**COMMUNITY SOLAR MATERIALS AND UPDATES**

The construction and operation of community solar facilities in the service territory of investor-owned public utilities [IOUs] are subject to the regulation of the New Mexico Public Regulation Commission due to the legal framework for the sale of electricity. The Public Service Company of New Mexico, Southwestern Public Service, and El Paso Electric, the three IOUs in New Mexico, are all “natural monopolies.” This means that the IOUs have the exclusive legal authority to sell retail electricity in their respective territories in exchange for their “agreeing” to the supervision of the PRC (the “regulatory compact”). [*See* PowerPoint](https://dpnm-ejcaucus.org/environmental-justice-caucus/working-groups/renewable-power/community-solar/dpnm-materials-on-community-solar/), [“Our Path to Publicly-Owned, Community-Controlled Electricity”](https://dpnm-ejcaucus.org/environmental-justice-caucus/working-groups/renewable-power/community-solar/dpnm-materials-on-community-solar/)

Community solar facilities are legislatively created exceptions to the natural monopoly rules. In other words, community solar facilities will sell retail electricity subject to the PRC rules (though community solar facilities are expressly not public utilities within the meaning of the Public Utility Act). The New Mexico Legislature enacted the Community Solar Act to establish the general governing principles and delegate to the PRC the authority to issue the specific rules. *See* [Community Solar Act and PRC Rule 17.9.573 (Rule 573)](https://dpnm-ejcaucus.org/environmental-justice-caucus/working-groups/renewable-power/community-solar/legal-authorities/)

and

EJC Renewable Energy Working Group members have provided helpful roadmaps to help us navigate these technical materials. Bob Scott has developed an outline of [Rule 573](https://dpnm-ejcaucus.org/environmental-justice-caucus/working-groups/renewable-power/community-solar/community-solar-rule) according to its main topical issues. Andrew Stone has put together a PowerPoint to help us file community solar applications for PRC-approval. This will be very helpful to those of us who are trying “to keep the community in community solar” because we will be facing daunting competition in that PRC approval process. This is because there will be many more applications than available capacity (200 MW in the whole state divided by the three IOUs).

See Bob’s outline here: [PRC Community Solar Rules Summary](https://dpnm-ejcaucus.org/environmental-justice-caucus/working-groups/renewable-power/community-solar/community-solar-meeting-agendas/)

See Andrew’s PowerPoint here: [Winning NMPRC RFP’S BY THE NUMBERS](https://dpnm-ejcaucus.org/environmental-justice-caucus/working-groups/renewable-power/community-solar/community-solar-meeting-agendas/)