

**CITY OF TRUTH OR CONSEQUENCES  
PUBLIC UTILITY ADVISORY BOARD**

**AGENDA**

**MONDAY, MARCH 15, 2021**

**REGULAR MEETING**

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, March 15, 2021 at 5:30 pm.

**CALL TO ORDER**

**ROLL CALL:**

George Szigeti, Chairman  
Jeff Dornbusch, Vice-Chairman  
Ron Pacourek, Member  
Gil Avelar, Member  
Don Armijo, Member

**1. APPROVAL OF AGENDA**

**2. APPROVAL OF MINUTES:**

- a. Regular meeting of Tuesday, January 19, 2021.

**3. COMMENTS FROM THE PUBLIC: (3 Minute rule applies)**

**4. RESPONSE TO COMMENTS FROM THE PUBLIC**

**5. OLD BUSINESS:**

- a. Discussion/Action: Residential Solar Generation Limits. George Szigeti.
- b. Discussion: Exemption of Trash Pickup for Seasonal Residents.
- c. Discussion/Action: Type of Report from each Utility Department.

**6. NEW BUSINESS:**

- a. Discussion/Action: Change PUAB Meeting Time.

**7. COMMENTS FROM THE BOARD**

**8. COMMENTS FROM STAFF**

## 9. ADJOURNMENT

Public Utility Advisory Board Meeting  
Mon, Mar 15, 2021 5:30 PM

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## 2. APPROVAL OF MINUTES:

- a. Regular meeting of Tuesday, January 19, 2021.

**CITY OF TRUTH OR CONSEQUENCES  
PUBLIC UTILITY ADVORSORY BOARD  
MINUTES  
TUESDAY, JANUARY 19, 2021**

**REGULAR MEETING**

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Tuesday, January 19, 2021 at 5:30 pm.

**INTRODUCTION:**

**ROLL CALL:**

George Szigeti, Chairman  
Jeff Dornbusch, Vice-Chairman  
Ron Pacourek, Member  
Gil Avelar, Member  
Don Armijo, Member

**ALSO PRESENT:**

Traci Alvarez, Grant/Projects Coordinator & Designated Zoning Official  
Bo Easley, Electric Department Director  
Dawn C. Barclay, Deputy City Clerk

Paused for a moment of silence in remembrance of Hans Townsend.

**1. APPROVAL OF AGENDA:**

Member Dornbusch made a motion to approve the agenda. Member Pacourek seconded the motion. Motion carried unanimously.

**2. APPROVAL OF MINUTES:**

**a. Regular meeting of Monday, November 16, 2020:**

Member Dornbusch moved to approve the Minutes of Monday, November 16, 2020. Member Avelar seconded the motion. Motion carried unanimously.

**3. COMMENTS FROM THE PUBLIC:**

**Ron Fenn** – He requested the video link be turned on during the meetings. He continued to speak wanting to address the solar installation proposals in addressing the requested proposed changes to Ordinance #669. He thought that the 52 solar applicants, must be considered. Excess electric should only be tied to the rate that is already established by the city in the contract with the solar farm. He feels the 6.9 cents a kilowatt goes back to over 25 years.

**Ariel Dougherty** – In regards to the proposed changes to Ordinance #664. She proposed that the board have a public meeting prior to finalizing. She has some concerns with the wording under 1. (a.) & 1. (b.). She is also concerned about the customer average usage language. Under 2(a.) she noted that making AMI hook ups mandatory is not a good idea, and further, it is under litigation.

of the matter is that they are pulling in \$1.5 million every year that they are not using. The small difference in revenue (that is happening here) is not making a big dent in that \$1.5 million dollars, and with all of these solar customers, the surplus is still there.

**Member Dornbusch** – wanted to confirm if the meters were close to completion, and if a report would be made available in regards to the increase of the efficiency on the meters.

**Bo Easley, Electric Department Director** - the Utility Department can more than likely supply that report.

**Member Pacourek** – Sierra Electric Co-op could raise their prices to offset their bottom line due to more electric car sales, and road improvements from fuel sales tax.

**Chairman Szigeti** – explained about how the end of the year excess would be handled. Up to 100% usage is balanced off. At end of the year if you have excess kW hours that have not been used to offset the usage that is reimbursed at 40% of the current electric rate. That comes out to 5.3 cents per kW hours.

**Bo Easley, Electric Department Director** – pointed out the Utility Office assesses that every month.

**Chairman Szigeti** – agreed with Electric Department Director Easley. If you end up with a credit at the time of assessment, it is carried over to the next month, but due to small solar units, there is not usually a carryover. When solar panels are added, it may generate more electricity than is being used, and there would be a credit at the end of the year. Under the current rules, the reserve would keep growing until you terminated the account, at which time a reimbursement would be issued. Under the new proposal, any excess that is generated over the course of the year will only be reimbursed at the whole sale rate. The consumer will not be penalized for installing an oversized unit, nor will be rewarded. By implementing the end of the year true up, and setting it at whole sale rate, it discourages the new consumer from installing an oversized unit. It is proposed, as an automatic refund that will be calculated by the utility office every year in October.

**Member Pacourek** – noted there might be an additional cost to the Utility Department to process a reimbursement check.

**Chairman Szigeti** – responded, the systems software should be able to calculate the credit with ease.

**Bo Easley, Electric Department Director** – suggested speaking with Utility Office Manager Sonya Williams, City Manager Madrid, and City Attorney Rubin for further discussion.

**Chairman Szigeti** – explained that the City Manager and the City Attorney have already approved the red lined proposed changes.

**Member Pacourek** moved to table this item to another meeting where the City Manager and City Attorney can be present. **Member Avelar** seconded the motion.

**George Szigeti, Chairman** voted nay

**7. COMMENTS FROM STAFF:**

There were no comments from the staff.

**8. ADJOURNMENT:**

**Chairman Szigeti made a motion to adjourn meeting. Member Avelar seconded the motion. Motion carried unanimously.**

PASSED AND APPROVED ON THIS 15<sup>th</sup> DAY OF MARCH, 2021.

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Chairman George Szigeti, Chairman  
Public Utility Advisory Board

## 5. OLD BUSINESS:

- a. Discussion/Action: Residential Solar Generation Limits. George Szigeti



## ORDINANCE NO. 664

AN ORDINANCE OF THE CITY OF TRUTH OR CONSEQUENCES, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF TRUTH OR CONSEQUENCES, BE AMENDED BY ADDING THE FOLLOWING SECTION 14-48 PERTAINING TO CUSTOMER GENERATED RENEWABLE ENERGY:

### Sec. 14-48. Customer generated renewable energy

#### (a) Renewable Energy Generation Customer Program

##### (1) Overview

- a. The City of Truth or Consequences (City) Renewable Energy Customer Program is available to any City customer, residential or commercial, that installs a qualified renewable energy system sized for the most recent twelve month average usage and has it interconnected to the City's power grid. Application is to be made to the Electrical Department Manager, blank application copies can be obtained from the electrical department or on the City website.
- b. The City reserves the right to deny interconnection for over-sized systems and in no case may the renewable energy generation system be sized such that its inverters rated capacity exceeds 90% 10 KW for residential systems, or 100% of the most recent 12 month average of customers' usage for non-residential systems. Denial of a customer's interconnection application may be appealed in writing once and must be done within 30 days from the notice of denial. The appeal is to be sent to: City of T or C City Commission. All supporting technical, design and support documentation for the appeal and interconnection application must be submitted in writing via hard copy or electronic format. Review and approval of system design and size will be per the T or C Electrical Department, building permit and inspection department and must conform to:
  - i. The standards and procedures described in rule 17.9.568 NMAC and the manual (<http://www.nmprc.state.nm.us/utilities/docs/NMInterconnectionManual2008.pdf>) to the interconnection of generating facilities with a rated capacity up to and including 10 MW.
  - ii. The standards and procedures described in 17.9.569 NMAC and the manual (<http://www.nmprc.state.nm.us/utilities/docs/NMInterconnectionManual2008.pdf>) apply to the interconnection of generating facilities with a rated capacity greater than 10 MW.
  - iii. Provisions of Sec. 14-33, tampering with meters of the City of Truth or Consequences existing municipal code.

##### (2) Metering

- a. Systems will be billed monthly from a bi-directional or net main meter at the specific facility or residence. AMI meters are mandatory for all customers with electric co-generation systems. The monthly bill will reflect a net reading which will show customer usage in excess of customer generation as positive kWh, or customer generation in excess of customer usage as negative kWh. The customer



will be billed per existing City of Truth or Consequences municipal code Sec. 14-43 for installation of the net meter by the City and those costs will be billed to the customer on the first billing cycle post net meter installation.

**(3) Rates**

- a. Customers will be billed for service in accordance with the rate structure and monthly service charges that the customer would be assigned if the customer had not interconnected a qualifying facility.
- b. Customer kilowatt hour generation will be used to displace a customer's own kilowatt hour consumption.
- c. If electricity supplied by the City exceeds the electricity generated by the customer during a billing period, the customer will be billed for the net energy supplied by the City under the applicable rate.
- d. If electricity generated by the customer exceeds the electricity supplied by the City during a billing period, the City will credit the customer on the next billing cycle for the excess kWh generated.
- e. ~~In the event a customer disconnects from the City's system with unused kWh in the bank, the City will pay the customer for all unused kWh credits at the Sierra Electric Cooperative Rate to be determined at the time of disconnect. (This amount will be first deducted from the customers final utility bill and then from any additional fees or fines that the customer owes to the City. Any remaining balance will be reimbursed to the customer by check.)~~ Each year, at the October billing, any excess credits on the customer's account after current charges are paid shall be refunded to the customer at 40% of the current electric rate per existing City of Truth or Consequences municipal code. The customer has the option to donate this credit back to the Utility Office to be used to help pay the utility bills of disadvantaged customers.
- f. In the event a customer disconnects from the City's system with a credit for excess kWh production, the City will pay the customer for all unused kWh credits at the rate being charged to the City by Sierra Electric Cooperative at the time of the disconnect Sierra Electric Cooperative Rate to be determined at the time of disconnect (This amount will be first deducted from the customers final utility bill and then from any additional fees or fines that the customer owes to the City. Any remaining balance will be reimbursed to the customer by check.)

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS. CITY COMMISSIONERS OF THE CITY OF TRUTH OR CONSEQUENCES:

*Section 1.* All Ordinances or Resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This Repealer shall not be construed to revive any Ordinance or Resolution, or part thereof, heretofore repealed.

*Section 2.* This Ordinance shall take effect on the \_\_\_\_\_ day of "2015.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO

BY: \_\_\_\_\_  
*SANDRA WHITEHEAD - Mayor*

ATTEST: \_\_\_\_\_  
*RENEE CANTIN- City Clerk*