

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF PUBLIC SERVICE)
COMPANY OF NEW MEXICO'S APPLICATION)
FOR APPROVAL OF PURCHASED POWER)
AGREEMENTS, ENERGY STORAGE)
AGREEMENTS, AND CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY FOR)
2029-2032 SYSTEM RESOURCES AND)
THE ABANDONMENT OF THE FOUR)
CORNERS POWER PLANT)**

Docket No. 26-0000114

PROCEDURAL ORDER

THIS MATTER comes before Jocelyn Barrett, hearing examiner for the New Mexico Public Regulation Commission, upon the Order Appointing Hearing Examiner and rules of procedure 1.2.2.24 and 1.2.2.29 NMAC.

Being duly informed, the Hearing Examiner **FINDS** and **CONCLUDES**:

1. On May 29, 2026, Public Service Company of New Mexico ("PNM") filed its Application for Approval of Purchased Power Agreements, Energy Storage Agreements, and Certificate of Public Convenience and Necessity for 2029-2032 System Resources and the Abandonment of the Four Corners Power Plant ("Application") under the Public Utility Act ("PUA").¹

2. The Application and supporting documents are accessible online on PNM's website, <https://www.pnm.com/regulatory> and at the PRCe360 Case Management System <https://e360.prc.nm.gov> under Docket Number 26-0000114.

3. PNM's Application requests specific approval of the following:

- a) four long-term purchased power agreements ("PPAs") for approximately 1,040 megawatts ("MW") of wind and solar generation resources, consisting of

¹ NMSA 1978, §§ 62-1-1 to 62-6-28, 62-8-1 to 62-1-16 (1887, as amended through 2021), 62-2-1 to -22 (1887, as amended through 2013), 62-3-1 to -5 (1967, as amended through 2019), 62-4-1

two wind PPAs for the Palomas facilities and two solar PPAs for the Cat Hills and Wildcat facilities;

b) six long-term energy storage agreements ("ESAs") providing approximately 610 MW of battery energy storage capacity, consisting of the Cat Hills, Wildcat, Gila Monster, TAG II, Encino, and Britton facilities;

c) issuance of a certificate of public convenience and necessity ("CCN") for the approximately 40 MW La Luz II Project, a utility-owned natural gas generation resource to be constructed in Valencia County;

d) abandonment of PNM's generation interest in the Four Corners Power Plant ("FCPP"), excluding retained transmission-related facilities, effective upon expiration of the Coal Supply Agreement in 2031;

e) an accounting order pursuant to NMSA 1978, Section 62-6-26(E), for deferred ratemaking treatment of resources or portions of resources identified to serve potential future economic-development load;

f) notification of continued operation of the Reeves Generating Station through the end of 2044 as an existing resource assumption within PNM's proposed portfolio; and

g) all other approvals, authorizations, and actions that may be required under the Public Utility Act and applicable Commission rules and orders to implement the proposed resource portfolio.

4. The Notice to Customers ("Notice") appended to this Order as Attachment A and incorporated herein by reference provides additional information regarding PNM's Application.

IT IS THEREFORE ORDERED:

A. The following procedural schedule is adopted for this proceeding:

1) On or before July 2, 2026, PNM shall cause, at its sole expense, the Notice to be published once in a newspaper of general circulation available in every county where PNM provides service in New Mexico.

2) PNM shall also post the Notice as promptly as feasible to a prominent space on its website. PNM shall ensure that affidavits confirming compliance with these notice requirements are promptly filed in this docket.

3) The notice will also be posted on the Commission's legal notices section of the Commission's website <https://www.prc.nm.gov/nmprc-legal-notices/>.

4) Any person desiring to become a party ("intervenor") to this case must file a motion for leave to intervene in conformity with PRC Rules of Procedure 1.2.2.23(A) and 1.2.2.23(B) NMAC on or before July 31, 2026.

5) The protest period for the CCN, pursuant to NMSA 1978, Section 62-9-1(C), shall end on August 31, 2026. Any party who wishes to protest any part of PNM's Application must file, by this date, a document that at a minimum identifies (1) the party who is protesting, (2) the specific aspects of the Application that are being protested, and (3) a brief explanation of the reason for the protest. *Please note that in order to protest you must have filed a timely motion to intervene on or before July 31, 2026.*

6) Staff shall and any intervenor may file direct testimony by August 31, 2026.

7) Rebuttal testimony shall be filed on or before September 10, 2026.

8) Parties shall file a Joint Statement of Uncontested Issues on or before September 17, 2026.

9) Discovery matters and disputes shall be governed by the Commission's discovery rules at 1.2.2.25 NMAC. Agreements between or among any of the participants regarding discovery

matters is encouraged. All other participants shall be notified of such agreements. The parties shall raise any disputes, questions, or concerns regarding discovery with the hearing examiner at the earliest available opportunity so that all such issues may be considered well in advance of the hearing. Motions regarding discovery disputes will not be considered unless accompanied by a statement that the participants made a good faith effort to resolve the dispute but were unable to do so.

10) Motions *in limine*, motions to strike, and other prehearing motions shall be filed on or before September 23, 2026. Responses to such motions shall be filed on or before September 30, 2026.

11) A public hearing will be held beginning on October 7, 2026, and will continue as needed through October 9, 2026. Each hearing session shall commence at 9:00 a.m. Mountain Time (“MT”) unless otherwise ordered.

12) The hearing will be conducted via the Zoom videoconference platform and will be livestreamed through YouTube and on the Commission’s website at <https://www.prc.nm.gov/public-hearings/>. Access to and participation in the evidentiary hearing shall be limited to party-participants (i.e., counsel and witnesses), the Commissioners, and other essential Commission personnel.

13) Those who are not affiliated with a party may make oral or written comment as allowed by Rule 1.2.2.23(F) NMAC. Written comments must refer to Docket Number 26-00000114 and be submitted through the PRCE360 Case Management System; or sent via US mail to PRC Records P.O. Box 1269, Santa Fe, NM 87504. Oral comment is welcome at Commission open meetings. The open meeting schedule can be found at www.prc.nm.gov/nmprc-open-meeting-agenda/. Email public.comment@prc.nm.gov or call (505) 490-7910 to sign up to comment online or by

phone at an open meeting. If the Commission determines a separate hearing should be set for oral comments, the date, time, and location will be announced on the Commission's website, <https://www.prc.nm.gov/>.

14) Since the evidentiary hearing will be conducted via Zoom, parties and Staff will be required to electronically distribute the exhibits they intend to offer for admission into evidence at the hearing in advance of the hearing. That electronic distribution shall provide the documents to all parties, the hearing examiners, and the court reporter. The requirements for those and any other necessary submissions shall be set forth in a subsequent order issued by the hearing examiners.²

15) Any person filing prepared testimony in accordance with 1.2.2.35(I) NMAC on behalf of a party shall attend the hearing and submit to examination under oath and shall appear via the Zoom video feed. No person shall testify at the hearing unless that person has pre-filed testimony. All pre-filed testimonies of a witness shall be moved into evidence when the witness is first presented. Unless otherwise ordered or approved by the Hearing Examiner, only pre-filed testimony in question-and-answer form and verified by the witness – and examination of witnesses on such pre-filed testimony – shall be accepted, considered, and received in evidence along with other relevant and otherwise admissible exhibits. Oral testimony elicited by a party or Staff presenting a witness (except for appropriate redirect examination) shall consist solely of the authentication and verification of each pre-filed testimony and identifications of any permitted corrections to that testimony. The party or Staff shall not elicit oral summaries of pre-filed testimony or other oral testimony.

² Parties will be required to utilize Dropbox to upload and download documents. See <https://www.dropbox.com>. All parties should familiarize themselves with use of that file-sharing application.

16) Friendly cross-examination is prohibited. Friendly cross-examination is cross examination of a witness by a party who does not disagree with the witness's position on an issue.

17) With one limited exception, only counsel presenting the witness may make objections during cross-examination of that witness. The limited exception is that the Hearing Examiner will entertain appropriately lodged objections to friendly cross-examination made by counsel not sponsoring the witness.

18) Each witness at the hearing, and each witness's attorney, shall have readily available to him or her at the hearing a copy of the pre-filed testimony of each witness and any related exhibits.

B. The procedural dates and requirements provided here are subject to further order of the Hearing Examiner or the Commission.

C. The Commission's Rules of Procedure, 1.2.2.1 NMAC *et seq.*, shall apply except as modified by order of the Hearing Examiner or the Commission. The rules of procedure and other PRC rules are available online at <https://www.srca.nm.gov/nmac-home/nmac-titles/>.

D. All Filings must be submitted online through the PRCE360 Case Management System <https://e360.prc.nm.gov>.

E. All filings shall be emailed to the Hearing Examiner on the date filed at Jocelyn.Barrett@prc.nm.gov by no later than 5:00 p.m. MT. **Any filing emailed to the Hearing Examiner shall include the Word or other native version of the filing (e.g., Excel or Power Point) if created in such format.** Any filings not emailed to the Hearing Examiner in compliance with the requirements of this order and Commission rules are subject to being summarily rejected and stricken from the record at the Hearing Examiner's discretion.

PEOPLE WITH DISABILITIES WHO, IN ORDER TO ATTEND OR PARTICIPATE IN THE HEARING, REQUIRE A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE OR OTHER TYPE OF ACCESSIBLE FORMAT OF PUBLIC DOCUMENTS, MUST CONTACT THE

DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-8019
AS SOON AS POSSIBLE PRIOR TO THE HEARING.

ISSUED under the seal of the Commission at Santa Fe, New Mexico, on June 24, 2026.



NEW MEXICO PUBLIC REGULATION COMMISSION

A handwritten signature in black ink, appearing to read "J Barrett", written over a horizontal line.

Jocelyn Barrett
Chief Hearing Examiner
Jocelyn.Barrett@prc.nm.gov



NOTICE TO PNM CUSTOMERS

Public Service Company of New Mexico (PNM) customers are here notified of the company's May 29, 2026, application to the New Mexico Public Regulation Commission requesting approval of purchased power agreements and energy storage agreements, issuance of a certificate of public convenience and necessity, and approval for abandonment of PNM's generation interest of Four Corners Power Plant (FCPP).

The Application seeks approval of four long-term agreements for purchased power totaling 1,040 MW of capacity, approval of six long-term energy storage agreements totaling 610 MW, issuance of a certificate of public convenience and necessity for 40 MW of utility-owned natural gas capacity, and approval of abandonment of PNM's generation interest at the FCPP.

PNM's Application and supporting documents are accessible online on PNM's website, <https://www.pnm.com/regulatory> and at the PRCe360 Case Management System <https://e360.prc.nm.gov> under Docket Number 26-0000114.

This notice:

- Describes the various requests in PNM's application
- Describes the Commission's process for considering PNM's application and
- Describes how you can participate in this process (if you wish to do so)

NO ACTION IS REQUIRED ON YOUR PART UNLESS YOU WANT TO BECOME A PARTY OR COMMENT ON THE APPLICATION

The major events for public participation in this matter will occur as follows:

- Deadline to file motions to intervene to become a party: **July 31, 2026**
- Deadline to file protests: **August 31, 2026**. Any person who wishes to protest any part of PNM's Application must file, by this date, a document that at a minimum identifies (1) the party who is protesting, (2) the specific aspects of the Application that are being

protested, and (3) a brief explanation of the reason for the protest. Please note that in order to protest you must have filed a timely motion to intervene on or before July 31, 2026.

- Deadline to file intervenors' direct testimony: **August 31, 2026**
 - Deadline to file rebuttal testimony: **September 10, 2026**
 - Public Evidentiary Hearing: **October 7-October 9, 2026**
-

In its Application, PNM is requesting PRC approval of the following:

- Contracts for new wind, solar, and battery-storage projects that it says are needed to provide reliable electric service and meet expected customer demand between 2029 and 2032.
- Authority to build and own a 40-megawatt natural-gas facility near its existing La Luz Energy Center, which it says would provide backup power and help maintain reliability when renewable resources are unavailable.
- Authority to stop using its generation interest in the coal-fired Four Corners Power Plant beginning in 2031 as part of its transition toward lower-carbon energy resources.
- Authority to defer certain costs associated with resources that may be needed to serve future large economic-development projects, allowing those costs to be addressed in future ratemaking proceedings.

PNM states that these requests are part of its broader plan to maintain reliability, accommodate expected growth in electricity demand, and continue its transition toward carbon-free energy resources.

PUBLIC HEARING

A public hearing to hear and receive testimony, exhibits, and legal arguments about the application is set for **October 7-9, starting at 9:00 am each day**. The hearing will be conducted online and can be viewed via livestream on the Commission's YouTube channel and its website, <https://www.prc.nm.gov/public-hearings/>. Please contact the Commission

for confirmation of the hearing because hearings are occasionally cancelled or rescheduled.

PUBLIC COMMENT

Those who are not associated with a party to this case may make written or oral comment as allowed by Rule 1.2.2.23(F) NMAC. Written comments must refer to Docket Number 26-0000114 and be submitted before the Commission makes a final decision. Written comments should be submitted online through the PRCe360 Case Management System provided below. Comments can also be sent via US mail to PRC Records P.O. Box 1269, Santa Fe, NM 87504.

Alternatively, oral public comments are also welcome during Commission open meetings. The open meeting schedule can be found at www.prc.nm.gov/nmprc-open-meeting-agenda/. Email public.comment@prc.nm.gov or call (505) 490-7910 to sign up to comment online or by phone at an open meeting. If the Commission determines a separate hearing should be set for oral comments for this matter, the date, time, and location will be announced on the Commission's website, <https://www.prc.nm.gov>.

Instructions to submit written public comment online, to file pleadings and other documents, and to search Commission dockets are found at <https://e360.prc.nm.gov>. All filings subject to deadlines must be submitted within regular business hours of the due date to be considered timely filed.

TO BECOME A PARTY

If you wish to appear in this case as a party, you must file a motion for leave to intervene, pursuant to 1.2.2.23 NMAC, on or before **July 31, 2026**. Intervenors must become familiar with the rules regarding practicing before the Commission and all other applicable rules.

The Commission's Rules of Procedure 1.2.2 NMAC apply except as modified by order of the Commission or hearing examiners. These and other rules are available online at <https://srca.nm.gov/nmac-home/nmac-titles/>.

THE DEADLINES GIVEN HERE ARE NOT ALL THE DEADLINES SET FORTH IN THIS MATTER, AND PARTIES AND POTENTIAL INTERVENORS ARE ADVISED TO READ THE COMPLETE PROCEDURAL ORDER ISSUED ON **June 24, 2026**, FOUND ON THE PRCe360 CASE MANAGEMENT SYSTEM.

PEOPLE WITH DISABILITIES WHO, IN ORDER TO ATTEND OR PARTICIPATE IN THE HEARING, REQUIRE A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE OR OTHER TYPE OF ACCESSIBLE FORMAT OF PUBLIC DOCUMENTS, PLEASE CONTACT THE DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-8019 AS SOON AS POSSIBLE PRIOR TO THE HEARING.

Any person who desires more information about this case may contact the Commission by phone at (505) 827-4084 or 1-888-427-5772 or by email at Ryan.Jimenez@prc.nm.gov.

BEEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF PUBLIC SERVICE)
COMPANY OF NEW MEXICO'S)
APPLICATION FOR APPROVAL OF)
PURCHASED POWER AGREEMENTS,)
ENERGY STORAGE AGREEMENTS, AND) **Docket 26-0000114**
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY FOR 2029-2032 SYSTEM)
RESOURCES AND THE ABANDONMENT)
OF THE FOUR CORNERS POWER PLANT)**

CERTIFICATE OF SERVICE

I **CERTIFY** that on the date here indicated, I sent via email a courtesy copy of the Procedural Order to the parties listed below.

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Docket No. 26-0000114

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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

Initial Service List

Docket No. 26-0000114

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DATED: June 24, 2026

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/Ana Kippenbrock/electronically signed
Paralegal