

NOTICE OF PROPOSED RULEMAKING
CASE NO. 20-00159-UT

The New Mexico Public Regulation Commission (the “commission”) gives notice of its initiation of a proposed rulemaking to repeal and replace **17.9.560, 17.10.650 and 17.12.760 NMAC**. The rules which may be adopted as the final rules in this proceeding may include all, part, or none of the language in the proposed rules issued by the commission. The commission may also consider alternative proposals for amending or replacing the current rules.

Concise statement of proposed rules: The commission is considering repealing and replacing rules 17.9.560, 17.10.650 and 17.12.760 NMAC to prohibit the discontinuation of residential customer public utility service during the time period of the Governor's Executive Orders related to the COVID-19 pandemic are in effect and to bring the rules into NMAC2 format. As part of this repeal and replacement process the commission is considering changes to sections of the rules regarding discontinuation of residential utility services. In particular, the commission is considering changes that would ensure that public utilities subject to the jurisdiction of the New Mexico Public Regulation Commission, specifically investor - owned electric utilities, rural electric cooperatives, gas utilities and water utilities, are prohibited from the disconnection of the utility service of residential customers for non-payment during the period of time the Governor of the State of New Mexico's Executive Orders related to the COVID-19 pandemic are in effect.

Constitutional and statutory authority: New Mexico Constitution, Article XI, Section 2; the New Mexico Public Utility Act, Sections 62-3-1 et seq., NMSA 1978; and the Public Regulation Commission Act, Section 8-8-1 through 8-8-21 NMSA 1978, Paragraph (10) of Subsection B of Section 8-8-4 NMSA 1978.

A copy of the full text of the proposed rules may be obtained from the Rulemaking Proceedings section of the Commission’s website at <http://www.nmprc.state.nm.us> under Case No. 20-00159-UT or by calling Isaac Sullivan-Leshin in the Office of General Counsel at (505) 670-4830.

Written initial comments and written response comments shall be filed by the deadlines below. Currently, due to the COVID-19 pandemic and orders of the governor pertaining thereto, the commission has adopted emergency electronic filing procedures, which may or may not be in place at the time that comments are filed in this docket. In the alternative, the commission may revert to the filing procedures in place before the emergency electronic filing procedures were instituted, in which case such filings shall be made with the commission’s records bureau at P.O. Box 1269, Santa Fe, NM 87504-1269. For information as to how to file at the time of filing, please contact Melanie Sandoval, the commission’s records bureau chief at melanie.sandoval@state.nm.us or (505) 827-6968. Written comments shall be filed no later than **October 16, 2020**. Comments shall refer to Case No. 20-00159-UT. All written comments will be posted on the commission’s website within three days of their receipt by the records bureau.

A public hearing will be held on **October 21, 2020 at 9:00 a.m.** which shall be accomplished through Zoom. Instructions on how to connect will be posted on the NMPRC home webpage at <http://www.nmprc.state.nm.us> prior to the hearing. The purpose of the hearing is to receive oral comments. Because commenters are afforded the opportunity to submit written comments to the Commission, any individual who wants to provide oral comments shall be limited to five minutes to express those comments, subject to the Commission’s discretion. The Commission may also determine that a spokesperson be designated to speak on behalf of an organization, a group, or a group of individuals that shares the same message or seeks the same goals, in order to maximize the efficiency of the public comment hearing. No testimony or other evidence will be taken at the hearing as this is a rulemaking proceeding.

The record of this case will close on October 21, 2020.

Any person with a disability requiring special assistance in order to participate in the hearing should contact Mr. Bradford Borman at (505) 827-4048 at least 48 hours prior to the commencement of the hearing.