

**NOTICE OF PROPOSED RULEMAKING
DOCKET NO. 23-00147-UT**

The New Mexico Public Regulation Commission (the “Commission”) hereby gives notice of its initiation of a proposed rulemaking to amend rule **17.9.551 NMAC: “Prior Approval of Purchased Power Agreements.”**

Summary of the full text of the proposed rule and short explanation of its purpose: The Commission proposes to amend Rule 17.9.551 NMAC in conformance with its November 2, 2022 “Final Order Upon Reconsideration.” The Commission’s Order required that the Commission’s rules be evaluated to identify out-of-date cross references to the recently repealed and replaced Rule 17.7.3 NMAC. Out-of-date cross references were identified in Rule 17.9.551 NMAC and are proposed to be deleted in this rulemaking.

Legal authority authorizing the proposed rule and the adoption of the rule: The Commission has the authority to promulgate and adopt the Proposed Rule under the New Mexico Constitution, Article XI, Sec. 2, and the New Mexico Public Regulation Commission Act, NMSA 1978, Sections 62-19-21 (2020) and 62-19-9 (2020).

How a copy of the full text of the proposed rule can be obtained: A copy of the full text of the proposed rule and instructions for accessing the complete rulemaking record can be obtained from the rulemaking page on the Commission’s website at <https://www.nm-prc.org/rulemaking-proceedings/> or by calling Robert Lundin of the Commission’s office at (505)216-8569.

How a person can comment on the proposed rule, where comments will be received and when comments are due: Any person wishing to comment on the Proposed Rules may do so by submitting written comments no later than **June 22, 2023**.

Comments can be electronically filed by sending them in PDF format to prc.records@state.nm.us. Comments must refer to Docket No. 23-00147-UT. All written comments will be posted on the Commission’s website within three days of their receipt by the records bureau.

The record closure date for this proceeding is June 30, 2023. 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.

When and where a public rule hearing will be held and how a person can participate in the hearing: A public hearing on the Proposed Rules and any additional issues to be addressed in formal comment process, to be presided over by the Commission or its designee, shall be held beginning at **1:00 p.m. on June 23, 2023**. Any member of the public who wishes to make a comment at the hearing shall contact Robert Lundin at (505)216-8569 or Robert.lundin@state.nm.us by no later than 5:00 p.m. on June 15, 2023, to sign up as a hearing participant. The Commission’s Office of General Counsel shall email a Zoom invitation to all hearing participants on June 16, 2023. The invitation shall include a call-in number for those participants who are unable to access the hearing via computer.

The hearing will be held to receive oral comments. Any commenters will be allowed to speak. 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. 23-00147-UT. Any person with a disability requiring special assistance in order to participate in the hearing should contact Robert Lundin at least 48 hours prior to the commencement of the hearing.

Technical information that served as a basis for the proposed rule and how the information can be obtained: None.