
25-00054-UT - 2025.09.26 - Staff - The Legal Division's Notice of Filing Regarding Bruce Sanchez's Second Public Comment

From Martinez-Rael, Peggy, PRC <Peggy.Martinez-Rael@prc.nm.gov>

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 1 attachment (393 KB)

25-00054-UT - 2025.09.26 - Staff - Notice of Filing Re Bruce Sanchez 2nd Public Comment + COS.pdf;

Attached is **The Legal Division's Notice of Filing Regarding Bruce Sanchez's Second Public Comment** in Case No. 25-00054-UT, electronically filed today.

Peggy Martinez-Rael
Paralegal
NM Public Regulation Commission
Peggy.Martinez-Rael@prc.nm.gov
505-231-9490



BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF MELODY RANCH)
WATER COMPANY LLC’S WATER SYSTEM)
BREAKDOWN AND DISRUPTION OF SERVICE)
_____)**

Case No. 25-00054-UT

**THE LEGAL DIVISION’S NOTICE OF FILING REGARDING
BRUCE SANCHEZ’S SECOND PUBLIC COMMENT**

The Legal Division of the New Mexico Public Regulation Commission (“Commission”, “NMPRC” or “PRC”) submits this Notice of Filing Regarding Bruce Sanchez’s Second Public Comment and would direct the Commission’s attention to the attached Public Comment submitted by Mr. Sanchez to the Legal Division on September 23, 2025.

Dated this 26th day of September 2025.

Respectfully submitted,

/s/ John Bogatko

John Bogatko, NMPRC Legal Division
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Irresponsible-(of a person, attitude, or action) not showing a proper sense of responsibility

Negligent-failing to take proper care in doing something

These definitions are taken from the Oxford Dictionary. These words are used frequently among the residents of Melody Ranch especially when speaking of Melody Ranch Water Company (MRWC). It has been suggested by the General Manager of MRWC that only a few of the residents are not happy with the water situation but by the words of the General Manager that "Rich is taking 200 calls a day". How is this possible when there are only 77 homes and 1 business in this neighborhood. How is this possible that the community is in their 5th month with sporadic water conditions. How is this possible for a Public Utility to post a flyer on mailbox clusters and say that they are speaking with their customers. There are many residents that have left messages on the answer machine and are still waiting for a return call.

The General Manager has stated that mail is not a good means of communication yet every month MRWC can send out a bill by mail to its customers. I think that communication by mail is a good means especially since not only MRWC sends billing by mail but so does the gas co., the electric co., banks sending statements monthly and the list goes on. Is MRWC implying that the US Postal Service is only good for billing and not capable of getting mail to its customers to keep them informed? That in itself is a negligent attitude towards its customers.

On July 29, 2025 in a letter from NMED, MRWC stated that the cost of drilling a new well would be \$75,000 but in a letter to the PRC Legal Dept dated August 18, 2025, MRWC states they now have a verbal quote to drill a well for \$50,000 with no identity or written estimate given. When the PRC Legal and Utility Division did a site visit to MRWC, there were several documents that were asked for in an informal request to MRWC. One of those was about drilling a new well.

Mr. Bogatko of the PRC Legal Dept. has been working endlessly on a resolve to as MRWC call it an unfortunate incident but as the residents call it a nightmare to get water restored. It took NMED to contact East Mountain Rural Water Authority in July to get a Circuit Writer to investigate the situation with MRWC. At that time it was confirmed the well was going dry. That is 1 ½ months after the community lost water service. That in itself by the meaning is Irresponsible and with no communication.

Before the Circuit Writer came out, we were told that there were water pirates taking water in the middle of the night, then we were told that it was an electrical issue and that a breaker kept tripping to shut down the system and they were waiting on parts. Then we hear that an electrician rewired the pump house and a new pump was installed. That was confirmed by the Circuit Writer. At the beginning of July NMED also said that because of the business classification that no funding was available to get MRWC operational. MRWC has said that they have been seeking financial assistance and again the PRC Legal Dept has informally requested all documentation.

MRWC now wants the phone numbers and email to all the residents. I have personally spoken to the General Manager 2 times in the last 2 years. A year ago Ms Padilla answered and when asked if she was the manager there was no response yet when the call was taken, my name and address was asked for and it was given at that time. The second time I spoke to Ms Padilla again I was asked my name and address at that time and again it was given. This call was in June of this year when I asked when water service was going to be restored and was given the analogy that the water system was like a car and that you don't know when it will break down because it is mechanical and there is no telling when a mechanical unit will break down. This call was made shortly after Memorial Day when I informed Ms Padilla that with no water it caused a major hardship during the holiday when I wasn't able to take a shower to go to the National Cemetery in Santa Fe to pay homage to my father, a retired Colonel in the US Army. There was no response back from Ms Padilla. That in itself is another sign of being irresponsible.

In the same conversation I let Ms Padilla know that I felt it was the responsibility of the Owner of MRWC to go door to door and 1-let each household know what was going on with the water situation and 2-to apologize for any and all inconveniences that MRWC was doing to the community. Both were reasonable requests but still no communication to any of the residents in our community. That shows irresponsibility and negligence.

MRWC contends that it was never told or invited to meetings with the community or private meetings between different entities that the PRC is working with. As far as community meetings, MRWC wants security before meeting with the residents but says that only a few of the residents are angry and upset but the majority of the community is being patient and understanding. How can this be with the hardships that this community has been forced to endure.

Let's look at this realistically. When the community has to make a phone call to listen to a message to see when we are going to be privileged to get water. There are 77 homes yet MRWC contends that they receive 200 calls a day. Now I want MRWC, the Hearing Officer and others to understand our living conditions. Residents get to use their toilets to urinate in but because there is no water, we get to urinate several times before the smell is so bad before a toilet can be flushed but remember, we have to haul water to fill that toilet again and fill the tank so the toilet will work properly. But what about when a person has to poop, it is the same thing and now because we don't have the proper amount of water, we are now messing with our septic systems. I ask MRWC, is there a way that they can tell us how to train our bodies as to when we are able to remove bodily waste when they see fit for us to have water?

MRWC and their inability to actually communicate with our community is ridiculous. The simple fact is that there are 2 people with MRWC, Ms Padilla and Rich Phillips. Now Mr Phillips introduced himself as the Office Supervisor to the PRC when the site visit was done on July 24, 2025. I have never heard of a single person that requires an Office Supervisor

when they are the only one in the office. When the Office Supervisor tells people that everything that they need to know about what is going on with the water system to look it up online and that it is public knowledge but when not 1 but all 3 local news stations called for information about our outage and 1 was told that they needed to speak to the Public Relations Person for MRWC and the other 2 left messages and no return calls. That again contradicts a statement made to the Hearing Officer that all calls are returned.

This type of attitude about owning a water company is absurd. It is time for MRWC to end this complete debacle. It is time for MRWC to just do the right thing and turn this system and all information to EMWT. The residents of our community don't deserve this. No person deserves this from a company that is supposed to be a Public Utility, a Utility that serves the people and not themselves. You have shown in this time of an emergency what you are made of and have failed not only to this community but you have failed yourselves.

The final question that I have is since there are so many involved as an LLC, and all there are is initials to these individuals, who are they by name and by Ms Padilla's own admission that she is taking care of Kathleen Smith, is there a POA in place or some type of credentials in place for Ms Padilla to be speaking for all the individuals involved in MRWC?

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF MELODY RANCH WATER)
COMPANY LLC'S WATER SYSTEM BREADOWN) Docket No. 25-00054-UT
AND DISRUPTION OF SERVICE)
)

CERTIFICATE OF SERVICE

I CERTIFY that on this date I sent a true and correct copy of **The Legal Division's Notice of Filing Regarding Bruce Sanchez's Second Public Comment**, to the following:

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DATED this 26th of September 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Peggy Martínez-Rael, electronically signed

Peggy Martinez-Rael, Paralegal