

State of New Mexico  
Energy, Minerals and Natural Resources Department

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Michelle Lujan Grisham  
**Governor**

Sarah Cottrell Propst  
**Cabinet Secretary**

Todd Leahy  
**Deputy Cabinet Secretary**

Louise Martinez  
**Director**  
**Energy Conservation and**  
**Management Division**



**NEW SOLAR MARKET DEVELOPMENT TAX CREDIT RULES**

**RULEMAKING PUBLIC HEARING, OCTOBER 18, 2022, 9:30 A.M.**

**HEARING AGENDA AND INSTRUCTIONS FOR PARTICIPATION**

The Energy Conservation and Management Division (“ECMD”) of the New Mexico Energy, Minerals and Natural Resources Department (“EMNRD”) has scheduled and provided public notice of a Public Hearing to take public comment on the proposed amendments to 3.3.14 NMAC, New Solar Market Development Tax Credit.

EMNRD has incorporated the amendments to the tax credit made in the 2022 legislative session.

Rule 3.3.14 NMAC, New Solar Market Development Tax Credit, EMNRD proposes to increase the annual aggregate amounts of the state tax credit available to applicants owning certified solar energy systems from \$8,000,000 to \$12,000,000 per calendar year. EMNRD also proposes amendments to the application requirements that are meant to simply and streamline the process for both the applicants and EMNRD.

The Public Hearing will be conducted through virtual means and the Energy Conservation and Management Division (ECMD) will hold the public hearing:

Date: October 18, 2022

Time: 9:30 a.m.

Via: Webex

Webex permits participation in the Public Hearing online or by telephone.

Please see the login instructions for the Public Hearing, below.

**Online Video Conferencing Option:**

If you would like to join the Public Hearing through Webex online, please click on the following link or paste the link into your web browser:

<https://nmemnrd.webex.com/nmemnrd/j.php?MTID=mc3755f1751d0498fc7601e62f3541cd1>

Webinar number (access code): 2492 599 2615

Webinar password: Solartaxcredit22 (76527820 from phones)

After you login you will see a dialogue box that invites you to join the Public Hearing. Click on the button that says “Join.”

**Teleconferencing Option:**

Or enter to join from a mobile device:

[1-844-992-4726](tel:1-844-992-4726),24925992615#76527820# United States Toll Free

[+1-408-418-9388](tel:+1-408-418-9388),24925992615#76527820# United States Toll

### **Submittal of Written Comments:**

The comment period begins September 13, 2022, and closes October 18, 2022, at 5:00 p.m.

Written comments may be submitted during this time by email to the following address:

[harold.trujillo@state.nm.us](mailto:harold.trujillo@state.nm.us)

Or by U.S. Mail to:

Harold Trujillo, EMNRD  
Energy Conservation and Management Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

Or, oral and written comments may be provided during the Public Hearing, as explained in the Instructions for Participation, below.

### **Public Hearing Agenda:**

- 1) The Public Hearing will be initiated by the Hearing Officer at 9:30a.m., Tuesday October 18, 2022.
- 2) The Hearing Officer will call the Public Hearing to order and explain the purpose of the Public Hearing including the comment period and anticipated date for adoption of the proposed rule.
- 3) The ECMD representative will explain the purpose of rules proposed for amendment and read the proposed amendments into the record for each rule.
- 4) The Hearings Officer will explain how public comments will be taken, whether presented orally, or in writing.
- 5) When all participants who wish to do so have provided comment, the Public Hearing will be adjourned. The opportunity to submit written comments will continue via email or U.S. Mail through the end of the comment period.

### **Instructions for Participation:**

These instructions are intended to facilitate an orderly Public Hearing and allow all participants an opportunity to comment on the proposed changes to the rules whether orally, in writing via Webex.

The meeting including all oral and written comments will be recorded.

During the introductory part of the Public Hearing, the Hearing Officer will mute all participants. When the public comment portion of Public Hearing commences, the Hearing Officer will unmute each public participant and invite them to make an oral comment.

Participants wishing to make an oral comment will be recognized by the Hearing Officer. In order to avoid confusion, only commenters recognized by the Hearing Officer should speak. The Hearing Officer will request that participants who comment orally identify themselves for the Hearing Record. Participants should be careful to mute themselves when they are not speaking and be careful not to talk at the same time as another commenter.

The Webex facility will enable Chat, i.e. making comments through text messaging. Persons commenting through Chat should provide their full names in the Chat window but then must email their written comments to Daren Zigich at [darenk.zigich@state.nm.us](mailto:darenk.zigich@state.nm.us) for the record. We request, that any written comments be submitted early during the hearing to avoid delays in the hearing. After all oral comments are received, the Hearing Officer will read the emailed comments into the record.

After the Chat/emailed comments are read into the record, the Hearing Officer will ask the remaining participants if there are any additional comments.

All public comments received will be considered by ECMD as it decides whether to adopt the proposed rules.

The Hearing Officer may exclude anyone from the Public Hearing who engages in disruptive or abusive behavior.

If you are having difficulties logging on or calling into the meeting, please contact:

Daren Zigich at (505) 795-2381

If you have questions or concerns, please do not hesitate to contact Harold Trujillo at the contact information below. ECMD appreciates your flexibility and understanding.

Sincerely,  
Harold Trujillo  
Bureau Chief  
Cell Phone: (505) 490-7912  
Email: [harold.trujillo@state.nm.us](mailto:harold.trujillo@state.nm.us)