

NOTICE OF PROPOSED RULEMAKING
CASE NO. 22-00099-UT

The New Mexico Public Regulation Commission (the “commission”) gives notice of its initiation of a proposed rulemaking to repeal and replace **Rules 17.1.2 NMAC, Utility Applications, 17.3.510 NMAC, Uniform Systems of Accounts and Annual Report Forms for Electric Utilities, and 17.3.610 NMAC, Uniform Systems of Accounts and Annual Report Forms**. 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.

Summary of the full text of the proposed rule and short explanation of its purpose: The commission is considering repealing and replacing Rule 17.1.2 NMAC, 17.3.510 NMAC and 17.3.610 NMAC. The commission is considering changes to multiple sections of the rules. In particular, the commission is considering changes to remove compliance filing information being included with standard new rate applications in Rule 17.1.2.10 NMAC and to require annual compliance reporting by electric utilities by April 30th of each calendar year in 17.3.510 NMAC and gas utilities by April 30th of each calendar year in 17.3.610 NMAC.

Legal authority authorizing the proposed rule and the adoption of the rule: New Mexico Constitution, Article XI, Sec. 2; Paragraph 10 of Subsection B of Section 8-8-4 NMSA 1978 (1998), Section 8-8-15 NMSA 1978 (1999, amended 2001), and Sections 8-8-4, 62-8-3 NMSA 1978.

How a copy of the full text of the proposed rule can be obtained: A copy of the full text of the proposed rules may be obtained from the rulemaking proceedings section of the commission’s website at <https://www.nm-prc.org/rulemaking-proceedings/> under Case No. 22-00099-UT or by calling LaurieAnn Trujillo in the office of general counsel at (505) 670-4830.

How a person can comment on the proposed rule, where comments will be received and when comments are due: Written initial comments and written response comments shall be filed by the deadlines below in accordance with NMPRC rules of procedure 1.2.2 NMAC. For information as to how to file at the time of filing, please contact Melanie Sandoval, the commission’s records bureau chief at (505) 470-8538 or melanie.sandoval@state.nm.us. Written initial comments shall be filed no later than **October 17th, 2022** and written response comments shall be filed no later than **October 28, 2022**. Comments shall refer to Case No. 22-00099-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 **November 4, 2022, beginning at 2:00 p.m.** via Zoom platform. The Commission’s Office of General Counsel will email a Zoom invitation to the persons on the official service list in this matter prior to the hearing. The Zoom invitation will include a call-in number for those participants who are unable to access the Zoom platform via computer. Any member of the public who wishes to make a comment at the hearing must contact LaurieAnn Trujillo at (505) 670-4830 or LaurieAnn.Trujillo1@state.nm.us by no later than 12:00 pm on November 2, 2022 to sign up as a hearing participant. The commission’s office of general counsel will email a Zoom invitation to all hearing participants the day before the hearing. The Zoom invitation will include a call-in number for those participants who are unable to access the Zoom platform via computer. The hearing will be held in order to receive oral comments. In the interest of administrative efficiency, commenters who have submitted written comments may be restricted from making oral comments at the discretion of the commission or its designee. In addition, any commenter may be limited to five minutes to speak, subject to the discretion of the commission or its designee. The commission or its designee may also determine that a spokesperson should 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. A court reporter will prepare a transcript of the hearing for filing the rulemaking docket, Docket No. 22-00099-UT.

The record of this case will close on **November 18, 2022**. From that date through the completion of this proceeding, rulemaking participants will be forbidden from communicating with the commission or its representatives concerning substantive issues in this proceeding.

Any person with a disability requiring special assistance in order to participate in the hearing should contact Renada Peery-Galon at (505) 467-9116 at least 48 hours prior to the commencement of the hearing.

Instructions on how to access the complete rulemaking record, reports and other items filed in the commission's e-docket system can be found at <https://www.nm-prc.org/rulemaking-proceedings/>.