DOCKET NUMBER
25-00054-UT
FILED DATE & TIME
11/05/2026 11:11 AM MST
FILED WITH NMPRC

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

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

ORDER GRANTING STAFF'S UNOPPOSED MOTION TO COMMENCE AND EXPEDITE TRANSFER AND ABANDONMENT AND APPROVING FORM OF NOTICE

THIS MATTER comes before the New Mexico Public Regulation Commission ("Commission") upon Commission Public Interest Advocacy Staff's ("Staff") October 30, 2026 Unopposed Motion to Commence and Expedite Transfer and Abandonment ("Motion").

The Commission grants Staff's Motion, clarifies Estancia, Moriarty, Willard, and Torrance County Regional Water Association's ("EMWT") status as a party, establishes an expedited procedural schedule, and issues the attached form of Notice regarding the expedited process to consider and effectuate the abandonment of Melody Ranch Water Company's LLC's ("Melody Ranch") water system and transfer of the same to EMWT.

BACKGROUND

1. Staff's Motion was filed pursuant to a significant and long-awaited development surrounded by a number of exigent concerns warranting an expedited adjudicatory process. On October 29, 2026, Melody Ranch and EMWT signed, executed, and delivered to Staff a transfer agreement to effectuate the long-term solution sought since the inception of this matter.

2. Concurrently, the water hauling regime that has provided the Melody Ranch community with water pursuant to the Governor's October 28, 2025 Executive Order[1] will expire at the end of this calendar year. Further, EMWT determined that it needs to drill a new well to

[1] Executive Order 2025-373.

serve the Melody Ranch community, before later connecting the system to the City of Moriarty through a pipeline. EMWT must have ownership of the system before accessing and utilizing the $4 million appropriation provided by the Legislature during this year's legislative session.[2] Based on these circumstances, Staff and its state agency partners, as well as EMWT, believe Commission approval is needed as early as practically possible.

3. To advance this acquisition as soon as possible, Staff requests the Commission to expedite every step and phase of the adjudicatory process necessary to evaluate the subject transfer agreement pursuant to NMSA 1978, § 62-9-5 (governing abandonment) and NMSA 1978, §§ 62-6-12 and -13 (governing sales of utility assets) of the Public Utility Act ("PUA"). Staff also requests the Commission grant EMWT party status in this docket.[3]

4. Staff provided a proposed expedited schedule that included the following requests and suggestions:

A. The Commission itself should preside directly over the process, to avoid the time associated with the filing of a Recommended Decision by the appointed Hearing Examiner, and move immediately to issuing a Final Order in this matter.

B. The Commission, by and through Staff, should be responsible to issue (and pay for) notice to Melody Ranch customers. Staff proposes to provide notice through email to all customers on Melody Ranch's distribution list as well as by USPS mail to those whose email is unavailable.

C. If, as anticipated, there is no opposition to the transfer of the water utility from Melody Ranch to EMWT, Staff intends to file a Motion to Vacate the Hearing the day following the submission of Direct Testimony by Staff and the Affidavits by Melody Ranch and EMWT. Staff also intends, within three days of the submission of such testimony and affidavits, to draft and file a proposed form of Final Order.[4]

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[2] *See* S.B. 240, 57th Leg., 2nd Sess. (N.M. 2026), available at https://www.nmlegis.gov/Sessions/26%20Regular/Amendments_In_Context/SB0240.pdf (p. 101).
[3] Motion at 1, n.2.
[4] This order summarizes relevant procedural history. The full electronic record of this proceeding is available at https://e360.prc.nm.gov/portal/public/#/public/nm-prc/en/home.

DISCUSSION

5. Motions may be made at any time during the course of a proceeding.[5] Motions must clearly state the relief sought, the grounds therefor, whether the motion is opposed, and if so, by whom.[6]

6. The Commission is granted authority to do all things necessary and convenient in the exercise of its power and jurisdiction.[7]

7. Staff's Motion is unopposed.

8. Due to the exigent circumstances and concerns informing the Motion, and otherwise poised to affect Melody Ranch residents, the Motion appears to be well taken.

9. It appears that a rapid, but thorough, evaluation of the merits of the pending transfer agreement should be facilitated.

10. To further expedite resolution of this matter, granting EMWT party status in this proceeding appears to be warranted.

FINDINGS AND CONCLUSIONS

The Commission finds and concludes:

11. Staff's Motion should be granted.

12. An expedited process to facilitate review and consideration of the subject transfer agreement pursuant to NMSA 1978, Section 62-9-5 and NMSA 1978, Sections 62-6-12 and -13 under the PUA is warranted.

[5] 1.2.2.12(A)(1) NMAC.
[6] 1.2.2.12(A)(3) NMAC.
[7] NMSA 1978, Section 62-6-4(A).

13. An expedited procedural schedule and the attached form of Notice should be issued forthwith.

14. EMWT should be granted status as a party in this proceeding, and should be treated as such pursuant to the Commission's Procedural Rules.

IT IS THEREFORE ORDERED:

A. The Commission itself shall preside directly over the adjudication of Staff's Motion, with the assistance of the Hearing Examiners Division to oversee a hearing in this matter, if necessary and warranted.

B. The following expedited procedural schedule is hereby adopted to govern the subject abandonment and transfer proceedings in this matter:

Event/Deadline	**Proposed Date**
Staff to submit proposed form of Order Granting Expedited Process, as well as a proposed form of Notice	Monday, November 2, 2026
Order Granting Expedited Process	Friday, November 6, 2026
Distribution and Publication of Notice	Monday, November 9, 2026
Intervention Deadline and Direct Testimony/Affidavit Deadline	Monday, November 16, 2026
Staff files Motion to Vacate Hearing, if no opposition	Tuesday, November 17, 2026
Staff to submit proposed Final Order, if no opposition[8]	Thursday, November 19, 2026
Rebuttal Testimony (if necessary)	Monday, November 23, 2026

[8] This date is dependent on a lack of opposition to the transfer.

Hearing Date (if necessary)	Thursday, December 3, 2026
Open Meeting and Commission Action	Thursday, December 3, 2026

C. The attached form of Notice shall be disseminated, at Commission cost, via email to all customers on Melody Ranch's distribution list as well as by USPS mail to those whose email is unavailable. Staff shall file an Affidavit into the docket when the distribution of Notice is complete.

D. Melody Ranch and EMWT may sign and execute Affidavits, in lieu of Direct Testimony, by the date specified above.

E. Staff shall file Direct Testimony, and may file Rebuttal Testimony, as it deems necessary to satisfy all applicable statutory and regulatory standards.

F. EMWT is granted party status in this proceeding.

G. Any person desiring to become a party to this case must file a motion for leave to intervene in conformity with 1.2.2.23(A) and 1.2.2.23(B) NMAC on or before the date specified above. All motions for leave to intervene shall be served on all existing parties and other proposed intervenors of record.

H. The evidentiary hearing, unless vacated, will be conducted live and in person at the Commission's December 3, 2026 Open Meeting, and will be livestreamed through YouTube. The link will be available on the Commission's website at https://www.prc.nm.gov/public-hearings/.

I. Access to and participation in the evidentiary hearing shall be limited to party participants (i.e., counsel and witnesses), the Commissioners, and other essential Commission personnel.

J. Those who are not affiliated with a party may make oral or written comment as allowed by 1.2.2.23(F) NMAC. Written comments must refer to Docket Number 25-00054-UT and be submitted through the PRCe360 Case Management System; or sent via US mail to PRC Records P.O. Box 1269, Santa Fe, NM 87504. Oral comments are also welcome at Commission open meetings. The open meeting schedule can be found at www.prc.nm.gov/nmprc-open-meetingagenda/. Email public.comment@prc.nm.gov or call (505) 490-7910 to sign up to comment online or by phone at an open meeting. If the Commission determines a separate hearing should be set for oral comments, the date, time, and location will be announced on the Commission's website, https://www.prc.nm.gov/.

K. Any person filing prepared Testimony – or a prepared Affidavit as permitted above – in accordance with 1.2.2.35(I) NMAC on behalf of a party shall attend the hearing and submit to examination under oath. Unless otherwise deemed necessary by the Commission, no person shall testify at the hearing unless that person has pre-filed testimony or a prepared affidavit as permitted above. All pre-filed testimonies and affidavits of a witness shall be moved into evidence when the witness is first presented. Oral testimony elicited by a party or Staff presenting a witness (except for appropriate redirect examination) shall consist solely of the authentication and verification of each pre-filed testimony and identifications of any permitted corrections to that testimony. The party or Staff shall not elicit oral summaries of pre-filed testimony or other oral testimony.

L. Friendly cross-examination is prohibited. Friendly cross-examination is cross examination of a witness by a party who does not disagree with the witness's position on an issue.

M. Only counsel presenting the witness may make objections during cross-examination of that witness, with a limited exception if an appropriately lodged objection to

friendly cross-examination is made by counsel not sponsoring the witness and is determined to be allowed by the Commission.

N. Each witness at the hearing, and each witness's attorney, shall have readily available to him or her at the hearing a copy of the pre-filed testimony or affidavit of the witness and any related exhibits.

O. The procedural dates and requirements set out in this order are subject to further order of the Commission.

P. The Commission's Rules of Procedure, 1.2.2 NMAC, shall apply except as modified by order of the Commission. These and other rules are available online at https://srca.nm.gov/nmac-home/nmac-titles/.

Q. All filings must be submitted online through the PRCe360 Case Management System (https://e360.prc.nm.gov/).

R. This Order is effective when signed.

S. In computing time in accordance with statute, regulation, or Commission order, the computation shall begin on the date that this Order is filed.

SIGNED under the Seal of the Commission at Santa Fe, New Mexico, this 5th day of November, 2026.

NEW MEXICO PUBLIC REGULATION COMMISSION

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

/s/ Greg Nibert, electronically signed
GREG NIBERT, COMMISSIONER

/s/ Patrick J. O'Connell, electronically signed
PATRICK J. O'CONNELL, COMMISSIONER

NEW MEXICO
PUBLIC REGULATION COMMISSION

COMMISSIONERS
PATRICK O'CONNELL
GABRIEL AGUILERA
GREG NIBERT

PUBLIC NOTICE

On October 29, 2026, Melody Ranch Water Company LLC ("Melody Ranch Water") and Estancia, Moriarty, Willard, and Torrance County Regional Water Association ("EMWT") signed a written agreement intended to transfer utility service for the community in Melody Ranch. If approved by the Commission, Melody Ranch Water would transfer all of its assets to EMWT, and EMWT would begin providing water utility service to customers. EMWT is not regulated by the Commission but is a local government agency that must follow applicable state laws. This transfer requires the Commission's approval.

The Public Regulation Commission's Public Interest Advocacy Staff has filed a Motion asking the Commission to approve the agreement, and the transfer of Melody Ranch Water's utility service to EMWT, as quickly as possible. This Notice is intended to inform you, as a customer of Melody Ranch Water, of the transfer agreement and Staff's Motion, and to give you an opportunity to participate if you wish.

NO ACTION IS REQUIRED BY THE PUBLIC UNLESS AN INDIVIDUAL WANTS TO BECOME A PARTY OR COMMENT ON THE PENDING TRANSFER

Staff's Motion, the transfer agreement, and other documents related to this matter are accessible through the Commission's PRCe360 Docketing System, https://e360.prc.nm.gov/portal/public/#/public/nm-prc/en/home under Docket Number 25-00054-UT.

The major events for public participation in this matter will occur as follows:

- Deadline to file motions to leave to intervene to become a party: November 16, 2026,
- Deadline to file Intervenors' Direct Testimony: November 16, 2026
- Deadline to file Rebuttal Testimony: November 23, 2026
- Public Evidentiary Hearing: December 3, 2026

Notably, Public Interest Advocacy Staff has informed the Commission that if no one opposes the transfer of the water utility from Melody Ranch Water to EMWT, Staff plans to file a Motion to Vacate the Hearing the day after Direct Testimony is due. If the hearing is vacated,

the Commission would vote on whether to approve the proposed transfer at its Open Meeting on December 3, 2026.

PUBLIC HEARING

Unless vacated, a public hearing to hear and receive testimony and exhibits related to the pending transfer is set for **December 3, 2026, at the Commission's Open Meeting, which commences at 10 a.m.** The hearing will be conducted online and can be viewed via livestream on the Commission's YouTube channel and its website, https://www.prc.nm.gov/public-hearings/. Please contact the Commission for confirmation of the hearing, because hearings are occasionally cancelled or rescheduled.

PUBLIC COMMENT

People who are not associated with a party to this case may make written or oral comment, without becoming an intervenor, as allowed by Rule 1.2.2.23(F) NMAC. Written or oral public comments will not be considered as evidence in the proceeding. Written comments must refer to **Docket Number 25-00054-UT** and be submitted before the Commission makes a final decision. Written comments should be submitted online through the PRCe360 Docketing System provided below. Comments can also be sent via US mail to PRC Records P.O. Box 1269, Santa Fe, NM 87504.

Alternatively, oral public comments are also welcome during Commission open meetings. The open meeting schedule can be found at www.prc.nm.gov/nmprc-open-meeting-agenda/. Email public.comment@prc.nm.gov or call (505) 490-7910 to sign up to comment online or by phone at an open meeting.

Instructions to submit written public comment online, to file pleadings and other documents, and to search Commission dockets are found at https://e360.prc.nm.gov/portal/public/#/public/nm-prc/en/home. All filings subject to deadlines must be submitted within regular business hours of the due date to be considered timely filed.

TO BECOME A PARTY

If you wish to appear in this docket as a party, you must file a motion for leave to intervene, pursuant to 1.2.2.23 NMAC, on or before **November 16, 2026**. Intervenors must become familiar with the rules regarding practicing before the Commission and all other applicable rules.

The Commission's Rules of Procedure, 1.2.2 NMAC, apply except as modified by order of the Commission or Hearing Examiner. These and other rules are available online at https://srca.nm.gov/nmac-home/nmac-titles/.

THE DEADLINES GIVEN ABOVE ARE NOT THE ONLY DEADLINES SET FORTH IN THIS MATTER, AND PARTIES AND POTENTIAL INTERVENORS ARE ADVISED TO READ THE COMPLETE PROCEDURAL ORDER ISSUED ON **NOVEMBER 5, 2026** FOUND ON THE PRCe360 DOCKETING SYSTEM.

PEOPLE WITH DISABILITIES WHO, IN ORDER TO ATTEND OR PARTICIPATE IN THE HEARING, REQUIRE A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE OR OTHER TYPE OF ACCESSIBLE FORMAT OF PUBLIC DOCUMENTS, PLEASE CONTACT THE DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-8019 AS SOON AS POSSIBLE PRIOR TO THE HEARING.

Any person who desires more information about this case may contact the Commission by phone at (505) 827-4084 or 1-888-427-5772 or by email at Amanda.Armijo@prc.nm.gov.