

This rule was filed as NMPSC Rule 220.

TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 3 UTILITIES FINANCIAL ACCOUNTING AND REPORTING-GENERAL PROVISIONS
PART 220 ENFORCEMENT OF REPORTING REQUIREMENTS

17.3.220.1 ISSUING AGENCY: New Mexico Public Service Commission [New Mexico Public Regulation Commission].
[Recompiled 12/30/01]

17.3.220.2 SCOPE:
A. NMPSC Rule 220 [17.3.220 NMAC] shall govern the reports required under Commission rules from electric, gas, water, and sewer utilities subject to the jurisdiction of the Commission.
B. NMPSC Rule 220 [17.3.220 NMAC] shall not govern reporting requirements required in compliance with Commission cases or other matters before the Commission other than those reporting requirements specifically required by Commission rules. NMPSC Rule 220 [17.3.220 NMAC] also shall not govern requirements of the Commission concerning the filing of applications for or approval of rates, securities, Certificates of Public Convenience and Necessity, changes of ownership, or other matters of Commission jurisdiction other than reports required by the Commission's rules.
[Recompiled 12/30/01]

17.3.220.3 STATUTORY AUTHORITY: NMPSC Rule 220 [17.3.220 NMAC] is adopted under the authority vested in the Commission pursuant to NMSA 1978, Sections 62-6-1, 62-6-18, and 62-12-4 to 62-12-6.
[Recompiled 12/30/01]

17.3.220.4 DURATION:
[Recompiled 12/30/01]

17.3.220.5 EFFECTIVE DATE:
[Recompiled 12/30/01]

17.3.220.6 OBJECTIVE: NMPSC Rule 220 [17.3.220 NMAC] is intended to improve the New Mexico Public Service Commission's [New Mexico Public Regulation Commission's] ability to monitor and enforce compliance with the reporting requirements set forth in the Commission's Code of Rules and Regulations.
[Recompiled 12/30/01]

17.3.220.7 DEFINITIONS: When used in NMPSC Rule 220 [17.3.220 NMAC] unless otherwise specified the following definitions will apply:
A. "Commission" means the New Mexico Public Service Commission [New Mexico Public Regulation Commission].
B. "Executive Director" means the Executive Director of the New Mexico Public Service Commission [New Mexico Public Regulation Commission].
C. "Report" means a written document or oral notification as required by Commission rule containing certain information which a utility provides to the Commission on a regular basis or in response to a certain event or action as prescribed by a Commission rule. This does not include rate or security filings, applications, motions, or interrogatories nor does it include reports or information required by Order in an individual Commission case. "Annual Reports" means the reports required by NMPSC Rules 510, 610, and 720 [17.3.510 NMAC, 17.3.610 NMAC and 17.12.720 NMAC]. All reports will be typed or machine printed on 8 1/2 x 11 inch pages.
[Recompiled 12/30/01]

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[Recompiled 12/30/01]

17.3.220.9 UTILITY APPLICATION FOR EXTENSION OF DUE DATE FOR REPORTS: For good cause shown a utility may request an extension of the due date of a given report provided that the request for extension is submitted in writing to the Executive Director at least ten (10) days prior to the due date of the report. The request for extension should include a specific date by which the utility proposes to file the report. For good cause shown the Executive Director may in his discretion grant the extension.

[Recompiled 12/30/01]

17.3.220.10 ENFORCEMENT OF REPORTING REQUIREMENTS: Strict compliance with the due dates of reports including Annual Reports is required of all utilities. Failure to file reports including Annual Reports required under the Commission's rules by the appropriate due date may subject a utility to penalties as prescribed in NMSA 1978, Sections 62-12-4, 62-12-5, and 62-12-6, including fines of no less than one hundred dollars (\$100) and no greater than ten thousand dollars (\$10,000) for each offense unless the utility has received an exemption, variance, or extension as outlined in NMPSC Rule 220 [17.3.220 NMAC] or other applicable rule of the Commission, and said exemption, variance, or extension would relieve the utility of the obligation of filing said report by the appropriate due date. Failure of a utility to fulfill the terms of an exemption, variance, or extension shall also subject a utility to the penalties described herein.

[Recompiled 12/30/01]

17.3.220.11 [HISTORY: Codified by NMPSC Case No. 2086, order dated June 30, 1988; Amended by NMPSC Case No. 2232, order dated December 19, 1988; Amended by NMPSC Case No. 2277, order dated December 29, 1989.]

[Recompiled 12/30/01]

HISTORY OF 17.3.220 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the Commission of Public Records-State Records Center and Archives.

NMPSC Rule 220, Enforcement Of Reporting Requirements. 6/30/88.

History of Repealed Material: [RESERVED]