

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF PUBLIC SERVICE)
COMPANY OF NEW MEXICO’S APPLICATION)
FOR APPROVAL OF A PURCHASED POWER)
AGREEMENT AND AN ENERGY STORAGE)
AGREEMENT PURSUANT TO 17.9.551 NMAC,)
)
PUBLIC SERVICE COMPANY OF NEW MEXICO,)
Applicant.)
_____)**

Case No. 23-00251-UT

NOTICE OF HEARING

This matter comes before Hans Muller and Keven Gedko, hearing examiners for the New Mexico Public Regulation Commission, on *Public Service Company of New Mexico’s Response to Order Requiring Response* (“PNM’s Response”) filed on December 11, 2023. The Hearing Examiners **FIND AND CONCLUDE** as follows:

A. The Hearing Examiners ordered Public Service Company of New Mexico (“PNM”) to identify the availability of witnesses for a proposed limited hearing on either December 19 or 20, 2023.

B. PNM’s Response indicates that their witnesses will be available on December 20, 2023 and asks the Hearing Examiners to consider presentation of the witnesses in a panel format.

C. The Hearing in this matter was previously noticed via the Procedural Order issued on August 4, 2023 and PNM provided Affirmation of Publication and Customer Mailing. All terms and conditions specified in the procedural order regarding the hearing remain in place.

D. A Second Notice of Proceeding was issued correcting the prior intervention deadline and set an intervention deadline of November 20, 2023. The intervention deadline passed without a party objecting or intervening in the matter.

E. As the remaining parties to this matter are the Public Regulation Commission’s

Utility Division Staff and PNM, this Order serves as Notice of the public hearing established in this Order.

F. A hearing should be held on December 20, 2023 commencing at 9:00 a.m. MT limited to the issues specified by the Hearing Examiners or any natural outgrowth from those questions.

IT IS THEREFORE ORDERED:

1. A public hearing will be held beginning on December 20, 2023. The hearing session shall commence at 9:00 a.m. MT unless otherwise ordered.

2. The evidentiary hearing shall be conducted via the Zoom videoconference platform. Access to and participation in the evidentiary hearing shall be limited to party participants (i.e., counsel and witnesses), the Commissioners, and other essential Commission personnel. The Zoom hearing will be livestreamed through YouTube and will be displayed on the Commission's website at <https://www.nm-prc.org>. 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 comment as allowed below.

3. Interested persons who are not affiliated with a party may make written comment as allowed by Rule 1.2.2.23(F) NMAC. The Commission may also schedule one or more public comment hearings at a place and time to be determined in the Commission's discretion. However, as Rule 1.2.2.23(F) provides, "commenters are not parties and shall not have the right to introduce evidence, to examine or cross-examine witnesses, to receive copies of pleadings and documents, to appeal from any decisions or orders, or to otherwise participate in the proceeding other than making their comments."

4. PNM shall post on their website by December 13, 2023 a copy of this Notice to update the hearing date previously posted.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico this **12th** day
of **December 2023**.



NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Hans Muller

Hearing Examiner

/s/ Keven Gedko

Hearing Examiner

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF PUBLIC SERVICE COMPANY)
OF NEW MEXICO'S APPLICATION FOR APPROVAL)
OF A PURCHASED POWER AGREEMENT AND AN) Case No. 23-00251-UT
ENERGY STORAGE AGREEMENT PURSUANT TO)
17.9.551 NMAC)**

CERTIFICATE OF SERVICE

I **CERTIFY** that on this date I sent to the parties and individuals listed below, via email, a true and correct copy of the *Notice of Hearing*.

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DATED this December 12, 2023.

NEW MEXICO PUBLIC REGULATION COMMISSION

Ana C. Kippenbrock
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