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**25-00054-UT - 2025.09.26 - Staff - The Legal Divion's Notice of Filing Regarding Roy McClellan Public Comment**

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

**Date** Fri 9/26/2025 2:11 PM

**To** Records, PRC, PRC <PRC.Records@prc.nm.gov>

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 1 attachment (346 KB)

25-00054-UT - 2025.09.26 - Staff - Notice of Filing Re Roy McClellan Public Comment + COS.pdf;

Attached is **The Legal Divion's Notice of Filing Regarding Roy McClellan 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](mailto: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  
ROY MCCLELLAN PUBLIC COMMENT**

The Legal Division of the New Mexico Public Regulation Commission (“Commission”, “NMPRC” or “PRC”) submits this Notice of Filing Regarding Roy McClellan Public Comment and would direct the Commission’s attention to the attached Public Comment submitted by Mr. McClellan to the Legal Division the evening of September 24, 2025.

Dated this 26<sup>th</sup> day of September 2025.

Respectfully submitted,

/s/ John Bogatko

John Bogatko, NMPRC Legal Division  
New Mexico Public Regulation Commission  
P.O. Box 1269 | Santa Fe, NM 87504-1269  
Email – [John.Bogatko@prc.nm.gov](mailto:John.Bogatko@prc.nm.gov)

Good afternoon. My name is Roy McClellan, and I'm writing this statement today as a concerned resident of Melody Ranch. We are gathered to address a matter that affects every household, every family, and every future in our community: the ongoing water crisis and the role of Melody Ranch Water Company in that crisis.

For too long, we've endured inconsistent water service, questionable water quality, and a lack of transparency from the very company entrusted with our most essential resource. Water is not a luxury—it is a basic human necessity. And when access to clean, reliable water is compromised, so is our health, our safety, and our trust.

This is not just about broken pipes or billing errors. It's about accountability. It's about stewardship. And it's about demanding that Melody Ranch Water Company fulfill its obligation to the people it serves. We deserve answers. We deserve action. And we deserve better. I have listed below several request of the Hearing Officer and the PRC, along with some questions that we believe needs to be addressed to Melody Ranch Water Company.

Has the water company demonstrated negligence by failing to comply with the directives outlined in the Hearing Officers issued Order to Show Cause, and if so, what legal or regulatory consequences should be pursued to ensure accountability and remedy the alleged violations?

In light of the ongoing concerns regarding water service reliability and the company's obligations under the Order to Show Cause, we hereby formally request that the water company obtain and provide written estimates from no fewer than three independent and qualified well-drilling companies.

These estimates should detail the projected costs, scope of work, and anticipated timelines for drilling a new well capable of meeting the community's current and future water needs. The requested documentation should be submitted in writing no later than the date specified by the Hearing Officer and made available to the public for review.

This request is made in the interest of transparency, accountability, and the timely resolution of the water supply issues affecting our community

In the interest of ensuring timely, reliable, and equitable access to information regarding the ongoing water service issues, we hereby formally request that all future updates, notices, and communications from the water company be delivered directly to customers via the United States Postal Service.

This request applies to all correspondence related to service interruptions, infrastructure developments, regulatory actions, public hearings, and any other matters affecting water

availability or quality. Communications should be addressed to each customer's mailing address on file to ensure proper delivery and documentation.

Given the critical nature of this issue and its impact on public health and daily living, we believe that physical mail delivery is the most appropriate and inclusive method of communication.

We appreciate your cooperation and look forward to receiving confirmation that this request will be honored.

The residents and stakeholders of the Melody Ranch Subdivision respectfully submit this formal request for the immediate declaration of a State of Emergency due to the ongoing and critical lack of sustainable water supply in our community.

Despite repeated efforts to address the issue, the subdivision continues to experience severe water shortages that threaten public health, safety, and daily living. The absence of a reliable and sufficient water source has rendered basic sanitation, hydration, and fire protection untenable, placing residents at significant risk.

This situation constitutes a clear and present danger to the well-being of our community and warrants urgent intervention. We therefore request that the appropriate state and local authorities take immediate action to:

- Officially declare a State of Emergency for the Melody Ranch Subdivision
- Mobilize emergency resources to ensure temporary water access
- Expedite infrastructure assessments and long-term solutions
- Coordinate with relevant agencies to protect public health and safety

We appreciate your prompt attention to this matter and stand ready to assist in any way necessary to facilitate emergency response and recovery efforts

With the ongoing coordination between the water company and various governmental, regulatory, and private entities to resolve the critical water supply issues affecting the Melody Ranch Subdivision, we hereby formally request that all documents related to this coordination be transferred using verifiable delivery methods.

Specifically, we request that all such documents—including but not limited to correspondence, estimates, reports, agreements, and regulatory filings—be delivered either:

- In person by a designated agent of the water company, with signed acknowledgment of receipt, or

- Via Certified Mail through the United States Postal Service, with tracking and delivery confirmation.

This protocol is essential to ensure transparency, demonstrate good faith effort, and maintain a clear record of accountability throughout the resolution process. It will also help prevent miscommunication and ensure that all parties receive timely and authenticated documentation.

Considering the ongoing proceedings and directives issued by the appointed Hearing Officer regarding the water crisis affecting the Melody Ranch Subdivision, we hereby formally request that the Water Company and its designated agents be held in contempt should they fail to comply with any lawful orders, deadlines, or requests issued by the Hearing Officer.

This request is made in the interest of upholding the integrity of the adjudicative process and ensuring that all parties act in good faith toward resolving the urgent and ongoing water supply issues. Noncompliance undermines the authority of the Hearing Officer, delays critical relief efforts, and places the health and welfare of residents at continued risk.

We respectfully urge the appropriate judicial or regulatory body to take all necessary steps to enforce compliance and, where warranted, initiate contempt proceedings to compel cooperation and accountability.

**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 )  
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**CERTIFICATE OF SERVICE**

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

<b>Echo and Melody Ranch Water Co.</b>	
Pete V. Domenici, Jr.	<a href="mailto:pdomenici@domenicilaw.com">pdomenici@domenicilaw.com</a> ;
Tracy Padilla	<a href="mailto:echoandmelody@gmail.com">echoandmelody@gmail.com</a> ;
<b>NMPRC -Utility Staff</b>	
John Bogatko	<a href="mailto:John.Bogatko@prc.nm.gov">John.Bogatko@prc.nm.gov</a> ;
Jacqueline Ortiz	<a href="mailto:Jackie.Ortiz@prc.nm.gov">Jackie.Ortiz@prc.nm.gov</a> ;
Elizabeth Ramirez	<a href="mailto:Elizabeth.Ramirez@prc.nm.gov">Elizabeth.Ramirez@prc.nm.gov</a> ;
Peggy Martinez-Rael	<a href="mailto:Peggy.Martinez-Rael@prc.nm.gov">Peggy.Martinez-Rael@prc.nm.gov</a> ;
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Ana Kippenbrock, Paralegal	<a href="mailto:Ana.Kippenbrock@prc.nm.gov">Ana.Kippenbrock@prc.nm.gov</a> ;

**DATED** this 26<sup>th</sup> of September 2025.

**NEW MEXICO PUBLIC REGULATION COMMISSION**

*/s/ Peggy Martínez-Rael, electronically signed*

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**Peggy Martinez-Rael, Paralegal**