
25-00078-UT; Notice of Formal Complaint and Order Requiring Answer and Response

From Santillanes, LaurieAnn , PRC <LaurieAnn.Santillanes@prc.nm.gov>

Date Wed 11/26/2025 1:51 PM

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

Cc pdomenici@domenicilaw.com <pdomenici@domenicilaw.com>; rougespear@comcast.net <rougespear@comcast.net>; echoandmelody@gmail.com <echoandmelody@gmail.com>; Bogatko, John, PRC <John.Bogatko@prc.nm.gov>; Ortiz, Jackie, PRC <jackie.ortiz@prc.nm.gov>; Ramirez, Elizabeth, PRC <Elizabeth.Ramirez@prc.nm.gov>; Martinez-Rael, Peggy, PRC <Peggy.Martinez-Rael@prc.nm.gov>; Khoury, Cholla , PRC <cholla.khoury@prc.nm.gov>; Rilkoff, Ed , PRC <Ed.Rilkoff@prc.nm.gov>; Dasheno, Gabriella, PRC <Gabriella.Dasheno@prc.nm.gov>; Martinez, Timothy, PRC <Timothy.Martinez@prc.nm.gov>; Orland Whitney, PRC <orland.whitney@prc.nm.gov>; Fillion, Kai , PRC <kai.fillion@prc.nm.gov>; Kerolle, McLee , PRC <mclee.kerolle@prc.nm.gov>; Santillanes, LaurieAnn , PRC <LaurieAnn.Santillanes@prc.nm.gov>; Herrera-Waldroup, Alyssa, PRC <alyssa.herrera-waldroup@prc.nm.gov>; Schaefer, Patrick, PRC <patrick.schaefer@prc.nm.gov>; Kippenbrock, Ana, PRC <Ana.Kippenbrock@prc.nm.gov>; Cameron, Scott , PRC <scott.cameron@prc.nm.gov>; Rettig y Martinez, Alejandro , PRC <alejandro.martinez@prc.nm.gov>

 1 attachment (3 MB)

25-00078-UT-2025-11-26-SSO Notice of Complaint.pdf;

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

- **IN THE MATTER OF THE FORMAL COMPLAINT OF
ROY McCLELLAN AGAINST MELODY RANCH WATER
COMPANY, LLC**

)
)
) **Docket No. 25-00078-UT**
)

Sincerely,
LaurieAnn Santillanes
Paralegal
Office of General Counsel
P.O. Box 1269
Santa Fe, NM 87504-1269
Telephone: (505) 670-4830
Email: LaurieAnn.Santillanes@prc.nm.gov



BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE FORMAL COMPLAINT OF)
ROY McCLELLAN AGAINST MELODY RANCH)
WATER COMPANY, LLC) Docket No. 25-00078-UT
)

NOTICE OF FORMAL COMPLAINT
AND ORDER REQUIRING ANSWER AND RESPONSE

THIS MATTER comes before the New Mexico Public Regulation Commission (“Commission”) upon the formal complaint¹ (“Complaint”) filed by Roy McClellan (“Complainant”) against Melody Ranch Water Company, LLC (“Respondent”) on November 20, 2025. The Commission accepts the Complaint, opens a docket, and requires an answer and response.

FORMAL COMPLAINT RULES AND PROCESSES

1. Commission rules require that any entity, other than an individual, shall be represented by an attorney licensed to practice law in New Mexico in all formal proceedings.²
2. Commission rules forbid the acceptance of the Complaint until Complainant has made a good faith effort to resolve the Complaint directly with Respondent, unless the Complaint is health or safety related.³ However, the Commission may waive this requirement for good cause.⁴
3. Commission rules require that the Complaint conform to the requirements of Rule 1.2.2.11 NMAC governing pleadings, except that the requirements of the Rule shall be liberally construed with respect to *pro se* parties.⁵ Additionally, Commission rules require that all pleadings be liberally construed, and that errors or defects therein, which do not mislead or affect the

¹ Attached hereto as Exhibit A.

² 1.2.2.9(D) NMAC.

³ 1.2.2.13(A) NMAC.

⁴ 1.2.2.13(A)(2) NMAC.

⁵ 1.2.2.15 NMAC.

substantial rights of other parties involved, shall be disregarded.⁶ The Complaint shall be accompanied by the \$25.00 filing fee required in NMSA 1978, Section 62-13-2(B) (1993).⁷ The Commission may order that the filing fee be refunded if the Commission dismisses the Complaint for lack of probable cause and determines that Complainant filed the Complaint in good faith.⁸ The filing of the Complaint shall commence a formal proceeding. The Complaint shall allege that Respondent has violated a law, rule, order, tariff, certificate of public convenience and necessity, or operating authority promulgated or enforced by the Commission.⁹

4. Commission rules require that the Complaint shall contain: (1) a clear and concise statement of the relief sought; (2) a concise and explicit statement of the facts which Complainant alleges show a violation; (3) a statement of any laws, rules, orders, tariffs, certificates of public convenience and necessity, or operating authorities alleged to have been violated; (4) the exact legal and “doing business as” name, mailing address, and telephone number of Complainant and his or her attorney if any; (5) the exact legal name, mailing address, and telephone number of Respondent, if known; and (6) the following statement signed by Complainant, “The factual allegations in the complaint are true and correct to the best of my knowledge and belief,” or an affidavit sworn by Complainant.¹⁰

5. Upon receipt of the Complaint, and confirmation that the Complaint substantially complies with 1.2.2.15 NMAC, the Commission shall, within a reasonable period of time, cause a copy of the Complaint to be served on Respondent accompanied by a notice from the Commission

⁶ 1.2.2.11(G) NMAC.

⁷ 1.2.2.15 NMAC.

⁸ *Id.*

⁹ *Id.*

¹⁰ 1.2.2.15(A) NMAC.

calling upon Respondent to answer the Complaint in writing within 20 days of service of the Complaint.¹¹ The notice shall also state that the Commission may impose administrative fines or other sanctions if the Commission finds merit to the Complaint.¹² Respondent's answer may contain an offer to satisfy the Complaint as provided in 1.2.2.15(D) NMAC.¹³ The Commission shall further serve Respondent with notice of any amendments to the Complaint.¹⁴ Motions for an extension of time to answer the Complaint shall comply with the requirements of 1.2.2.12 NMAC.¹⁵ If an amendment to the Complaint is filed before the answer is filed, Respondent's time within which to answer shall be 10 days from the date of service of the amendment or the period set forth in the notice, whichever period is longer.¹⁶

6. Commission rules require that, if Respondent desires to satisfy the Complaint, Respondent shall submit to the Commission in the answer a statement of the relief which Respondent is willing to give, a copy of which shall be contemporaneously served upon Complainant.¹⁷ Upon acceptance of this offer by Complainant and notice to the Commission, the Complaint may be dismissed.¹⁸ If there is a partial settlement of the Complaint with dismissal in part, Complainant may proceed with the remaining issues.¹⁹ If the Commission dismisses the Complaint in whole or in part because the Complaint has been satisfied, the Commission may continue or initiate further proceedings if the issues raised in the Complaint involve a general

¹¹ 1.2.2.15(C) NMAC.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ 1.2.2.15(D) NMAC.

¹⁸ *Id.*

¹⁹ *Id.*

matter of public interest.²⁰

7. Commission rules require that the answer shall state in short and plain terms Respondent's defenses to each claim asserted and shall admit or deny the averments upon which Complainant relies.²¹ If Respondent is without knowledge or information sufficient to form a belief as to the truth of an averment, the answer shall so state and this shall have the effect of a denial.²² Respondent may challenge jurisdiction and address whether probable cause exists in the answer.²³

8. Commission rules require that, upon the filing of an answer, the Commission shall evaluate jurisdiction and probable cause, and may, as appropriate: (1) grant the relief requested in whole or in part; (2) dismiss the Complaint in whole or in part; (3) set further proceedings on the Complaint or on the remaining issues in the Complaint; or (4) designate a hearing examiner to preside over the Complaint or over the remaining issues in the Complaint.²⁴

9. Commission rules require that Respondent shall not discontinue Complainant's service or issue a notice of discontinuance of service to Complainant relative to this matter in dispute now that Complainant has filed a formal complaint, except as otherwise authorized by law.²⁵ Commission rules require that Complainant continues to pay charges which are not in dispute on time and in full or be subject to other applicable Commission rules regarding disconnection or discontinuance of service.²⁶

10. Commission rules require that, when a public hearing is required by law or

²⁰ *Id.*

²¹ 1.2.2.15(E) NMAC.

²² *Id.*

²³ *Id.*

²⁴ 1.2.2.15(F) NMAC.

²⁵ 1.2.2.15(B) NMAC.

²⁶ *Id.*

Commission rule, the Commission shall mail a notice of the public hearing to Complainant and Respondent at least 20 days prior to the public hearing.²⁷ The Commission shall not hold a public hearing until after the Commission has determined that probable cause exists for the Complaint.²⁸ If the Commission determines that the subject matter of the Complaint involves a matter of general public interest, the Commission may require that a notice of the public hearing: (1) be published at least 20 days prior to the public hearing in a newspaper of general circulation available in the county where the Complaint originated, or (2) be given in such other manner as the Commission may deem proper under the circumstances; costs of publication shall be borne by Respondent.²⁹

11. The Commission may require that Commission Advocacy Staff participate at any stage in the proceeding.³⁰

12. The Commission shall dismiss the Complaint at any time upon a finding of no jurisdiction or probable cause.³¹

FINDINGS AND CONCLUSIONS

13. Complainant is *pro se*, thus, the Complaint's conformance with Commission Rule 1.2.2.15 NMAC shall be liberally construed.

14. Even liberally construing the Complaint, the Commission cannot make a determination on the information provided by the Complainant. Complainant needs to state which laws, rules, or other authorities within the Commission's jurisdiction have allegedly been violated, and state facts that support Complainant's allegations.

²⁷ 1.2.2.15(G) NMAC.

²⁸ *Id.*

²⁹ *Id.*

³⁰ 1.2.2.15(H) NMAC.

³¹ 1.2.2.15(I) NMAC.

15. Complainant may also amend the Complaint without leave at any time prior to the Commission's determination of probable cause.

IT IS THEREFORE ORDERED:

A. A formal proceeding is hereby COMMENCED.

B. By **December 10, 2025**, Complainant shall file a document in the record which states the basis for his Complaint. The document should include which laws, rules, or other authorities within the Commission's jurisdiction have been violated, and explain any facts that support the Complainant's allegations.

C. By **December 30, 2025**, Respondent shall file an answer to the Complaint and Complainant's additional filing. In its answer, Respondent shall address the following issues:

- i. Whether the Commission has jurisdiction over this proceeding; and
- ii. Whether the allegations pled in the Complaint and Complainant's additional filing constitute a violation of any statutes, rules, or other authority within the Commission's jurisdiction.³²

D. Respondent shall serve copies of its answer and/or notice of satisfaction of the Complaint on Complainant contemporaneously with the filing of such documents with the Commission. Respondent is hereby put on notice that:

- i. The Commission may impose administrative fines and other sanctions if the Commission finds merit in the Complaint; and
- ii. Respondent shall not discontinue Complainant's service or issue a notice of

³² Although Respondent's Answer is typically to be filed within 20 days of service of the Complaint, the Commission can, for good cause, extend the deadline. *See* Rule 1.2.2.15(C)(1) NMAC. The Commission will extend the deadline for Respondent in this matter until after Complainant's additional document is filed.

discontinuance of service to Complainant, except as otherwise authorized by law.

E. Complainant shall continue to pay charges that are not in dispute on time and in full.

F. By **January 30, 2026**, Utility Division Staff may evaluate the Complaint, Answer, and any other pleadings filed into the record, and file a recommended disposition of the Complaint, including a discussion of the Commission's jurisdiction to hear the Complaint and if any allegations contained in the Complaint may constitute a violation of any statute, rule, or other authority within the Commission's jurisdiction.

G. If Complainant does not file a response by the due date or otherwise does not respond to a Commission Order, the Commission may dismiss the Complaint.

H. This Order is effective when signed.

I. The Commission shall serve a copy of this Order upon all persons listed on the attached Certificate of Service via e-mail if their e-mail addresses are known, and otherwise, via regular mail.

J. In computing time in accordance with statute, regulation, or Commission order, the computation shall begin on the date that this Order is filed with the Chief Clerk of the Commission's Records Management Bureau or Chief Clerk's designee.

SIGNED under the Seal of the Commission at Santa Fe, New Mexico, this 26th day of November, 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION



/s/ Gabriel Aguilera, electronically signed
GABRIEL AGUILERA, COMMISSIONER



[EXTERNAL] Formal Complaint against Melody Ranch Water Company

From Roy McClellan <RougeSpear@outlook.com>

Date Thu 11/20/2025 1:17 PM

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

 1 attachment (3 MB)

Formal-Complaint-Form_1.pdf;

You don't often get email from rougespear@outlook.com. [Learn why this is important](#)

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good afternoon,

Attached is the Formal Complaint request against Melody Ranch Water Company. The community of Melody Ranch Subdivision in Edgewood NM urges the PRC to open a formal investigation on the matters listed within the complaint.

v/r

Roy S. McClellan

“We don’t rise to the level of our expectations, We fall to the level of our training”



NEW MEXICO
**PUBLIC REGULATION
COMMISSION**

COMMISSIONERS

GABRIEL AGUILERA
GREG NIBERT
PATRICK O'CONNELL

P.O. Box 1269
Santa Fe, NM 87504-1269

CHIEF OF STAFF

Cholla Khoury

RECORDS BUREAU CHIEF

Melanie Sandoval

Formal Complaint Form

The New Mexico Public Regulation Commission (NMPRC) attempts to resolve complaints against industries regulated by the NMPRC at the informal level with our Consumer Relations Division. If a consumer is not satisfied with the outcome, they are welcome to file a formal complaint that may be heard by the NMPRC Commissioners at a formal open meeting.

Step 1: Complaint Information

Your name (complainant) as it appears on the bill: Roy McClellan (pro se)

Address as it appears on the bill: 24 Cottonwood Rd Edgewood NM 87015

Phone number (include area code): 505-514-4624 Email Address: rougespear@comcast.net

Company (respondent) you are complaining against: Melody Ranch Water Company

Company mailing address and phone number: PO Box 51615 Albuquerque, NM 87181 505-832-4092P

A clear and concise statement of the relief sought (What do you think the company should do to make this situation right?):

Provide information regarding a comprehensive audit and investigation on the following areas.

Financial Books and Reports (see attached breakdown)

Operational Reports and Procedures (see attached breakdown)

Business Reports (see attached breakdown)

Licenses and Credentials of All Employees (see attached breakdown)

Proof of Ownership (see attached breakdown)

A concise and explicit statement of the facts which the complainant alleges shows a violation:
(Please use additional sheets if necessary. Attach any relevant documentation such as a copy of the bill(s) in dispute, cancelled check, documentation which will support your position):

Over the past several months, numerous concerns have arisen regarding the transparency, operational integrity, and legal standing of Melody Ranch Water Company. These concerns warrant immediate and thorough investigation. Specifically, I request that the audits include- but not limited to- the above mentioned areas.

A statement of any laws, rules, orders, tariffs, certificates of public convenience and necessity, or operating authorities alleged to have been violated;

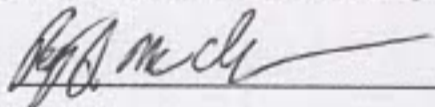
Given the essential nature of water service and the impact on public health and safety, I urge the Commission to treat this request with urgency. The residents of Melody Ranch deserve full transparency and assurance that their water provider is operating within the bounds of the law and best practice.

Step 2: Affirmation

Please sign the below statement:

"The factual allegations in the complaint are true and correct to the best of my knowledge and belief"

Date: 11/20/2025

Signature: 

Step 3: Filing Fee

Please prepare a check or money order payable to the State of New Mexico in the amount of \$25 to pay the formal complaint filing fee. Please include a scan of the check in your filing along with this completed formal complaint form with all supporting documentation and email it to prc.records@prc.nm.gov

Step 4: Filing

Mail your filing fee to:
New Mexico Public Regulation Commission
Attn: Records Bureau
PO Box 1269
Santa Fe, NM 87504-1269

Dear Commissioners,

I am writing to formally request that the New Mexico Public Regulation Commission initiate a comprehensive audit of Melody Ranch Water Company, a regulated utility operating in our community. This request is made in the interest of public accountability, regulatory compliance, and consumer protection.

Over the past several months, numerous concerns have arisen regarding the transparency, operational integrity, and legal standing of Melody Ranch Water Company. These concerns warrant immediate and thorough investigation. Specifically, I request that the audit include—but not be limited to—the following areas:

1. Financial Books and Reports

- Verification of revenue, expenditures, and ratepayer funds
- Review of financial statements submitted to the PRC and other agencies
- Assessment of financial solvency and proper use of public funds

2. Operational Reports and Procedures

- Inspection of water quality testing records and infrastructure maintenance logs
- Evaluation of emergency response protocols and service reliability
- Review of compliance with state and federal water safety standards

3. Business Reports

- Analysis of annual reports, strategic plans, and internal governance documents
- Review of any filings with the Secretary of State or other regulatory bodies

4. Licenses and Credentials of All Employees

- Verification of operator certifications, technical qualifications, and legal eligibility
- Confirmation of compliance with New Mexico licensing requirements for utility personnel

5. Proof of Ownership

- Documentation of legal ownership and corporate structure
- Review of any changes in ownership, mergers, or acquisitions

- Assessment of whether the current ownership meets regulatory and ethical standards

Given the essential nature of water service and the potential impact on public health and safety, I urge the Commission to treat this request with urgency. The residents of Melody Ranch deserve full transparency and assurance that their water provider is operating within the bounds of law and best practice.

Please confirm receipt of this complaint and advise on the next steps in the investigation process. I am available to provide additional documentation or testimony as needed.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE FORMAL COMPLAINT OF)
ROY McCLELLAN AGAINST MELODY RANCH)
WATER COMPANY, LLC) Docket No. 25-00078-UT
)

CERTIFICATE OF SERVICE

I CERTIFY that on this date I sent a true and correct copy of the *Notice of Formal Complaint and Order Requiring Answer and Response* to the following:

Echo and Melody Ranch Water Co.	
Pete V. Domenici, Jr.	pdomenici@domenicilaw.com;
Roy McClellan	rougespear@comcast.net;
Tracy Padilla	echoandmelody@gmail.com;
NMPRC -Utility Staff	
John Bogatko	John.Bogatko@prc.nm.gov;
Jacqueline Ortiz	Jackie.Ortiz@prc.nm.gov;
Elizabeth Ramirez	Elizabeth.Ramirez@prc.nm.gov;
Peggy Martinez-Rael	Peggy.Martinez-Rael@prc.nm.gov;
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Ed Rilkoff	Ed.Rilkoff@prc.nm.gov;
Gabriella Dasheno	Gabriella.Dasheno@prc.nm.gov;
Timothy Martinez	Timothy.Martinez@prc.nm.gov;
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LaurieAnn Santillanes	Laurieann.Santillanes@prc.nm.gov;
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Hearing Examiners Division	
Patrick Schaefer, Hearing Examiner	Patrick.Schaefer@prc.nm.gov;
Ana Kippenbrock, Paralegal	Ana.Kippenbrock@prc.nm.gov;

DATED this 26th day of November, 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ LaurieAnn Santillanes, electronically signed
LaurieAnn Santillanes, Paralegal