



## SB 194 Additional Energy Acts Definitions

### Summary

SB 194 amends the definition of Renewable Energy in both the Renewable Energy Act and the Rural Electric Cooperative Act. The bill basically adds hydrogen production to the acceptable forms of renewable electricity generation in our state. The language in the bill is dense and convoluted, but on page 6, lines 2-8, SB 194 offers the following definition: “a clean hydrogen electric generation facility means an electric power generation facility located in New Mexico that uses one hundred percent hydrogen to generate electricity, whose electrical output can be controlled to aid in balancing electric supply and demand and **emits no more than three hundred seventy-five pounds of carbon dioxide equivalent per megawatt hour.**”

### Why is this bill bad for New Mexico?

- SB 194 puts into statute a definition of hydrogen production as a renewable energy source, when any energy generation process that emits 375 pounds of carbon dioxide an hour is clearly neither clean nor renewable.
- Such a definition provides a dangerous precedent given that it could allow hydrogen that emits carbon dioxide to be considered renewable in relation to the Energy Transition Act. This dirty hydrogen cannot be used to reach our state’s renewable energy goals.
- Worse, in HB 2, the state’s budget bill, there is an allocation of \$125M for Hydrogen Hub operations and those funds are contingent upon passage of Hydrogen Hub legislation or a “related hydrogen bill.” We fear that passing SB 194 could be viewed by HAFC Chair Lundstrom as a “related hydrogen bill” and hence authorize that allocation, even if efforts to pass a Hydrogen Hub Act continue to flounder.
- Finally, by amending the Renewable Energy Act and the Rural Electric Cooperative Acts by introducing a definition of “Carbon Capture & Sequestration (CCS),” SB 194 places into statute and legitimizes a CCS process that has never been successfully developed at scale anywhere in the United States. Carbon Capture is uneconomic to run; unsuccessful in sequestering carbon emissions; and has resulted in hundreds of millions in stranded assets.

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