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26-0000188
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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND LOCATION APPROVAL FOR THE MID-STATE 345 KV TRANSMISSION PROJECT	)	**Docket No. 26-0000188**
IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR A RIGHT-OF-WAY DETERMINATION FOR THE MID-STATE 345 KV TRANSMISSION PROJECT	)	**Docket No. 26-0000195**

ORDER BIFURCATING MATTER, OPENING DOCKET, MODIFYING CAPTION, AND APPOINTING HEARING EXAMINERS

THIS MATTER comes before the New Mexico Public Regulation Commission ("Commission") upon the filing of Public Service Company of New Mexico's ("PNM") "Application" for issuance of a certificate of public convenience and necessity ("CCN"), approval of location, and for a determination of the right-of-way ("ROW") for a transmission line.

The Commission bifurcates this matter into separate proceedings: a proceeding concerning PNM's request for issuance of a CCN and for location approval, and a proceeding concerning PNM's request for a ROW determination. Accordingly, the Commission modifies the caption of Docket No. 26-0000188 and opens Docket No. 26-0000195. The Commission also appoints Hearing Examiners Keven Gedko and Ranime Oueis to co-preside over each docket.

DISCUSSION

1. On October 30, 2026, PNM filed the Application requesting the Commission to issue a CCN for PNM to construct, own, and operate the Mid-State 345 kV Transmission Project ("Project") and associated facilities. The Project is an approximately 102.8-mile, 345 kV transmission "path" extending from the Western Spirit Switching Station in Torrance County, to

the Hidden Mountain Substation in Valencia County.[1] The Application additionally requests the Commission to approve the location of, and a 200-foot ROW for, the Project.

2. The Commission must bifurcate Docket 26-0000188 to consider PNM's requests that have different statutory deadlines under separate procedural schedules. The PUA imposes separate deadlines for Commission action upon PNM's CCN and ROW requests. The Commission's failure to grant or deny a CCN application within nine months (extendable by six months) results in approval by operation of law.[2] Similarly for location approval, the Commission shall grant or deny an application within nine months (also extendable by six months).[3] However for a ROW determination, the Commission's failure to grant or deny an application within six months (not extendable) results in approval by operation of law.[4]

3. In this matter, the six-month deadline is April 30, 2027, and the nine-month deadline is July 30, 2027. Under similar facts as presented in this matter, the Commission determined to bifurcate a proceeding in which CCN, location, and ROW approvals were sought so that proceedings could commence on the issues related to the six-month and nine-month deadlines separately.[5]

4. PNM's Application does not waive the six-month deadline established in the PUA in favor of the nine-month deadline, rather, PNM asks the Commission to determine ROW in six

[1] Application at 1.
[2] *See* NMSA 1978, § 62-9-1(C) (2025).
[3] *See* NMSA 1978, § 62-9-3(K)(1) (2005).
[4] *See* NMSA 1978, § 62-9-3.2(F) (2001).
[5] *See* Dockets No. 26-0000137 and 26-0000143, Order Bifurcating Matter, Modifying Case Caption, Opening New Docket, and Appointing Co-Hearing Examiners (Jul. 17, 2026) at 1-7.

months and to issue a CCN and approve the Projects location in nine months.[6] Thus, PNM's requests require two procedural tracks. To accommodate PNM's requests, Docket 26-0000188 should be bifurcated so that the CCN, location, and ROW issues can be resolved within their respective statutory timeframes. Bifurcation promotes administrative efficiency and prompt resolution of these matters without unnecessary delay.

5. Due to bifurcating the ROW determination issue from 26-0000188, it is necessary to modify the existing docket caption to remove reference to a ROW determination, and to open a new docket to consider the bifurcated issue. Lastly, the Commission should appoint hearing examiners to co-preside over these proceedings.[7]

FINDINGS AND CONCLUSIONS

The Commission finds and concludes:

6. This matter should be bifurcated into separate proceedings: one proceeding concerning PNM's Application for issuance of a CCN and for location approval for the Project; and another proceeding concerning PNM's Application for a ROW determination for the Project.

7. Upon bifurcation, the caption for Docket No. 26-0000188 must be modified to accurately reflect the issues for the Commission's consideration.

8. A new docket must be opened.

9. The appointment of hearing examiners to co-preside over each docket will promote administrative efficiency.

[6] *See* Application at 8.
[7] *See* NMSA 1978, § 62-19-20 (2020); 1.2.2.29 NMAC.

IT IS THEREFORE ORDERED:

A. The matter is hereby **BIFURCATED** into separate proceedings.

B. The proceeding concerning PNM's request for issuance of a CCN and for location approval shall proceed in Docket No. 26-0000188.

C. The caption of Docket No. 26-0000188 is modified as follows:

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY~~,~~ AND LOCATION APPROVAL~~, AND RIGHT-OF-WAY DETERMINATION~~ FOR THE MID-STATE 345 KV TRANSMISSION PROJECT	)))))))	**Docket No. 26-0000188**

D. The proceeding concerning PNM's request for a ROW determination shall proceed in Docket No. 26-0000195.

E. The caption of Docket 26-0000195 is:

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR A RIGHT-OF-WAY DETERMINATION FOR THE MID-STATE 345 KV TRANSMISSION PROJECT	)))))))	**Docket No. 26-0000195**

F. Hearing Examiners Keven Gedko and Ranime Oueis are hereby appointed to co-preside over these dockets, to take all action necessary and convenient within the limits of the Hearing Examiners' authority, to conduct any necessary hearings, and to take any other action in this case that is consistent with law, including issuing a recommended decision.

G. This Order is effective when signed.

H. In computing time in accordance with statute, regulation, or Commission order, the computation shall begin on the date that this Order is filed.

SIGNED under the Seal of the Commission at Santa Fe, New Mexico, this 10th day of November, 2026.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Gabriel Aguilera, electronically signed
GABRIEL AGUILERA, COMMISSIONER