

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF PUBLIC SERVICE COMPANY OF NEW)	
MEXICO FOR REVISION OF ITS RETAIL)	
ELECTRIC RATES PURSUANT TO ADVICE)	
NOTICE NO. 625,)	Case No. 24-00089-UT
)	
PUBLIC SERVICE COMPANY OF NEW)	
MEXICO,)	
Applicant.)	
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STIPULATION PROCEDURAL SCHEDULE

THIS MATTER comes before Christopher P. Ryan and John F. Kreienkamp, hearing examiners for the New Mexico Public Regulation Commission, following the prehearing conference conducted on December 4, 2024. The hearing examiners **FIND** and **CONCLUDE** as follows:

1. A procedural order was issued in this case on July 11, 2024. That procedural schedule directed the parties that they were obligated to file any stipulation by November 26, 2024.
2. If the parties filed a stipulation, then the procedural order directed that “an alternative procedural schedule for hearing on a stipulation will be set.”¹
3. An unopposed stipulation was filed in this matter on November 26, 2024.
4. A prehearing conference was held on December 4, 2024. At that prehearing conference, the hearing examiners and parties discussed and identified dates for Commission review of and hearing on the stipulation.²

¹ Case No. 24-00089-UT, Procedural Order, at 9 (Jul. 11, 2024).

² 1.2.2.20(A)(3) NMAC (“Upon receipt of a stipulation which would settle substantive issues, the commission or presiding officer shall conduct a public hearing to determine whether the stipulation should be approved by the commission, provided that in extraordinary cases, for good cause shown, the commission or presiding officer may forego a public hearing.”).

5. The amended procedural schedule is as follows. **Direct testimony in support of the stipulation** will be filed by the close of business on **January 10, 2025**.

6. Several intervenors inquired whether they were obligated to file direct testimony in support of the stipulation. The hearing examiners directed them to the Commission's procedural rules and the provision in them making clear that "[t]he proponents of the stipulation have the burden of supporting the stipulation with sufficient evidence and legal argument to allow the commission to approve it."³ The text of the rule, the fact that the agreements reached in the stipulation will bind all of PNM's ratepayers, and the fact that the Commission benefits greatly from applicant and intervenor guidance on why a particular outcome is in the public interest makes clear that it is appropriate to expect all parties to file. Intervenors are permitted to engage in cost-saving measures such as sharing witnesses.

7. If a party wishes to be exempt from the requirement to file testimony in support of the stipulation, they may file a motion and state the reasons they should be exempted from the obligation. Their obligation to file testimony remains until the hearing examiners or Commission grants the request to be exempted.

8. The number of days allocated to the public hearing will be reduced from 15 to 7 business days. The **public hearing** will commence on **Monday, February 17, 2025** (as previously scheduled), and continue through **Tuesday, February 25, 2025**.

9. The hearing examiners asked PNM what it could do to ensure its ratepayers had knowledge of the stipulation which significantly altered PNM's rate-revision request. The hearing

³ 1.2.2.20(A)(3) NMAC.

examiners noted that the company's initial filing had spawned numerous news articles and that the Commission has received many comments about the application.

10. PNM stated that it had already updated its website to reflect the filing of the stipulation and would engage in future social media outreach to alert customers to the existence of the stipulation. In addition, the NMDOJ also expressed that it intended to engage in public outreach efforts.

It is therefore **ORDERED**:

A. All parties shall file direct testimony in support of the unopposed stipulation by no later than the close of business on **Friday, January 10, 2025**. The parties remain free to share experts to achieve time and monetary efficiency. If a party lacks monetary or other resources that prevents them from filing testimony in support of the stipulation, then that party shall at minimum file a position statement providing a detailed explanation why the terms of the stipulation are a beneficial result.

B. The public hearing in this case will be held beginning at **9:00 a.m. on Monday, February 17, 2025**, and continue through each succeeding business day until **Tuesday, February 25, 2025**, as determined to be necessary by the hearing examiners.

C. PNM and the NMDOJ – as well as the other parties to this case – are encouraged to engage in outreach efforts to better inform the interested public of the unopposed stipulation in this case as well as the opportunities for public comment on this case.

D. All other provisions of the procedural order issued on July 11, 2024, not expressly modified by this order shall remain in full force and effect.

ISSUED under the seal of the Commission at Santa Fe, New Mexico, this **10th** day of
December 2024.



NEW MEXICO PUBLIC REGULATION COMMISSION

A handwritten signature in black ink, appearing to read "C. P. Ryan", written over a horizontal line.

Christopher P. Ryan
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A handwritten signature in black ink, appearing to read "John F. Kreienkamp", written over a horizontal line.

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PUBLIC SERVICE COMPANY OF NEW)
MEXICO, Applicant)

CERTIFICATE OF SERVICE

I certify that on the date here indicated, I sent via email a true and correct copy of the **Stipulation Procedural Schedule** to the parties listed below.

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Official Service List (updated 11/8/2024)

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DATED: December 10, 2024.

NEW MEXICO PUBLIC REGULATION COMMISSION

Ana Kippenbrock

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