
24-00266-UT - Order Setting Filing Date for Revised Application

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 1 attachment (358 KB)

24-00266-UT-6-30-25- ECH-PS -Order Setting Filing Date for Revised Application.pdf;

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE JOINT)	-
APPLICATION FOR APPROVAL TO)	
ACQUIRE NEW MEXICO GAS COMPANY,)	
INC. BY SATURN UTILITIES HOLDCO,)	Case No. 24-00266-UT
LLC.)	
JOINT APPLICANTS)	

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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF SATURN UTILITIES HOLDCO, LLC.)	
FOR APPROVAL TO ACQUIRE NEW)	
MEXICO GAS COMPANY, INC.)	Case No. 24-00266-UT
JOINT APPLICANTS)	
)	

ORDER SETTING FILING DATE FOR REVISED APPLICATION

THESE MATTERS come before the Hearing Examiners upon various pleadings filed with the New Mexico Public Regulation Commission (“NMPRC or Commission”) and emails sent from the parties regarding proposed schedules for this case. Being fully advised in the premises, the Hearing Examiners **FIND** and **CONCLUDE** that:

1. In the Order Vacating Prehearing and Hearing Dates issued on June 12, 2025, the recent procedural history for this case was set forth and will not be repeated here.
2. On June 12, 2025, Western Resource Advocates (“WRA”) emailed partes with their witnesses’ hearing unavailability dates.
3. On June 13, 2025, the New Mexico Public Regulation Commission (“Staff”), the New Mexico Department of Justice (“NMDOJ”), New Energy Economy (“NEE”), Western Resource Advocates (“WRA”), the Coalition for Clean Affordable Energy (“CCAEE”) and the New Mexico Affordable Reliable Energy Alliance (“NM AREA”) (hereafter “Joint Movants”),¹ emailed their proposed schedule for this case.

¹ Of the May 27, 2025, Joint Motion to Dismiss Without Prejudice or For Alternative Relief and Brief in Support (“Joint Motion to Dismiss or for Alternative Relief”).

4. On June 13, 2025, Counsel for New Mexico Gas Company (“NMGC”), after having an opportunity for discussion with the other parties, emailed on behalf of the Joint Applicants, a revised proposed schedule that set out further proposed procedural dates, including filing a revised application filing deadline of July 3, 2025.

5. On June 18, 2025, the Coalition for Clean Affordable Energy (“CCAЕ”) filed a Notice of Unavailability of Counsel that indicated that due to prior hearings set before the New Mexico Environmental Improvement Board, Counsel was unavailable for hearings on September 22-26, 2025; September 29 - October 3, 2025; and, November 17-21, 2025.

6. On June 26, 2025, the NMPRC issued an Order Granting Interlocutory Appeal that granted Bernhard Capital Partners’ (“BCP Applicants”) April 7, 2025, Interlocutory Appeal. The Commission Order reversed the Order Denying BCP Applicants’ Motion for Confidentiality finding that the claimed information² should be treated as confidential “and all parties who have received any such information in the course of this docket shall maintain the confidence of such information.”

7. There are no further appeals before the Commission. The Hearing Examiners note that while the parties were unable to reach an agreement on a proposed schedule, Joint Applicants did propose deadlines closer to those of Joint Movants than originally proposed. The Hearing Examiners find that the following procedural details shall be completed prior to the issuance of

² The documents at issue for disclosure were BCP Applicants’ documents: Exhibit BR-3 - Limited Partnership Agreements for BCP Infrastructure Funds, Saturn Utilities Aggregator LP, and Saturn Utilities Topco LP; Exhibit BR-4 - Private Placement Memorandum for BCP Infrastructure II, LP and BCP Infrastructure Fund II-A, LLP; Exhibit BR-8(D) and Exhibit BR-16(C) - Identity of Lenders and Terms; Exhibit BR-12 - Life Cycle Status of Each BCP Infrastructure Fund; Exhibit BR-14 - Waterfall Distribution for BCP Infrastructure Funds; Exhibit BR-15 - Purchase and Sale Agreement and Exhibit BR 16(A) – List of Sponsors; Exhibit BR-16(B) - Debt Commitment Letter; Exhibit BR-16(D) - Limited Guarantee; Exhibit BR-16(G) - Seller Disclosure Letter; and, Exhibit BR-16(H) - Equity Commitment Letter.

the remainder of the procedural schedule. Being fully advised of the premises, the Hearing Examiners **ORDER:**

A. A revised application, including any Bench Request or supplemental information already filed in this case, shall be filed by July 3, 2025.

B. Parties may email any final proposed procedural dates to all parties and the Hearing Examiners by July 9, 2025.

C. Further procedural dates and details will be issued in subsequent orders.

D. Any parts of the Procedural Order issued November 27, 2024, not modified by this Order Setting Revised Application Filing Date, are in full force and effect.

ISSUED under the seal of the Commission at Santa Fe, New Mexico, this 30th day of June 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION



A handwritten signature in blue ink that reads "Elizabeth C. Hurst".

Elizabeth C. Hurst, Hearing Examiner
Patrick Schaefer, Hearing Examiner
elizabeth.hurst@prc.nm.gov

A handwritten signature in black ink that reads "Patrick Schaefer".

Patrick Schaefer
Hearing Examiner
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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE JOINT)	
APPLICATION FOR APPROVAL TO)	
ACQUIRE NEW MEXICO GAS COMPANY,)	
INC. BY SATURN UTILITIES HOLDCO,)	Case No. 24-00266-UT
LLC.)	
JOINT APPLICANTS)	

CERTIFICATE OF SERVICE

I CERTIFY that on this date I sent via email a true and correct copy of the Order Setting Filing Date for Revised Application, to the people listed here.

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DATED June 30, 2025

NEW MEXICO PUBLIC REGULATION COMMISSION

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