

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF PUBLIC SERVICE)
COMPANY OF NEW MEXICO'S PETITION)
FOR DECLARATORY ORDER REGARDING)
THE APPLICABILITY OF RATE 3C TO)
SERVICE PROVIDED TO VALENCIA POWER,)
LLC)
PUBLIC SERVICE COMPANY OF NEW)
MEXICO,)
Petitioner.)
_____)

Case No. 14-00102-UT

NOTICE TO PNM CUSTOMERS

NOTICE is hereby given of the following matters regarding the above-captioned case pending before the New Mexico Public Regulation Commission ("Commission" or "NMPRC").

Public Service Company of New Mexico ("PNM") filed a Petition for Declaratory Order and Request for Expedited Ruling, requesting that the Commission determine that PNM's Rate 3C applies to the retail electric service that PNM provides to the Valencia Power Project ("Facility") and to determine that the Power Purchase Agreement ("PPA") between PNM and Valencia for the sale of wholesale power from Valencia to PNM is not a special contract pursuant to NMPRC Rules 17.9.560.7(0) and 17.1.210.12(C) NMAC that sets a special rate for the service to the Facility.

Southwest Generation Operating Company ("SWG"), which owns Valencia Holdings, LLC, owner of Valencia, filed its Response to PNM's Petition, disputing many of the material facts alleged in PNM's Petition and claiming that PNM's Commissioned-approved Rate 3C does not apply to Valencia, nor do

any of PNM's Commission-approved tariffs. SWG also claims that PNM is obliged to negotiate a special contract rate with power users that are not situated similarly to PNM's retail service customers generally and that use power for a specialized purpose that is distinct in character from power usage by PNM's other customers; and then to submit that special contract rate for Commission approval.

The Commission has assigned a hearing examiner to this proceeding.

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. NMAC, on or before August 25, 2014;
2. A pre-hearing conference will begin at 9:30 A.M. on September 2, 2014, at the offices of the Commission, PERA Building, PERA Board Room, 1220 Paseo de Peralta, Santa Fe, New Mexico;
3. Any further scheduling will be held in abeyance, pursuant to the request of the Parties, to allow for settlement negotiations; and
4. Parties agreed to file joint or separate settlement status reports on or by August 21, 2014.

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 pre-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 Intervenor. Interested persons may also send written comments, which shall reference NMPRC Case No. 14-00102-UT, to the Commission at P.O. Box 1269, Santa Fe, NM 87504-1269. However, comments will not be considered as evidence in this case.

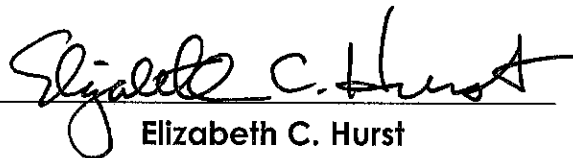
Any interested person may examine PNM's filing in this case together with any exhibits and related papers which may be filed in this case at PNM's office, Alvarado Square, Albuquerque, New Mexico 87158, telephone: (505) 241-2700, or at the Commission's offices, P.E.R.A. Building, 1120 Paseo De Peralta, Santa Fe, New Mexico, telephone: 1-888-427-5772.

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 pre-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 in word format, to the Hearing Examiner.

ISSUED at Santa Fe, New Mexico this 25th day of July, 2014.

NEW MEXICO PUBLIC REGULATION COMMISSION


Elizabeth C. Hurst
Hearing Examiner