

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF NEW MEXICO GAS COMPANY,)
INC.'S APPLICATION FOR AN EXPEDITED VARIANCE)
APPROVING ITS PLAN FOR RECOVERY OF THE GAS)
COSTS RELATED TO THE 2021 WINTER EVENT)
NEW MEXICO GAS COMPANY, INC.,) **CASE NO. 21-00095-UT**
Applicant.)
_____)**

NOTICE OF PROCEEDING

Notice is hereby given by the New Mexico Public Regulation Commission (“Commission”) of the following:

On April 16, 2021 New Mexico Gas Company, Inc. (“NMGC”) filed with the Commission an Application pursuant to 17.10.640.12(F) NMAC, 17.10.640.14 NMAC and 17.10.640.15 NMAC, requesting a variance from NMGC’s First Revised Rule No. 25 – Rate Rider No. 4 Details (“Rule No. 25”), NMGC’s Original Rider No. 1-4 Rate Rider No. 4 – Cost of Gas Component (“Rider No. 4”), and 17.10.640.13 NMAC in order to allow NMGC to change the methodology by which it may recover the increased cost of gas incurred by the Company during February 2021 under extraordinary circumstances that will materially impact the cost of gas in NMGC’s Commission-approved Purchase Gas Adjustment Clause (“PGAC”).

NMGC’s PGAC mechanism is the way NMGC normally collects the commodity cost of natural gas provided to its customers. As a result of an extraordinary spike in natural gas costs which occurred between February 13 and February 18, 2021 during the storm that hit the Southwestern United States, NMGC paid extraordinarily high prices for natural gas to serve its customers.

This Application for Variance filed by NMGC seeks to extend the time period over which NMGC would collect the extraordinary gas costs incurred in February 2021, in an effort to

decrease the impact of these extraordinary costs on customers' monthly bills from what would be experienced by customers if these extraordinary costs were recovered completely within the 2021 PGAC year.

Any interested person may inspect the Application filed in this case on NMGC's website (nmgco.com) or access the Commission's website at <https://edocket.nmprc.state.nm.us>. Any inquiries should refer to the Case No. 21-00095-UT docket for this case.

The procedural schedule for this case is as follows:

A. NMGC shall publish Notice, substantially in the form of Notice of Proceeding included in its Application and conformed to reflect the provisions of this order, on its website and in the *Albuquerque Journal* as soon as possible. NMGC shall provide Notice of the Application to the attorney general and intervenors in NMGC's last rate case in accordance with 17.10.640.12(F)

B. A public hearing shall be held at the Commission's open meeting on June 9, 2021, to be presided over by the Commission or by a designated presiding officer, who may be designated by subsequent single signature order of one Commissioner. Upon review of the filed testimony, the Commission may determine that a public hearing is not necessary and vacate the public hearing prior to the scheduled hearing.

C. Any person who desires to become a party ("intervenor") in this case shall file a Motion for Leave to Intervene, in conformity with Rule 1.2.2.23 NMAC, on or before May 17, 2021.

D. The Commission's Utility Division Staff ("Staff") and all intervenors shall file direct testimony or a verified statement of position on the Application on or before May 18, 2021, the filings should specifically address whether NMGC's Application should be approved; approved with conditions; or disapproved, together with the underlying rationale for such

position stated with specificity. The filings should also identify whether or not a hearing, in accordance with 17.10.640.12 (F), 17.10.640.14 and 17.10.640.15 NMAC, is required to be or should be held on the Application, including the form of public hearing to be held and any further information or documentation the Commission should require NMGC to file in this proceeding to assist the Commission in reaching an expeditious, fair, just and reasonable resolution of this matter.

E. Rebuttal testimony or response to verified statement of position shall be filed on or before May 28, 2021.

F. NMGC shall file a form of Proposed Final Order in .pdf format and e-mail a copy in native Word format to **Isaac.Sullivan-Leshin@state.nm.us** on or before June 1, 2021.

G. The Commission has assigned Case No. 21-00095-UT to the Application and all correspondence, pleadings and other communications shall refer to that case number.

H. The procedural dates and requirements provided herein are subject to further Order of the Commission or the Hearing Examiner. Interested persons should contact the Commission for confirmation of the dates contained herein since deadlines are occasionally rescheduled.

I. The Commission's Rules of Procedure, 1.2.2 NMAC, shall apply to this case except as modified by Order of the Commission. The Rules of Procedure and other NMPRC rules are available online at the New Mexico Commission of Public Records, State Records Center and Archives website at <http://www.srca.nm.govinmac-home/nmac-titles>.

J. Anyone filing pleadings, testimony or comments in this case shall comply with the Commission's filing rules set forth in 1.2.2 NMAC. This includes filings in pdf format, with electronic signatures, sent to the Records Bureau's email address at: prc.records@state.nm.us 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 being filed the next business day.

Parties shall serve a copy on all parties of record and Staff. All filings shall be emailed on the date they are filed with the Commission.

K. Due to ongoing COVID-19 pandemic, a public hearing, if deemed necessary by the Commission, shall be conducted via the Zoom videoconference platform. Participation in the hearing shall be limited to party-participants (*i.e.*, counsel, witnesses, and other representatives of the parties), the Commissioners, and other Commission personnel. Other interested persons may view the hearing via a livestream on YouTube provided on the Commission's website at www.nmprc.state.nm.us.

Public comment may be provided orally at any Commission open meeting prior to, or at the commencement of the Commission's regular open meeting on June 2, 2021, for members of the public who are not intervenors to comment on the proposed Application, regardless of whether or not the Commission determines a public hearing is required. **Those persons interested in providing oral public comment must request a Zoom invitation by emailing at Isaac.Sullivan-Leshin@state.nm.us by no later than 5:00 p.m. MT on June 8, 2021. Public comments shall be limited to 3 minutes per speaker unless extended by the Commission.**

Interested persons may also submit written public comments, which shall reference NMPRC Case No. 21-00095-UT, to the Commission via its Records Bureau's email address at: prc.records@state.nm.us. Pursuant to 1.2.2.23(F) NMAC, neither written or oral public comment will not be considered as evidence in this case.

All procedural dates and requirements provided herein are subject to change pursuant to further order of the Commission. Members of the public are advised to check the Commission's e-docket case file system and posted open meeting agendas available on the Commission website for updates.

Any person with a disability requiring special assistance in order to participate in the public hearing should contact the director of Administrative Services Jim Williamson at Jim.Williamson@state.nm.us or (505) 467-9116 at least 24 hours prior to the commencement of the public hearing.

ISSUED at Santa Fe, New Mexico, this 29th day of April, 2021

NEW MEXICO PUBLIC REGULATION COMMISSION