

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF PUBLIC SERVICE COMPANY OF NEW)
MEXICO FOR APPROVAL OF THE CITY OF)
RIO RANCHO 2009 UNDERGROUND)
PROJECTS RIDER PURSUANT TO ADVICE)
NOTICE NO. 369,)
)
PUBLIC SERVICE COMPANY OF NEW)
MEXICO,)
Applicant.)**

Case No. 09-00091-UT

NOTICE

Notice is hereby given that:

On March 19, 2009, Public Service Company of New Mexico (“PNM”) filed with the New Mexico Public Regulation Commission (“NMPRC” or “Commission”) an Application and Advice Notice requesting approvals, authorizations and variances necessary to implement a Rio Rancho 2009 Underground Projects Rider No. 28 (“Rider 28”), together with such other and further relief as the Commission may deem necessary and appropriate.

If approved by the Commission, proposed Rider 28 would apply to only those PNM customers taking electric service within the City of Rio Rancho, New Mexico (“City”). Rider 28 would allow PNM to recover total Excess Costs incurred as a result of required underground construction of two new distribution projects in the City that PNM would normally install overhead. The projects that are covered by Rider 28 are the Iris 14 – Enchanted Hills 14 project and Progress Sub Feeders project. PNM proposes to recover these Excess Costs over a two-year period.

The total Excess Costs for these projects are approximately \$926,880.47. The following Rider 28 charges would be paid in addition to the current charges that the

customer is paying, and would be collected through a line item charge on the customer's bill for the two-year period:

<u>Rate Class</u>	<u>Tariff(s)</u>	<u>Excess Cost Fixed Charge</u>
Residential	Schedule 1A and 1B	\$1.03 Per Bill Per Month
Small Power	Schedule 2A and 2B	\$1.33 Per Bill Per Month
General Power	Schedule 3B	\$77.04 Per Bill Per Month
Large Power	Schedule 4B	\$190.33 Per Bill Per Month
Water & Sewage	Schedule 11B	\$757.76 Per Bill Per Month
Large Manufacturing	Schedule 30B	\$33.50 Per Bill Per Month

The new charges stated above are for informational purposes only, and the final rate design may vary the rates ultimately charged to each class of customers.

PNM is also requesting related rulings and variances, including a variance from the Commission's Rule 17.9.530 NMAC, the minimum data standard filing requirements for rate schedules proposed by investor-owned utilities; and the Commission's Rules 17.1.2.10.B(2)(b) through 17.1.2.10.C(2)(e) NMAC, the requirement to provide a comparison with present rates PNM is further requesting the Commission to grant an expedited variance to permit PNM to begin immediate construction of the Iris 14 – Enchanted Hills 14 project prior to a Commission decision on Rider 28.

Further information regarding this case may be obtained by contacting PNM or the Commission at the addresses and telephone numbers provided below. The Commission has assigned Case No. 09-00091-UT to this proceeding, and all inquiries or written comments concerning this matter should refer to that case number.

The present procedural schedule established by the Commission for this proceeding is as follows:

1. Any person desiring to become a party to this case must file a Motion for Leave to Intervene, pursuant to 1.2.2.23.A NMAC, on or before June 15, 2009.
2. Staff shall, and any Intervener may file direct testimony on or before June 26, 2009.
3. Rebuttal testimony may be filed on or before July 8, 2009.
4. A public hearing will begin at 9:30 A.M. on July 27, 2009, and, if necessary, continue beyond that date, at the Commission's offices, P.E.R.A. Building, 1120 Paseo de Peralta, Santa Fe, New Mexico 87501, to hear and receive testimony, exhibits, arguments and any other appropriate matters in order to determine whether PNM's proposed rate, if appropriate, should be approved by the Commission.

The Commission's Utility Division Procedures, 1.2.2.1 NMAC, *et seq.*, shall apply to this case except as modified by Order of the Commission or Hearing Examiner. A copy of such Rules may be obtained from the offices of the Commission.

The procedural dates and requirements provided herein are subject to further Order of the Commission or Hearing Examiner.

Interested persons should contact the Commission for confirmation of the hearing date, time and place, since hearings are occasionally rescheduled.

Any interested person may appear at the time and place of hearing and make written or oral comment pursuant to 1.2.2.23.F NMAC without becoming an Intervener. Interested persons may also send written comments, which shall reference NMPRC

Case No. 09-00091-UT, to the Commission at the address set out below. However, comments governed by this paragraph will not be considered as evidence in this case.

Any interested person may examine PNM's filing in this case together with any exhibits and related papers which may be filed in this case at PNM's office, Alvarado Square, Albuquerque, New Mexico 87158, telephone: (505) 241-2700, or at the Commission's offices, Marian Hall, 224 East Palace Avenue, Santa Fe, New Mexico 87501-2013, telephone: (505) 827-6941.

Any person whose testimony has been pre-filed will attend the hearing and submit to examination under oath.

Any person with a disability requiring special assistance in order to participate in this proceeding should contact the offices of the Commission at least 24 hours prior to the commencement of the hearing.

Anyone filing pleadings, documents or testimony in this case shall serve a copy on all parties of record and Staff and, in addition to paper copies, shall simultaneously deliver by email all such filings to all other parties, Staff and the Hearing Examiner.

ISSUED at Santa Fe, New Mexico this 6th day of May, 2009.

NEW MEXICO PUBLIC REGULATION COMMISSION

**Elizabeth C. Hurst
Hearing Examiner**