

NEW MEXICO GAS COMPANY

NEW MEXICO  
PUBLIC UTILITIES REGULATION  
COMMISSION  
FILED

SECOND REVISED RULE NO. 12  
CANCELLING FIRST REVISED RULE NO. 12

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BILLING AND PAYMENT STANDARDS

Page 1 of 7

I. Policy

All Sales Customers shall be billed on a cycle billing basis reflecting meter reading cycles of no more than thirty- two (32) days. It may be necessary for the Company to exceed the required thirty-two (32) day meter reading cycle(s) due to circumstances outside the control of the Company that prevent it from meeting this requirement.

II. Procedure

1. Readings will be made and bills rendered on, as nearly as practicable, the same day of the month for each cycle. This cycle is designated the "regular billing cycle." When the regular billing cycle is significantly changed for a particular Customer, the Customer shall be notified in advance.
2. Cost of gas charges will be based on the applicable filed monthly Purchased Gas Adjustment Clause (PGAC) factor for the month in which gas is consumed.
3. The Company shall allocate usage between months on a pro rata basis, based upon the number of days from each month on the particular cycle bill to determine the amount applicable to each month's filed PGAC factor.
4. Each bill shall include, but not be limited to, the following information:
  - a. The beginning and ending meter reading dates, or the number of days in the billing cycle, and the date of the ending meter reading;
  - b. Clear and conspicuous language identifying the bill as an estimated bill if the bill has been estimated by the Company;
  - c. The number and kind of units metered;
  - d. Any meter conversions from meter reading units to billing units;
  - e. Any meter multiplier constants used to determine billing;
  - f. The date the bill is due;
  - g. Any previous balance;
  - h. An identification of the applicable tariff schedule;

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Page 2 of 7

- i. The amount due for gas usage rendered during the billing period by the Company;
  - j. The amount due for special services rendered during the billing period by the Company;
  - k. The total amount due to the Company;
  - l. Gross receipts taxes, and any other taxes, if not a part of the base rate;
  - m. Any applicable late payment charge;
  - n. The automatic adjustment clauses approved by the Commission in total and cost per unit basis, as applicable;
  - o. Contact information designating where the Customer may initiate an inquiry or complaint regarding the bill as rendered or the service provided; and
  - p. If the Customer is on a budget payment plan, a statement of:
    - (i) The actual charges for service incurred for the current billing period;
    - (ii) The budgeted amount due; and
    - (iii) The actual balance of total services rendered.
5. Special services will be designated on bills and any partial payment will first be credited to any utility charges.
  6. Whenever a Customer receives utility service at multiple locations, separate bill details shall be rendered for each location.
  7. In the event of the stoppage of, or the failure by, the meter to register the full amount of gas used, or inaccessibility of the meter, the Company will render a corrected bill to the affected Customer based upon the Customer's usage of gas in a similar period of like use, in accordance with Commission Rules.

III. Residential Service

1. Payment Requirements

- a. All bills to Residential Customers shall be due and payable twenty (20) calendar days from the date of rendition. Any bill not paid after twenty (20) calendar days from rendition shall be deemed delinquent. If the

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BILLING AND PAYMENT STANDARDS

Page 3 of 7

bill is not paid fifteen (15) calendar days after it becomes delinquent, service is subject to discontinuation pursuant to the Company's rules and regulations governing discontinuance.

- b. If the last day for payment falls on a Saturday, Sunday, a legal holiday, or any other day when the Company's offices which regularly receive payments are not open to the general public, the due date shall be extended to the next business day.
- c. Receipt by the Company of a payment at the Company's address shall be deemed received by the Company on that date. If payment is made on the Company's website or at a third-party payment location authorized by the Company, the payment shall be deemed received within two (2) business days of the payment date. If payment is made through any other third-party payment process, the date of payment shall be the date the payment is received by the Company from the third party. If the Residential Customer making payment has received a disconnect notice and provides verification of the payment to the Company prior to disconnection, the Company shall stop disconnection activities and shall not disconnect the Residential Customer without providing a subsequent final notice.
- d. Any monies received in excess of the amount of a bill owing shall be credited immediately. If the excess is twenty-five dollars (\$25) or more, the Residential Customer may request immediate refund or credit on subsequent billings. If the excess is less than twenty-five dollars (\$25), credit will be given on subsequent billings. When the bill is being paid by a state or federal agency, any excess amounts will be carried on the account for payment of subsequent billings.
- e. Late payment charges will be added to a Residential Customer's cycle bill if payment for any or all gas charges rendered is not made within thirty (30) calendar days from the date the bill is rendered. The Company will apply an additional charge of six hundred sixty seven one thousandth percent (0.667%) per month to the total balance in arrears, excluding gross receipts tax. Partial payment of amount due by a Residential Customer is applied first to the oldest bill, including other fees or charges assessed, excluding deposits, if any, before any amount is applied to the current bill. x

2. Installment Agreements

- a. When a Residential Customer demonstrates an inability to pay an outstanding bill or deposit the Company and the Residential Customer may enter into an installment agreement in accordance with the requirements of 17.5.410 NMAC. x
- b. The Company shall attempt to arrange an installment agreement for the payment of past due charges when a Residential Customer who has not been chronically delinquent indicates an inability to pay the charges.

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BILLING AND PAYMENT STANDARDS

Page 4 of 7

- c. Service will not be discontinued, if on or before the specified date for discontinuance, the Residential Customer enters into an installment agreement with the Company.
- d. The Company is not required to enter into an installment agreement with a chronically delinquent Residential Customer. However, if a chronically delinquent Residential Customer can demonstrate to the Company that the Residential Customer does not have adequate financial resources to pay the outstanding bill without participation in an installment agreement because the Residential Customer meets the qualifications of LIHEAP, or is subject to other special circumstances, the Company shall give special consideration to such Residential Customer in determining whether to offer an installment agreement. In making such determination, the Company shall accept documentation from the Administering Authority that such Residential Customer meets the qualifications of LIHEAP.
- e. Every installment agreement shall provide that service will not be discontinued if the Residential Customer pays a reasonable portion of the outstanding bill when terms of the installment agreement are reached and agrees to pay the remaining outstanding balance in reasonable installments until the bill is paid.
- f. For purposes of determining reasonableness, the Company and the Residential Customer shall weigh the following:
  - (i) the size of the outstanding balance;
  - (ii) the Residential Customer's ability to pay;
  - (iii) the Residential Customer's payment history;
  - (iv) the time the balance has been outstanding;
  - (v) the reasons why the balance has been outstanding;
  - (vi) a six month installment agreement for the Residential Customer with significant arrearages, and
  - (vii) any other relevant factors relating to the Residential Customer's service.
- g. An installment agreement to pay an outstanding past due balance on a bill or deposit does not relieve the Residential Customer's obligation to pay future bills on a current basis. x
- h. If the Residential Customer has entered into an installment agreement as provided for by the Rule and 17.5.410 NMAC, the Residential Customer shall receive a statement of :

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Page 5 of 7

- (i) the actual service charges incurred for the current billing period;
  - (ii) the amount of the installment payment due; and
  - (iii) the total amount due (sum of (i) and (ii)).
- i. A Residential Customer may offer the Company a proposed installment agreement or a proposed change in the terms of an existing installment. If the Company and the Residential Customer do not reach an agreement, the Company may refuse the offer orally and shall note in that Residential Customer's records the reason for refusal and what special consideration was given for the Residential Customer who meets the qualifications of LIHEAP. Upon refusal, the Company also shall provide oral notice of the right of the Residential Customer to appeal the refusal to the Commission.
3. Estimated Bills
- a. The Company may render an estimated bill for residential service other than a seasonably billed Residential Customer if:
    - (i) The Company is unable to obtain access to the Residential Customer's premises through no fault of its own for the purpose of reading the meter or in situations where the Residential Customer makes reading the meter unnecessarily difficult;
    - (ii) A meter is defective or has been evidently tampered with or bypassed;
    - (iii) Weather conditions prohibit meter readings or where other extraordinary conditions exist; or
    - (iv) The Residential Customer is a participant in the meter reading program and, as required in the program, does not provide the meter reading by the scheduled monthly read date.
  - b. If the Company is unable to obtain an actual meter reading for these reasons, it shall attempt to contact the Residential Customer and attempt to obtain access to the premises or it shall undertake reasonable practical alternatives to obtain a meter reading.
  - c. When an estimated reading is made, the estimate will be based on the usage pattern of that Residential Customer.

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BILLING AND PAYMENT STANDARDS

Page 6 of 7

- d. The Company may not render a bill based on estimated usage for more than two (2) consecutive billing periods without prior notification to the Commission, nor for an initial or final bill for service, unless otherwise agreed to by the Residential Customer and the Company.
- 4. Rural Customer Meter Reading Program
  - a. The Company has a customer meter reading program for designated Rural Customers. Rural Customers are those customers who are outside incorporated city limits. The program requires Rural Customers designated by the Company to read their own meters every other month. The Company will read the meter in alternating months, depending on the Rural Customer's cycle. The Rural Customer will read the meter during alternating months and record the meter reading on postpaid pre-addressed cards provided by the Company. If the Rural Customer does not provide the meter reading by the scheduled monthly read date, the Company will estimate the Rural Customer's usage for that month.
- 5. Residential Customer Self-Meter Reading
  - a. Upon request, the Company shall explain to any Residential Customer how to read and report gas usage. Upon agreement between a Residential Customer and the Company, the Company shall provide postpaid pre-addressed cards to the Residential Customer. The Residential Customer shall accurately read and report the energy usage on a monthly basis. If the Residential Customer fails to provide the meter-reading, the Company will estimate the Residential Customer's gas usage for that month. At least annually, the Company shall obtain an actual meter reading of the Residential Customer's gas usage in order to verify the accuracy of readings reported in this manner. If the Residential Customer does not read his/her meter for three (3) consecutive months, the Company has the right to resume reading the meter until other appropriate arrangements can be made.

IV. Non-Residential Service

- 1. Payment Requirements
  - a. All bills to a Non-Residential Customer shall be due and payable within twenty (20) calendar days from the date of rendition. Any bill not paid after twenty (20) calendar days shall be deemed delinquent. If the bill is not paid fifteen (15) calendar days after it becomes delinquent, service is subject to discontinuation pursuant to the Company's rules and regulations governing discontinuance.
  - b. Late payment charges will be added to a Non-Residential Customer's cycle bill if payment for any or all gas charges rendered is not made within thirty (30) calendar days from the date the bill is rendered. The Company will apply an additional charge of six hundred sixty seven one thousandth percent (0.667%) per month to the

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BILLING AND PAYMENT STANDARDS

Page 7 of 7

total balance in arrears, excluding gross receipts tax. Partial payment of amount due by a Non-Residential Customer is applied first to the oldest bill, including other fees or charges assessed, excluding deposits, if any, before any amount is applied to the current bill. x

- c. Bills will be rendered monthly to the Non-Residential Customer in accordance with the tariff schedule applicable to the Non-Residential Customer's service.
2. Estimated Bills
- a. The Company may render an estimated bill for Non-Residential service if:
    - (i) The Company is unable to obtain access to the Non-Residential Customer's premises through no fault of its own for the purpose of reading the meter or in situations where the Non-Residential Customer makes reading the meter unnecessarily difficult;
    - (ii) A meter is defective or has been evidently tampered with or bypassed;
    - (iii) Weather conditions prohibit meter readings or where other extraordinary conditions exist.
  - b. If the Company is unable to obtain an actual meter reading for these reasons, it shall attempt to contact the Non-Residential Customer and attempt to obtain access to the premises or it shall undertake reasonable practical alternatives to obtain a meter reading.
  - c. When an estimated reading is made, the estimate will be based on the usage pattern of that Non-Residential Customer.
  - d. The Company may not render a bill based on estimated usage for more than two (2) consecutive billing periods without prior notification to the Commission, or for an initial or final bill for service, unless otherwise agreed to by the Non-Residential Customer and the Company.

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