BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

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| **IN THE MATTER OF APPROVAL OF AN AMENDED SERVICE AGREEMENT BETWEEN ROOSEVELT COUNTY ELECTRIC COOPERATIVE, INC., AND SOUTHWESTERN PUBLIC SERVICE COMPANY.**  **SOUTHWESTERN PUBLIC SERVICE COMPANY AND ROOSEVELT COUNTY ELECTRIC COOPERATIVE, INC., APPLICANTS.** | **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)** | **CASE No. 24-00251-UT** |

# NOTICE TO CUSTOMERS OF SPS AND RCEC OF PROCEEDING AND HEARING

To the customers of Southwestern Public Service Company (SPS or Company) and Roosevelt County Electric Cooperative, Inc. (RCEC): This document is required by the New Mexico Public Regulation Commission (NMPRC or Commission). The purpose of this document is to provide you with notice of the Joint Application SPS and RCEC filed with the NMPRC requesting approval of their Amended Service Agreement. This Notice:

* describes the NMPRC process for considering SPS’s and RCEC’s Joint Application and
* describes how you can participate in this process if you wish to do so.

If you wish to participate in this process, the information below details how you may participate. **If you do not wish to participate, no action is required on your part.**

Therefore, **NOTICE** is given by the NMPRC of the following:

1. In accordance with Section 62-9-7 of the New Mexico Public Utility Act (“PUA”) and 1.2.2.24 NMAC, on September 19, 2024, RCEC and SPS filed a Joint Application and supporting direct testimony with the Commission requesting the Commission enter a final order approving the Amended Service Agreement entered into by RCEC and SPS on September 19, 2024. The Amended Service Agreement adjusts SPS’s service area boundaries from an existing Service Agreement between RCEC and SPS dated June 28, 1995, and approved by the Commission on March 18, 1996.

Specifically, the Amended Service Agreement adjusts SPS’s existing service area boundaries around Portales by adding to RCEC’s service territory some undeveloped land currently located around the outer edge of SPS’s existing boundary on the outskirts of Portales and adjusts SPS’s existing service area boundaries in Roosevelt County near State Highway 202 between US Route 70 and the Texas state line by adding to RCEC’s service territory some undeveloped land currently located around the outer edge of SPS’s existing boundary.

2. The Commission has assigned Case No. 24-00251-UT to this Joint Application, and all correspondence, pleadings, comments, and other communications shall refer to that case number.

3. By order issued on October 17, 2024, the Hearing Examiner established the following procedural schedule and requirements for this case:

* 1. On or before November 25, 2024, anyone desiring to become a party to this case must file a Motion for Leave to Intervene in conformity with Rules 1.2.2.23(A) and 1.2.2.23(B) NMAC with the Commission’s Records Division at prc.records@prc.nm.gov. All motions for leave to intervene shall be served on all existing parties and other proposed intervenors of record.
  2. The Commission’s Utility Division Staff shall, and any intervenors may, file direct testimony on or before December 13, 2024.
  3. Rebuttal testimony may be filed on or before December 20, 2024.
  4. A public hearing will be held, if necessary, beginning at 9:30 a.m. on January 8, 2025, as determined to be necessary by the Hearing Examiner.

4. Based on present conditions and logistical issues, the Hearing Examiner has concluded that it will be necessary to conduct any public hearing via the Zoom videoconference platform. Access to and participation in the public hearing shall be limited to party participants (i.e., counsel and witnesses), the Commissioners, and other essential Commission personnel. Any Zoom hearing will be livestreamed through YouTube and will be displayed on the Commission’s website at https://www.prc.nm.gov. Persons not participating in the evidentiary hearing as an attorney or witness may view the hearing on the Commission’s website and shall not join the hearing via Zoom except to provide oral comments as allowed in the paragraph below.

5. Anyone who is not affiliated with a party may make oral or written comment as allowed by Rule 1.2.2.23(F) NMAC. Oral comments shall be taken shortly after the beginning of the evidentiary hearing on January 8, 2025, and comments shall be limited to 3 minutes per person. As part of the public hearing, public comment will be taken via the Zoom platform; therefore, persons wishing to make an oral public comment must register in advance, not later than 8:30 a.m. MT on January 8, 2025, by email to Ana.Kippenbrock@prc.nm.gov. Alternatively, written public comments may be submitted before the Commission takes final action. Those comments shall reference PRC Case No. 24-00251-UT and be sent via email to **prc.records@prc.nm.gov**. Public comments, whether oral or written, shall not be considered as evidence.

6. The Commission’s Rules of Procedure (Rule 1.2.2 NMAC) apply except as modified by order of the Commission or Hearing Examiner. Such rules are available online at the New Mexico Compilation Commission at <https://nmonesource.com/nmos/en/nav.do>.

7. The Joint Application with supporting pre-filed direct testimony, attachments, and related papers may be examined online at the Commission’s website at [**https://www.prc.nm.gov/case-lookup-e-docket/**](https://www.prc.nm.gov/case-lookup-e-docket/), RCEC’s website **https://www.rcec.coop/**, and SPS’s website at **https://www.xcelenergy.com/company/rates\_and\_regulations/filings**; or in person at the offices of RCEC and SPS at the addresses below, or by calling SPS at 1-800-895-4999 during normal business hours . All inquiries or written comments should reference Case No. 24-00251-UT.

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| Eric Segovia  Roosevelt County Electric Cooperative, Inc.  121 N. Main Street  Portales, NM 88130  575-356-4491 |
| Mike McLeod, Manager Community Relations  Southwestern Public Service Company  111 E. Fifth Street  Post Office Box 1937  Roswell, New Mexico 88201  (577) 625-5499 or 1-800-895-4999 |
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8. Anyone filing pleadings, testimony, or other documents in this case shall: (1) serve copies on all parties of record and the Commission Staff via email on the date they are filed with the Commission, and (2) comply with the Commission’s Electronic Filing Policy, as amended from time to time. The Electronic Filing Policy requires all filings to be made by emailing the filing in PDF format and with electronic signatures to **prc.records@prc.nm.gov** within the regular business hours of the due date to be considered timely filed. Documents received after regular business hours will be considered filed the next business day. Regular business hours are Monday through Friday 8:00 a.m. to 5:00 p.m. MT. All filings shall also be sent to the Hearing Examiner at Elizabeth.Hurst@prc.nm.gov and shall include versions created in Microsoft Word or other applicable native formats if available.

9. The procedural dates and requirements currently set are subject to further order of the Commission or the Hearing Examiner. Interested persons should contact the Commission at (505) 690-4191 or Ana.Kippenbrock@prc.nm.gov for confirmation of the hearing date, time, and place because hearings are occasionally rescheduled or canceled if deemed not required in the discretion of the Hearing Examiner or the Commission.

10. Any person filing prepared testimony consistent with Rule 1.2.2.35(I) NMAC on behalf of a party shall attend the hearing and submit to examination under oath. No person shall testify at the hearing unless that person has pre-filed testimony.

11. Additional details regarding this proceeding and its procedural requirements are set forth in the Hearing Examiner’s October 17, 2024 Procedural Order.

**PERSONS WITH DISABILITIES**

IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE TO ATTEND OR PARTICIPATE IN THE HEARING, OR FOR A SUMMARY OR OTHER TYPE OF ACCESSIBLE FORMAT OF PUBLIC DOCUMENTS, PLEASE CONTACT THE DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-8019 AS SOON AS POSSIBLE PRIOR TO THE HEARING.

**ISSUED** under the seal of the Commission at Santa Fe, New Mexico this 17th day of October, 2024.

A close-up of a coin



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**Elizabeth C. Hurst**

**Hearing Examiner**