Development Income Tax Credit rules. The public hearing will be held on July 23, 2020, at 1:00 p.m. via online and telephone as described below. Written comments will be accepted until 5:00 p.m. July 30, 2020.

Summary of proposed rule. In 2020, the Legislature passed a New Solar Market Development Income Tax Credit. Laws 2020, Chapter 13. EMNRD is proposing a new rule, 3.3.14 NMAC, to implement the new tax credit, including the application contents, application review process, safety codes and standards, minimum system sizes, system applications and eligible components, certification of the system, calculating the solar energy system cost, calculating the tax credit, and claiming the tax credit.

Purpose of proposed rule. The proposed rule implements the New Solar Market Development Income Tax Credit. Laws 2020, Chapter 13.

Legal Authority. The proposed rule is authorized by Laws 2020, Chapter 13, and Section 9-1-5(E) NMSA 1978.

Availability of proposed rule. The full text of the proposed rule is available at <http://www.emnrd.state.nm.us/ECMD/>; or by contacting Cherise Martinez at cherise.urioste@state.nm.us; telephone (505) 670-1015.

Written comments. Those wishing to comment on the proposed rule may submit written comments by July 30, 2020 at 5:00 p.m. by mail or e-mail to:

Cherise Martinez, EMNRD
Energy Conservation and Management Division
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505
Cherise.urioste@state.nm.us

Written comments will also be accepted at the address provided below on July 23, 2020, the date of the public hearing for the proposed rulemaking. Those wishing to deliver written comment to EMNRD shall, upon arrival at the building, call (505) 476-3200 ext. 1 to request that an agency representative meet you at the front door to receive the written comment. The phone number will also be posted on the front door along with a copy of this notice.

EMNRD
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Public Hearing. A public hearing will be held on July 23, 2020, at 1:00 p.m. via online and telephone.

The hearing is being held via internet, email, and telephonic means due to the concerns surrounding COVID-19 and in accord with Executive Order 2020-004, Declaration of a Public Health Emergency, and the March 12, 2020 Public Health Emergency Order to Limit Mass Gatherings Due to COVID-19.

Any interested member of the public may attend the Public Hearing online or by telephone and offer public comments on the proposed rule during the hearing.

A Public Hearing Agenda and Participant Information Guide will be posted to the EMNRD website <http://www.emnrd.state.nm.us/ECMD/> contemporaneously with this Notice. If you wish to provide oral

comments at the Public Hearing you will be required to provide your name and the name of any organization you represent during the comment portion of the Public Hearing.

Your oral comments will be recorded.

To access the Public Hearing via internet and for any updates on the Public Hearing please visit our website <http://www.emnrd.state.nm.us/ECMD/>. The information for accessing WebEx:

Meeting number (access code): 966 842 553

Meeting password: mH2AusDEM68

To join by phone dial 1-408-418-9388

You may request to speak via Chat during the Public Hearing.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Cherise Martinez at (505) 670-1015 or the New Mexico Relay Network at 1-800-659-1779 one week prior to the hearing. Public documents can be provided in various accessible formats. Please contact Cherise Martinez at (505) 670-1015, if a summary or other type of accessible format is needed.

Technical Information. There is no technical information that served as the basis of the proposed rule.