

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

STATUS REPORT

Public Interest Advocacy Staff ("Staff") of the New Mexico Public Regulation Commission (the "Commission") respectfully submits this status report in the interest of disclosing a substantial development in the above-referenced docket.¹ Staff would inform the Commission of the following:

- (1) On July 1, 2026, Staff filed its most recent status report. In that report, Staff informed the Commission that "the EMWT Board voted to move forward with the acquisition process at its special meeting held on June 29, 2026."² However, Staff also emphasized that EMWT's decision to move forward with the acquisition of Melody Ranch was subject to an important condition, namely that the City of Moriarty also agree to the acquisition.³
- (2) Staff is delighted to inform the Commission that the Moriarty City Council, at its August 12, 2026, open meeting, voted unanimously in favor of EMWT acquiring Melody Ranch.⁴ The meeting was attended by a number of Melody Ranch community members as well as

¹ See generally Order Setting Status Conference # 8 and Requiring Supplemental Report (Aug. 5, 2026) at 2 ("Staff shall file with the Commission an update on the decisions taken, if any, by EMWT regarding Melody Ranch by August 31, 2026. Staff shall include any other information relevant to the current proceeding in that filing as it deems necessary.").

² Status Report (Jul. 1, 2026) at 1.

³ "Staff ... has been informed by EMWT that its Board voted to commence the acquisition process, subject to approval and necessary coordination with other governmental bodies (most notably the City of Moriarty). Staff is in communication with EMWT and is determining how best it can support and secure these additional approvals." *Id.* at 2.

⁴ Technically, the Council voted to authorize the City to sell water to Melody Ranch, with the understanding that this would take place following the EMWT acquisition process.

representatives from Staff and the New Mexico Environment Department (“NMED”). Staff is sincerely grateful to the Moriarty City Council (and the City of Moriarty itself) for its thoughtful consideration and partnership in serving the public interest.

(3) The Moriarty City Council vote on August 12, 2026, represents a highly significant step forward towards establishing a lasting solution to the Melody Ranch breakdown of service. With this vote, EMWT is now prepared to move forward with the acquisition and the Commission’s transfer and abandonment process.

(4) Staff is actively discussing and preparing its next steps with EMWT, NMED, and its other partners in state government. A written motion from Staff proposing that the Commission authorize an expedited transfer and abandonment process is anticipated in the coming weeks.⁵ If at all possible, Staff will endeavor to file this motion before the upcoming September 10, 2026, status conference.

Respectfully dated this 13th day of August, 2026.

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

⁵ See also Response to Motion to Consolidate Dockets (Mar. 10, 2026) at 5 (“As previously disclosed to the Commission, when the final agreement has been reached for EMWT to acquire Melody Ranch, Staff plans to propose a highly expedited review process for the transfer and abandonment. This will likely involve forgoing a recommended decision and submitting the matter directly to the Commission for a final decision.”).