

To PNM Customers:

The enclosed document is required by the New Mexico Public Regulation Commission ("NMPRC"). The purpose of the document is to provide notice for PNM's continued use of fuel and purchased power cost adjustment clause.

The notice:

- describes the Public Regulation Commission process to consider this request.
- describes how you can participate in this process if you choose to do so.

If you do wish to participate in the regulatory process, the attachment provides details on how to take part. If you do not wish to participate in the regulatory process, you are not required to do anything.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
PUBLIC SERVICE COMPANY OF NEW MEXICO)	
FOR CONTINUED USE OF FUEL AND PURCHASED)	Case 22-00166-UT
POWER COST ADJUSTMENT CLAUSE)	
)	
PUBLIC SERVICE COMPANY OF NEW MEXICO,)	
APPLICANT)	

NOTICE OF PROCEEDING AND HEARING

NOTICE is hereby given of the following matters pertaining to the above-captioned case pending before the New Mexico Public Regulation Commission (NMPRC or Commission):

1. On June 17, 2022, Public Service Company of New Mexico (PNM or Company) filed an application requesting approval from the Commission for an order approving PNM's continued use of its fuel and purchased power cost adjustment clause (FPPCAC) under Rules 550.13, 550.14, 550.16, and 550.17 NMAC.

2. A FPPCAC automatically flows through to the users of electricity the increases or decreases in applicable fuel and purchased power costs.

3. Rule 550.17 NMAC requires each utility operating with a FPPCAC as part of its tariff to file an application for continued use of its FPPCAC at intervals of no more than four years.

4. PNM seeks to continue use of the quarterly factor adjustment, limitations on factor increase, treatment of off-system sales margins, and carrying charge on over- and under-collections approved in Case No. 13-00187-UT. Among the issues to be considered in this matter is whether the Commission should impose additional conditions on PNM's FPPCAC to ensure that it is consistent with the goals of the Public Utility Act, the Energy Transition Act, the Renewable Energy Act and related statutes, "including serving the goal of providing reasonable and proper service at fair, just and reasonable rates to all customer classes." 17.9.550.14 NMAC.

5. The Commission is required by law to act promptly on PNM's application.

6. On October 26, 2022, the Commission entered an order designating Christopher P. Ryan as hearing examiner to preside over this proceeding and to issue a recommended decision.

7. Further information regarding this case can be obtained by contacting PNM or the Commission, as provided below. The Commission has assigned Case No. 22-00166-UT to this proceeding and all inquiries or written comments concerning this matter should refer to that case number.

8. The present procedural schedule for this case is as follows:

- a. On or before January 13, 2023, any person desiring to intervene to become a party (intervenor) in this case must file a motion for leave to intervene as required by NMPRC rules of procedure, 1.2.2.23(A), (B) NMAC.
- b. Utility Division Staff (Staff) will, and any intervenor may, file direct testimony by March 3, 2023.
- c. Rebuttal testimony must be filed by March 15, 2023.
- d. A public hearing will be held beginning on April 24, 2023, commencing at 9:00 a.m. and will be conducted either through the Zoom videoconferencing platform or at the Commission's offices.
- e. Whether the proceeding will be conducted remotely, live, or in some hybrid fashion will be determined as the hearing date nears.

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

10. The Commission's Rules of Procedure, 1.2.2 NMAC, applies in this case except as modified or varied by order of the Hearing Examiner or Commission. The rules of procedure and other NMPRC rules are available online at the New Mexico Compilation Commission at <https://nmonesource.com/nmos/en/nav.do>.

11. Additional details regarding this proceeding and its procedural requirements are set out in the Hearing Examiner's procedural order which was filed on November 4, 2022.

12. Any person whose testimony has been filed shall attend the hearing and submit to examination under oath.

13. Interested persons who are not affiliated with a party may make oral or written comments as provided by Rule 1.2.2.23(F) NMAC. Oral comment will be taken at the beginning of the public hearing in this matter on April 24, 2023. Each commenter will have three minutes to express their comments. If this proceeding is conducted via Zoom, public comment will also be taken through Zoom, and anyone wishing to make an oral comment must register to be admitted into the Zoom hearing in advance, not later than 8:30 a.m. MT on April 24, 2023, by e-mailing Ana Kippenbrock at ***Ana.Kippenbrock@prc.nm.gov***. Written comments may be submitted before the Commission takes final action by sending the comment, which must reference NMPRC Case No. 22-00166-UT, to ***prc.records@prc.nm.gov***. Public comments, whether oral or written, will not be considered as evidence in this proceeding.

14. Any interested person may examine PNM’s Application and all other pleadings, testimony, exhibits, and other documents filed in the public record for this case at the offices of PNM. The address for PNM is

**Public Service Company of New Mexico
414 Silver Ave. SW
Albuquerque
New Mexico 87102
Telephone: (505) 241-2700**

15. Alternatively, these documents are accessible on the Commission’s website under “Case Lookup – eDocket” at ***https://edocket.nmprc.state.nm.us***. Instructional information about how to use eDocket including instructional videos are available on the Commission’s website. Questions can also be directed to the PRC Consumer Relations Department at 1-888-427-5772.

16. Anyone filing pleadings, documents, or testimony in this case must comply with the Commission’s electronic filing policy, as amended from time to time. This includes filings in .pdf format, with electronic signatures, sent to the Commission’s Records Bureau’s e-mail address, as set out in the Commission’s procedural rules at ***prc.records@prc.nm.gov*** or another Records Bureau address as set out on the Commission’s webpage, see 1.2.2.7(R)(1) NMAC, within regular business hours of the due date in order to be considered timely filed. Documents received after regular business hours will be considered as filed the next business day. Regular business hours are from 8:00 a.m. to 5:00 p.m. MT. Parties must serve a copy on all parties of record and Staff. All filings must be e-mailed by no later than 5:00 p.m. MT on the date they are filed with the Commission. Filings must also be e-mailed to the Hearing Examiner at ***Christopher.Ryan@prc.nm.gov***.

17. All documents e-mailed to the Hearing Examiner must include the Microsoft Word or other native version of the filing (e.g., Excel or Power Point) if created in such format. Any filings not e-mailed to the Hearing Examiner in compliance with the requirements of the procedural order and Commission rules are subject to being summarily rejected and stricken from the record in the Hearing Examiner’s discretion.

18. **PERSONS WITH DISABILITIES.** ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COMMISSION AT (505) 690-4191 TO REQUEST ASSISTANCE AND MUST DO SO AT LEAST 24 HOURS PRIOR TO THE START OF THE PUBLIC HEARING.

ISSUED November 4, 2022.
NEW MEXICO PUBLIC REGULATION COMMISSION



[electronically signed]

Christopher P. Ryan
Hearing Examiner
christopher.ryan@prc.nm.gov