



BETTER TOGETHER
NEW MEXICO

P.O. Box 95735,
Albuquerque, NM 87199
(505) 836-4223

RE: Oppose **HB 91 Public Utility Rate Structure**

Mr./Madame Chair and Committee Members:

Better Together New Mexico (BTNM) brings together hundreds of advocacy groups and thousands of New Mexicans statewide. Our mission is to unite New Mexicans through grassroots initiatives and work to positively shape the decisions that affect our lives, families, and communities.

BTNM respectfully opposes HB 91 Public Utility Rate Structure. According to the World Population Review, New Mexico is one of the poorest states in the nation, with a poverty rate of 18.4%. Soaring inflation and rising energy prices are taking a heavy toll on New Mexico families. This bill will only make that situation worse for many because they will be forced to subsidize the utility rates of others.

HB 91 Public Utility Rate Structure requires a utility to provide lower gas or electric utility rates for low-income residential customers, with the Public Regulation Commission responsible for establishing the rate structure. All other New Mexico ratepayers would subsidize these lower rates and ride most heavily on the backs of the lower middle class, who are not eligible for government assistance.

We don't want anyone to suffer from a lack of heating or cooling, but when you force increased rates on others to cover the costs for the low-income, you create additional hardships. It doesn't matter where you draw the line for poverty in this state; subsidizing costs for others will push many of those who are barely making ends meet into poverty. Consider those on a fixed income budget who can scarcely afford their utilities. Any additional costs for these folks may be the difference between barely covering their daily expenses and skipping meals or prescription refills.

In 1984, the New Mexico Supreme Court determined in *Mountain States Legal Foundation v. New Mexico SCC* that "Establishing a telephone discount rate program which differentiates between economically needy individuals who receive the same service is unjustly discriminatory." The same holds for gas and electric utility rates.

On behalf of hard-working New Mexicans and businesses, and for the reasons stated, NMBC opposes HB 91 Public Utility Rate Structure and urges you to say 'NO' to its passage.

Thank you for considering my comments.

A handwritten signature in blue ink, appearing to read 'Carla J. Sonntag'.

Carla J. Sonntag
President & CEO