

NOTICE OF PUBLIC COMMENT HEARING AND PROPOSED RULEMAKING

The Financial Institutions Division of the Regulation and Licensing Department hereby gives notice of a public comment hearing to consider the repeal of Title 12, Chapter 15, Part 16 – Certification of Qualified Entities as Solar Energy Improvement.

The Financial Institutions Division of the Regulation and Licensing Department (“Division”) will hold a public hearing on Friday, June 2, 2023, beginning at 10:00 and continuing on subsequent days, as necessary, in person at 2550 Cerrillos Road, Santa Fe, NM 87505 and via the WebEx video conferencing platform. The purpose of the hearing is to provide all interested persons a reasonable opportunity to submit data, views or arguments orally or in writing on the proposed repeal of Title 12, Chapter 15, Part 16 – Certification of Qualified Entities as Solar Energy Improvement. The Division, at its sole discretion, may determine whether to hold more than one hearing.

Information for attending the virtual hearing via the WebEx conferencing platform will be available on the Division’s website, www.rld.nm.gov/financial-institutions/about-us/statutes-rules-guidance-actions-and-hearings/ at least 30 days prior to the hearing and is as follows:

Meeting link: <https://nmrld.webex.com/nmrld/j.php?MTID=m5a3994d089d066f90d649a55ccb78e73>

Meeting number: 2499 758 4649

Meeting password: RAKvUmTv223 (72588688 from video systems)

Join by phone: +1-415-655-0002

Join from a video system or application: Dial 24997584649@nmrld.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

The proposed repeal of Title 12, Chapter 15, Part 16 – Certification of Qualified Entities as Solar Energy Improvement are available on the Division’s website, at www.rld.nm.gov/financial-institutions/about-us/statutes-rules-guidance-actions-and-hearings/. The proposed repeal may also be obtained electronically by contacting Farrah D. Diaz, the Division’s Legal Clerk, at Farrah.Diaz@rld.nm.gov or (505) 690-7450.

The hearing will be conducted in accordance with the Solar Energy Improvement Special Assessment Act, NMSA 1978, Sections 4-55C-1 to -9, (2009, as amended through 2019) and the Default Procedural Rule for Rule Making 1.24.25 NMAC.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views, and arguments, orally or in writing, to introduce relevant exhibits and to examine witnesses testifying at the public hearing.

Persons desiring to present technical testimony at the hearing must file with the Division a written notice of intent. The notice of intent to present technical testimony shall:

1. Identify the person or entity for whom the witness(es) will testify;
2. State whether the person filing the statement supports or opposes the Petition;
3. Identify each witness, including name, address, affiliation(s), and educational and work background;
4. Estimate the length of the direct testimony of each witness;
5. Identify all exhibits which are part of the Record Proper and, for exhibits not part of the Record Proper, attach a copy;
6. List or make available all technical materials relied upon by each witness in making statement of technical of fact or opinion contained in his or her direct testimony; and

7. Attach a summary of the testimony of each witness, stating any opinion(s) to be offered by such witness, and an explanation of the basis for such opinion(s).

Please provide submit any notices of intent to present technical testimony to the Division's Legal Clerk, Farrah D. Diaz, as soon as possible. Any member of the general public may present non-technical public comment at the hearing or submit a non-technical written statement in lieu of oral testimony before or at the hearing.

All documents filed in this matter, including notices of intent, must be filed electronically via email to the Division's Legal Clerk, at Farrah D. Diaz, at Farrah.Diaz@rld.nm.gov

Any individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing should contact Farrah D. Diaz, Legal Clerk for the Division, at Farrah.Diaz@rld.nm.gov or (505) 690-7450, at least 14 days prior to the hearing. TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).