



1 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2 **September 14, 2023**

3 **NO. S-1-SC-39440**

4 **PUBLIC SERVICE COMPANY**
5 **OF NEW MEXICO,**

6 Appellant,

7 v.

8 **NEW MEXICO PUBLIC REGULATION**
9 **COMMISSION,**

10 Appellee,

11 and

12 **WESTERN RESOURCE ADVOCATES,**
13 **COUNTY OF BERNALILLO,**
14 **NEW MEXICO OFFICE OF THE ATTORNEY GENERAL,**
15 **NEW ENERGY ECONOMY,**
16 **NEW MEXICO AFFORDABLE RELIABLE**
17 **ENERGY ALLIANCE, COALITION FOR CLEAN**
18 **AFFORDABLE ENERGY, and PROSPERITY WORKS,**

19 Intervenors-Appellees.

20 **In the Matter of Public Service Company**
21 **of New Mexico's Abandonment of San Juan**
22 **Generating Station units 1 and 4,**
23 **NMPRC Case No. 19-00018-UT**

24 **ORDER**

26 WHEREAS, this matter came on for consideration by the Court upon the
27 *Unopposed Joint Motion for Abeyance and Remand to Implement Settlement and*

1 *Request for Expedited Order*, together with proposed settlement agreement, filed
2 jointly by Appellant, Public Service Company of New Mexico (PNM), and
3 Intervenor-Appellees, the New Mexico Office the Attorney General (NMAG),
4 Western Resource Advocates (WRA), New Energy Economy (NEE), New Mexico
5 Affordable Reliable Energy Alliance (NM AREA), Coalition for Clean Affordable
6 Energy (CCAEE), and Prosperity Works;

7 WHEREAS, the Court issued an amended order on November 4, 2022,
8 granting a partial stay of the final New Mexico Public Regulation Commission
9 (PRC) order;

10 WHEREAS, the parties having fully briefed this matter, and the Court having
11 considered the foregoing and being sufficiently advised; Chief Justice C. Shannon
12 Bacon, Justice Michael E. Vigil, Justice David K. Thomson, Justice Julie J. Vargas,
13 and Justice Briana H. Zamora concurring;

14 NOW, THEREFORE, IT IS ORDERED that the unopposed joint motion is
15 GRANTED in accordance with the terms set forth in the motion;

16 IT IS FURTHER ORDERED that this matter shall be held in ABEYANCE
17 until further order of the Court; and

18 IT IS FURTHER ORDERED that this matter is REMANDED to the PRC for
19 further proceedings consistent with the proposed settlement agreement filed
20

1 contemporaneously with the motion.

2 IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 14th day of September, 2023.

Elizabeth A. Garcia, Clerk of Court
Supreme Court of New Mexico

By Kristen R. Edwards
Deputy Clerk

I CERTIFY AND ATTEST:
A true copy was served on all parties
or their counsel of record on date filed.
Kristen Edwards
Deputy Clerk of the Supreme Court
of the State of New Mexico