DOW	NASDAQ	S&P	NYSE
10,328.89	2,211.69	1102.47	7,086.19
+20.63	+31.64	+6.39	+22.44

BUSINESS

AROUND N.M.

Journal Staff and Wire

J. Edwards Faces Trade Allegations

Attorney General Gary King recently advised J. Edwards Diamonds and Diamond Financial Services, doing business in Albuquerque, of allegations of deceptive and unfair trade practices in violation of the New Mexico Unfair Practices Act.

Starting in 2008, the Consumer Protection Division of the AG's Office initiated an inquiry into J. Edwards' pricing, financing and advertising practices. The attorney general last month gave a detailed summary of allegations to the business to provide it an opportunity to resolve the matter.

J. Edwards instead filed a lawsuit against King asking the court to enter a declaratory judgment on the attorney general's claims. The Attorney General's Office said it intends to file a counterclaim for violations of the Unfair Practices Act and seek restitution for injured consumers.

PNM Wins OK For Biogas Program

The state Public Regulation Commission has approved the biogas program in PNM's 2010 renewable energy procurement plan, which calls for the company to buy gas made from biowaste products to help power its natural gas electric generation plants.

Companies that could provide the gas include R-Qubed Energy Inc. of El Paso, which plans a $74 million bioplant in southern New Mexico. PNM would pay a premium of $1.30 per mmBTU above the market price of natural gas, currently about $5.50 per mmBTU. Commissioner Jason Marks said the premium price would apply to any company entering an agreement with PNM for biogas.

Auction Firm To Aid Angel Toy Program

Duke City Auto Auction will donate $100 to the Salvation Army's Christmas Angel toy program for each vehicle it sells during today's auction.

"There are a lot of kids out there who aren't going to have Christmas this year because of the financial situation their parents are in," said Duke City owner Maria Holley. "We just want to help them."

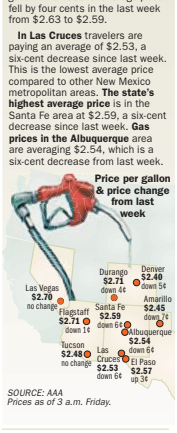
The auction begins at noon. The doors open at 9 a.m.

Duke City Auto Auction is located at 1700 Miles SE, just off Gibson between University and Yale. Auctions are held the third Saturday of each month.

REGIONAL GAS PRICES

Motorists in New Mexico are finding the average price of regular unleaded gasoline is $2.61 a gallon. The national average price fell by four cents in the last week from $2.63 to $2.59.

In Las Cruces travelers are paying an average of $2.53, a six-cent decrease since last week. This is the lowest average price compared to other New Mexico metropolitan areas. **The state's highest average price** is in the Santa Fe area at $2.59, a six-cent decrease since last week. **Gas prices in the Albuquerque** area are averaging $2.54, which is a six-cent decrease from last week.



SOURCE: AAA
Prices as of 3 a.m. Friday.

JOURNAL

79.9 APR Credit Card Skirts Rule

THE ASSOCIATED PRESS

First Premier Bank's Platinum MasterCard carries an interest rate of 79.9 percent. The bank soon will no longer offer a card carrying first-year fees of $256.

Law Caps Annual Fees, Not Rates

By Candice Choi
The Associated Press

NEW YORK — It's no mistake. This credit card's interest rate is 79.9 percent.

The bloated APR is how First Premier Bank, a subprime credit card issuer, is skirting new regulations intended to curb abusive practices in the industry. It's a strategy other subprime card issuers could start adopting to get around the new rules.

Typically, the First Premier card comes with a minimum of $256 in fees in the first year for a credit line of $250. Starting in February, however, a new law will cap such fees at 25 percent of a card's credit line.

In a recent mailing for a preapproved card, First Premier lowers fees to just that limit — $75 in the first year for a credit line of $300. But the new law doesn't set a cap on interest rates. Hence the 79.9 APR, up from the previous 9.9 percent.

"It's the highest on the market. It's the highest we've ever seen," said Anuj Shahani, an analyst with Synovate, a research firm that tracks credit card mailings.

First Premier targets people with bad credit who likely can't get approved for cards elsewhere. It's a group that tends to lean heavily on credit too, meaning they'll likely incur the steep financing charges.

So for a $300 balance, a cardholder would pay about $20 a month in interest.

First Premier said the 79.9 APR offer is a test and that it's too early to tell whether it will be continued, according to an e-mailed statement. To comply with the new law, the bank said it will no longer offer the card that has $256 in first-year fees as of Feb. 21, 2010. However, customers will still be able to use their existing cards. The bank declined to specify how many people were offered the 79.9 APR card.

CLEAN BY DESIGN

COURTESY PATRICK COULIE

The Cognitive Behavioral Institute's new 6,914-square-foot office building on San Rafael NE near Tramway is New Mexico's first LEED platinum commercial building.

Office Awarded State's First Platinum LEED Certification

Copyright © 2009 Albuquerque Journal
By Richard Metcalf
Journal Staff Writer

A private health care office in the Northeast Heights that cost $2 million is the first commercial building in New Mexico to receive the most stringent certification through the U.S. Green Building Council's Leadership in Energy and Environmental Design program.

The Cognitive Behavioral Institute of Albuquerque's 6,914-square-foot building at 1 San Rafael NE, near the southeast corner with Tramway, was officially awarded platinum certification earlier this month.

The LEED program, which requires third-party certification, is a universally recognized measure of green building. Of LEED's five levels of certification, platinum requires the most points for energy efficiency and environmentally friendly design.

The institute's building and grounds are loaded with green features that reduce water and electrical use, as well as storm-water runoff. A key feature is photovoltaic panels to harness solar energy mounted on both the roof and as the shade over a carport with eight spaces. The system provides close to 100 percent of the building's electrical needs.

The health care office's photovoltaic system provides close to 100 percent of the building's electrical needs.

Because of its reduced energy use and LEED certification, the $2 million construction project qualified for the state's Sustainable Building Tax Credit and related tax rebates.

"I wanted to construct a place where I could work comfortably, nicely and easily until I retire," said Bradford Richards, director and supervising psychologist of the institute, about the project. "The fact we have so many sustainable elements brings it home."

The institute is a group of psychologists and psychotherapists who specialize in cognitive behavior therapy. Its building has the typical complement of common areas and offices.

Key players in the project were the architectural and consulting firm of Environmental Dynamics Inc., which has been involved on some level with 90 LEED Projects, and general contractor Isis Development Corp. Both companies are based in Albuquerque.

New Mexico currently has 27 commercial or institutional buildings with some level of LEED certification below platinum, according to Eric Wallace of the Green Building Council's New Mexico chapter. There were 10 certified buildings in early 2008. In addition, there's 165 LEED-certified homes in New Mexico, including several with the platinum rating, Wallace said.

State Settles Gas-Plant Air Suit

Marathon Oil Would Pay $5.1M

Journal Staff Report

The New Mexico Environment Department said Friday it has reached a proposed settlement with Marathon Oil Corp. for $5.1 million.

The money will go toward environmental projects and penalties to resolve alleged air-quality violations at the company's Indian Basin Gas Plant 20 miles west of Carlsbad.

The deal with the Houston, Texas-based business includes funding environmental projects totaling $4.5 million: $750,000 for an Algae to Biofuels project in Carlsbad and $3.75 million for construction and maintenance of new pollution controls at the company's operation that should lower sulfur dioxide emissions. Marathon also would pay a penalty of $610,560.

CURRY: "We worked out a fair settlement"

"We worked out a fair settlement with Marathon that improves the operation of the plant and protects local air quality... that will benefit the environment and economy of the region near the plant," New Mexico Environment Department Secretary Ron Curry said in a statement.

Marathon plans to install a smokeless flare at the gas plant and a vapor recovery system to capture emissions of volatile organic compounds from storage tanks. Those actions will bring the plant into compliance with the permit and regulations, the Environment Department said.

The settlement results from a 2008 complaint alleging more than 4,000 air quality violations. These include exceeding maximum allowable emission rates for sulfur dioxide, failing to monitor SO2 emissions, failing to properly adjust the SO2 emission monitoring system, failure to comply with emission control requirements, and failure to comply with various recordkeeping and reporting requirements, the department said.

XCOR/THE ASSOCIATED PRESS

This illustration shows Xcor's design for the Lynx, a two-seat rocket plane under development for space tourism.

Xcor To Test Tourism Space Plane in S. Korea

By John Antczak
The Associated Press

LOS ANGELES — A California company developing a rocket plane for space tourism says it has an agreement with a nonprofit group in South Korea to conduct launches there.

Mojave-based Xcor Aerospace said it was selected to supply launch services to the Yecheon Astro Space Center, an organization that operates an aerospace training center, an astronomy research center, a planetarium, and commercial helicopter tourism 150 miles southeast of Seoul.

Xcor spokesman Mike Massee said in an interview that a memorandum of understanding has been signed, but he could not disclose the sum or the ultimate value of the project.

The deal requires approval of the U.S. government to station the rocket plane in South Korea, and Xcor said it has taken on specialized export-control consultants and legal counsel.

Xcor CEO Jeff Greason said in the statement that it is believed to be the first time that a U.S. commercial suborbital launch vehicle will undergo the export licensing and approval process.

Lesser known than its Mojave Airport neighbors who are building SpaceShipTwo for Sir Richard Branson's Virgin Galactic space tourism operation, Xcor has conducted 66 flights with two rocket-powered airplanes and is now developing a reusable two-seat rocket plane for suborbital trips.

The first version, the Lynx Mark I, is expected to fly for the first time late next year or in early 2011.