

NOTICE OF PROPOSED RULEMAKING - CASE NO. 17-00186-UT

The New Mexico Public Regulation Commission (the “Commission”) gives notice of its initiation of a proposed rulemaking to repeal and replace **Rule 17.11.24 NMAC, “Quality of Service Standards Applicable to Mid-Size Carriers,”** and to repeal and replace **Rule 17.11.25 NMAC, “Consumer Protection Standards Applicable to Mid-Size Carriers.”** The rules which may be adopted as final rules in this proceeding may include all, part, or none of the language in the proposed rules issued by the Commission. The final rules may also include changes to the titles of Parts 17.11.24 NMAC and 17.11.25 NMAC. The Commission may also consider alternative proposals for amending or replacing these rules.

Summary of the full text of the proposed rules and short explanation of purpose: The Commission is considering repealing and replacing 17.11.24 NMAC and 17.11.25 NMAC in response to the passage of Senate Bill 53 during the 2017 New Mexico Legislative session. Senate Bill 53 made extensive changes to the New Mexico Telecommunications Act (the “Act”), NMSA 1978, Section 63-9A-1 *et seq.* (amended 2017). The changes to the Act became effective on June 16, 2017. The Commission is undertaking this rulemaking proceeding to conform the above rules to the amended Act and to effectuate the purposes of the amended Act. Such amendments include but are not limited to the amended Act’s removal of the “Mid-Size Carrier” designation and the amended Act’s requirement that the Commission “adopt relaxed regulations” regarding local exchange carriers serving fifty thousand or more access lines within the state. Subsection C of Section 63-9A-5 NMSA 1978 (amended 2017).

Constitutional and Statutory Authority: 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 Section 63-9A-5 NMSA 1978 (1985, amended 2017).

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. 17-00186-UT or by calling the Commission’s Records Management Bureau at (505) 827-6968.

Written Initial Comments and written Response Comments shall be filed by the deadlines below with the Commission’s Record’s Management Bureau at P.O. Box 1269, Santa Fe, NM 87504-1269 or by hand delivery to the Commission’s Records Management Bureau at 1120 Paseo de Peralta, Room 406, Santa Fe, NM 87501, as follows: Written Initial Comments not later than **May 17, 2019** and written Response Comments not later than **May 31, 2019**. Comments shall refer to Case No. 17-00186-UT. All written comments will be posted on the Rulemaking Proceedings section of the Commission's website at <http://www.nmprc.state.nm.us> under Case No. 17-00186-UT and also are available for public inspection at the Commission's offices at 1120 Paseo de Peralta, Room 406, Santa Fe, NM 87501.

A public hearing will be held on **June 19, 2019, beginning at 2:00 p.m.** at the offices of the Commission located in the 4th Floor Hearing Room at 1120 Paseo de Peralta, Santa Fe, NM 87501. The purpose of the hearing is to give interested persons an opportunity to give oral comments. The Commission may limit the time for each comment to five minutes. The record of this case will close on **July 9, 2019**.

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