

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE APPLICATION OF NEW)
MEXICO GAS COMPANY, INC. FOR APPROVAL)
OF REVISIONS TO ITS RATES, RULES, AND)
CHARGES PURSUANT TO ADVICE NOTICE NO. 96)
NEW MEXICO GAS COMPANY, INC.,)**

APPLICANT.)

Docket No. 23-00255-UT

ORDER SCHEDULING PUBLIC COMMENT HEARING

THIS MATTER comes before the New Mexico Public Regulation Commission (“Commission” or “NMPRC”) upon its own motion to schedule a public comment hearing in this matter. Wherefore, being duly informed,

THE COMMISSION FINDS AND CONCLUDES:

1. The Hearing Examiner, on November 8, 2023, issued the “Procedural Order” which provided in Decretal Paragraph R: “Additionally, oral comments will be taken at a public comment hearing to be scheduled by the Commission on a date and time yet to be determined.”

2. The procedural rules of the Commission permit the public to provide oral statements for the record. 1.2.2.23(F) NMAC; 1.2.2.32(A)(2) NMAC.

3. The procedural rules further require that reasonable “notice shall be given to all parties of the time and place of every public hearing scheduled by the commission or presiding officer.” 1.2.2.24(C) NMAC.

4. Finally, the Commission’s Rules provide that,

The commission or presiding officer may require that public notice also be given. When public notice is required, it shall be published in a newspaper having general circulation in the area affected by the filed pleadings at least twenty (20) days prior to the date of the public hearing, unless otherwise provided by rule, or if the commission or presiding officer finds that circumstances warrant shorter notice. The party who is required to publish notice shall cause to be filed, on or before the date of public hearing, an affidavit of publication of a responsible officer of the

newspaper making such publication. The party required by the commission or presiding officer to publish the notice shall bear the cost of such publication.

Id.

5. The Commission finds that a public comment hearing on this matter should be held on May 16, 2024, and that New Mexico Gas Company, Inc. (“NMGC”) should be required to provide public notice of the public comment hearing under Rule 1.2.2.24(C) NMAC.

IT IS THEREFORE ORDERED:

A. A public comment hearing shall be held on May 16, 2024, from 3:00 P.M. to 6:00 P.M., which duration may be extended at the Commission’s discretion, at the Bokum Building located at 142 W Palace. Santa Fe, NM 87505.

B. NMGC shall, by April 26, 2024, at its sole expense, cause notice of the May 16th public comment hearing to be published once in newspapers of general circulation sufficient for availability in every county where NMGC provides service, to be emailed to NMGC’s customers, to be posted on NMGC’s social media accounts, and to be posted on NMGC’s website. Publication in newspapers of general circulation shall be no smaller than a one-half page advertisement space.

C. Any interested persons who are not affiliated with a party in this Docket may make oral comment in person, via the Zoom app, or by telephone. Persons making oral public comments in person do not need to sign up in advance but do need to sign in by hand on the sign-up sheet at 142 W Palace Santa Fe, NM 87505.

D. To sign up for public comment via telephone and/or Zoom, and to receive the call-in number and/or Zoom invite, please contact Patrick Rodriguez via email at public.comment@prc.nm.gov or by phone at (505) 490-7910. The Commission requests, but does not require, your registration the day before the public comment hearing. You will receive the call-in number and Zoom invitation to join the public comment hearing by separate e-mail at some

time before noon on May 16, 2024. Please let Mr. Rodriguez know if your Zoom username is different than the name you supply to register. If you do not know whether your Zoom username is different than your actual name, take steps now to figure this out before you contact Mr. Rodriguez. If you intend to appear at the public comment hearing by telephone, please provide Mr. Rodriguez with your telephone number so that he may correlate that number to your name. That e-mail will have the subject name “Docket No. 23-00255-UT: NM Gas Co. Revision to its Rates, Rules, and Charges Application - Public Comment Hearing.” Mr. Rodriguez shall function as meeting host. If on the day of the hearing you have difficulties connecting with Zoom or have audio/video problems, you may participate by phone. You shall, however, contact Mr. Rodriguez that you will be participating by phone. The public comment hearing shall be transcribed for the record, and participants should make sure that their microphones function properly so that the court reporter can hear you. The public comment hearing shall commence with an introduction. After that, each commenter shall be called by name, in the order of registration. After that time, the commenter shall exit the Zoom meeting or the host shall remove you. These controls are imposed to ensure that the public comment hearing is conducted efficiently and to prevent purposefully disruptive activity. If you wish to view comments, you can view the public comment hearing on the Commission’s YouTube channel at <https://www.nm-prc.org/public-hearings/>. If you are new to the Zoom platform, you can view the basics of how to utilize the platform at <https://support.zoom.us/hc/en-us/p/zoom-meetings-guide>.

E. The public comment hearing shall be livestreamed on YouTube.

F. Oral comments shall be limited to 3 minutes but may be shortened or extended at the discretion of the Commission.

G. Interested persons, who are not affiliated with a party in this Docket may additionally file written comments as allowed by Rule 1.2.2.23(F) NMAC.

H. Any interested person may examine NMGC's application and supporting documents and other documents filed in the public record of this Docket No. 23-00255-UT on the Commission's website, <https://edocket.nmprc.state.nm.us>, or at the offices of NMGC at the following address:

New Mexico Gas Company
7120 Wyoming Blvd. NE, Suite 20
Albuquerque, New Mexico 87109
Telephone: (505) 697-3832

I. This Order is issued by a single Commissioner under 1.2.2.30(B)(2) NMAC.

J. A copy of this Order shall be served upon all persons listed on the attached Certificate of Service by e-mail, if e-mail addresses are known, or by regular mail.

K. This Order is effective immediately.

PERSONS WITH DISABILITIES

ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE ADMINISTRATIVE SERVICES DIVISION OF THE COMMISSION AT (505) 827-8019 TO REQUEST SUCH ASSISTANCE AS SOON AS POSSIBLE BEFORE THE COMMENCEMENT OF THE HEARING.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 2nd day of April, 2024.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Patrick J. O'Connell, electronically signed

PATRICK J. O'CONNELL, COMMISSIONER



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CERTIFICATE OF SERVICE

I CERTIFY that on this day I sent via email a true and correct copy of the foregoing *Order Scheduling Public Comment Hearing* to the parties listed below.

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PRC Hearing Examiners Division

DATED this 2nd day of April, 2024.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ LaurieAnn Santillanes, electronically signed
LaurieAnn Santillanes, Law Clerk