

Rule language – excerpted from New Mexico Admin. Code 17.7.3 ([IRP Rule](#)). Also see NM Public Regulation Commission’s Final Order issuing the new IRP rules ([Final Order](#)).

17.7.3.10 STATEMENT OF NEED:

- A. The statement of need is a description and explanation of the amount and the types of new resources, including the technical characteristics of any proposed new resources, to be procured, expressed in terms of energy or capacity, necessary to reliably meet an identified level of electricity demand in the planning horizon and to effect state policies.
- B. The statement of need shall not solely be based on projections of peak load. The need may be attributed to, but not limited by, incremental load growth, renewable energy customer programs, or replacement of existing resources, and may be defined in terms of meeting net capacity, providing reliability reserves, securing flexible resources, securing demand-side resources, securing renewable energy, expanding or modifying transmission or distribution grids, or securing energy storage as required to comply with resource requirements established by statute or commission decisions.

[17.7.3.10 NMAC - N, 10/27/2022; A, 11/29/2022]

17.7.3.11 ACTION PLAN:

- A. The utility’s action plan shall:
 - 1. detail the specific actions the utility shall take to implement the IRP spanning a three year period following the filing of the utility’s IRP;
 - 2. detail the specific actions the utility shall take to develop any resource solicitations or contracting activities to fulfill the statement of need as accepted by the commission; and
 - 3. include a status report of the specific actions contained in the previous action plan.
- B. The utility shall update the commission by filing two reports describing the utility’s implementation of the action plan. These reports shall be filed in the existing IRP docket one year after the filing of the IRP, and two years after the filing of the IRP, respectively.
- C. An action plan does not replace or supplant any requirements for applications for approval of resource additions set forth in New Mexico law or commission regulations.
- D. The utility shall promptly notify the commission and participants of material events that would have the effect of changing the results of the utility’s action plan had those events been recognized when the action plan was developed.

E. In accepting the action plan, the commission shall take into consideration contractual obligations as between the utility and any regional transmission organizations or balancing authorities of which the utility is a member.

[17.7.3.11 NMAC - N, 10/27/2022]

Utility Examples – All three New Mexico investor-owned utilities have completed resource plans under the new planning rules and can serve as examples for this effort.

- [EPE 2025 IRP](#), case no. 24-00260-UT
 - Statement of need, p. 111
 - Action plan, p. 193
- [PNM 2023 IRP](#), case no. 23-00409-UT
 - Statement of need, p. 211
 - Action plan, p. 215
- [SPS 2023 IRP](#), case no. 23-00073-UT
 - Statement of need, p. 120
 - Action plan, p. 192