



NOTICE TO SPS CUSTOMERS

Southwestern Public Service Company filed its annual renewable energy application with the New Mexico Public Regulation Commission on April 1, 2025 (Commission Case No. 25-00027-UT). SPS proposes recovering an estimated \$29,738,984 in associated costs over a 12-month period beginning January 1, 2026, through its RPS cost rider.

NO ACTION IS REQUIRED ON YOUR PART UNLESS YOU WANT TO PARTICIPATE IN OR COMMENT ON THE PROCEEDING.

The application requests that the Commission approve or otherwise acknowledge:

- SPS's 2026 plan and SPS's 2027 next-plan year;
- SPS's proposed rate for its 2026 renewable portfolio standard (RPS) cost rider;
- SPS's 2026 Solar*Connect rate rider;
- SPS's 2026 large customer Renewable*Connect rate rider;
- SPS's request for authorization to recover its case costs through the 2026 RPS cost rider;
- SPS's 2024 annual renewable energy portfolio report; and
- Anything else necessary to permit SPS to implement its 2026 RPS plan.

Through its RPS cost rider, SPS seeks recovery of costs associated with the following self-build solar projects that the Commission has previously approved:

- 72MW solar facility at SPS's Cunningham Unit 1 interconnection.
- 150 MW solar project at its existing Plant X Units 1 and 2 interconnections.
- 196 MW solar facility at SPS's Cunningham Unit 2 interconnection.

SPS seeks to include the costs of the 72MW solar facility at its Cunningham Unit 1 interconnection and 150 MW solar project at its existing Plant X Units 1 and 2 interconnections in its 2026 RPS cost rider. SPS will seek to include the costs of the 196 MW solar facility at its Cunningham Unit 2 interconnection in its 2027 RPS Cost Rider.

The QR code below links to tables comparing present and anticipated bills for varying classes at varying levels of energy usage. These anticipated bill impacts are for informational purposes and may vary once effective.



<https://prc.nm.gov/>

SPS will apply the 2026 RPS Cost Rider using a kWh-based rate calculated at \$ per kWh that will apply to all SPS's New Mexico retail rate classes, other than energy purchased under its existing Solar*Connect rider.

The major events in this matter will occur on the following dates (which may be changed):

- | | |
|-------------------------------------|--------------------|
| ➤ Intervention/protest deadline | May 1, 2025 |
| ➤ Staff/intervenor direct testimony | May 21, 2025 |
| ➤ Rebuttal testimony | June 4, 2025 |
| ➤ Public hearing | June 16 & 17, 2025 |

Written comments can be submitted at any time by e-mailing them to PRC.Records@prc.nm.gov. The Commission may also conduct a public comment hearing. If it does, notice of its time and place will be posted on the Commission's website. Comments are not evidence.

SPS's application, pre-filed direct testimony, and accompanying exhibits are posted on SPS's website:

http://www.xcelenergy.com/company/rates_and_regulations/filings/new_mexico_renewable_portfolio_standard.

The public may contact the following personnel at SPS about this matter:

Mike McLeod
Southwestern Public Service
Company
111 East Fifth Street
Post Office Box 1937
Roswell, NM 88201
575-625-5499 / 1-800-895-4999

Kyler Wilhelm
Regulatory Case Specialist
Southwestern Public Service Company
790 South Buchanan St.
Amarillo, TX 79101
806-382-2196

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 ryan.jimenez@prc.nm.gov.

PEOPLE WITH DISABILITIES

IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE TO ATTEND OR PARTICIPATE IN THE HEARING. OR FOR A SUMMARY 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.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF SOUTHWESTERN)	
PUBLIC SERVICE COMPANY’S)	
ANNUAL 2026 RENEWABLE ENERGY)	
PORTFOLIO PROCUREMENT PLAN)	
AND REQUESTED APPROVALS)	Docket No. 25-00027-UT
THEREIN; PROPOSED 2026)	
RENEWABLE PORTFOLIO STANDARD)	
COST RIDER; AND OTHER)	
ASSOCIATED RELIEF)	

PROCEDURAL ORDER

THIS MATTER comes before Jocelyn Barrett and Christopher P. Ryan, hearing examiners for the New Mexico Public Regulation Commission, on the above-captioned application by SPS; the Commission’s *Order Appointing Hearing Examiner* issued on April 14, 2025; and 1.2.2.24 and 1.2.2.29 NMAC. The hearing examiners **FIND** and **CONCLUDE** as follows:

1. On April 1, 2025, SPS filed its Renewable Energy Act (REA)/Renewable Portfolio Standard (RPS) application for the 2026 plan year and 2027 next plan year. In that application, SPS requests that the Commission issue a final order approving the 2026 plan, acknowledging the 2027 plan, and approve SPS’s 2026 RPS rider. The full list of requested approvals can be viewed in the application.

2. The Commission’s April 14, 2025, order appointed the hearing examiners and extended the time to approve SPS’s application from 90 to 180 days.¹

3. On April 22, 2025, the hearing examiners convened a prehearing conference. The attendees included SPS, Commission Staff, the NMDOJ, and representatives for various potential intervenors. SPS’s proposed notice was discussed and an alternative notice was offered by the hearing examiners. The procedural schedule was also discussed. The schedule to which all

¹ NMSA 1978, § 62-16-4(H) (2004, as amended through 2019), and Rule 17.9.572.20(C) NMAC.

consented is set out in the ordering paragraphs, below. Some additional discussion about the notice requirements and the notice authorized in this matter is presented here.

4. NMSA 1978, § 62-16-4(H) (2019) provides that “[t]he commission shall approve or modify a public utility’s procurement plan within ninety days and may approve the plan without a hearing, unless a protest is filed that demonstrates to the commission’s reasonable satisfaction that a hearing is necessary.” The subsequent sentence in this provision explains that “[t]he commission may modify a plan after notice and hearing.” This is the only time the word “notice” appears in the varying subsections of Chapter 62 Article 16 (putting aside one instance where the phrase “notice of appeal” appears).

5. The administrative code provides additional directions about the required notice in RPS cases. 17.9.572.14(D) NMAC explains that:

[i]n addition to electronically filing and serving in accordance with 1.2.2 NMAC, a public utility shall serve notice and a copy of its annual renewable energy plan filing by first class mail on renewable resource providers requesting such notice from the commission, the New Mexico attorney general, and the intervenors in the public utility’s most recent rate case. A public utility shall also post on its website the most recent and the pending annual Renewable Energy Act plans.

The text of this provision gives rise to three subjects of discussion.

6. First, the opening clause of the provision requires “electronic filing” and “service” that accords with the Commission’s general procedural rules found at 1.2.2. NMAC. The plain text of the rule indicates that what must be filed and served is the plan. This must be true as the clause immediately following the direction about filing and service gives direction about the “notice” and how the notice must be circulated.

7. It may be—but it is far from certain—that the rule intends to compel compliance with 1.2.2.24 NMAC. Again, it is essential to emphasize that this is possible but doubtful. 1.2.2.24 concerns “procedural orders” and explains at subsection (C) that “[t]he commission or presiding

officer may require that public notice also be given.” Note the word “may” and note also that there is no direction given about the circumstances under which it may or may not be appropriate to require notice. In any case, this provision goes on to explain that:

[w]hen public notice is required, it shall be published in a newspaper having general circulation in the area affected by the filed pleadings at least twenty (20) days prior to the date of the public hearing, unless otherwise provided by rule, or if the commission or presiding officer finds that circumstances warrant shorter notice.

8. It is possible that this is the source of the perceived obligation shared by all New Mexico utilities that the notice generated in RPS cases be circulated via newspaper in the respective utilities’ service territories. There is another possible source in the rules governing rate setting and that is discussed in depth later. SPS has proposed newspaper publication here and this is generally done in the RPS cases. It is not at all clear that this is in fact required. Recall that the rule directs filing and service of the application that is consistent with 1.2.2.

9. The accompanying note on the history of 1.2.2.24 indicates it comes from 2008. Since that time, many newspapers have imposed paywalls, and many have reduced their circulation or lapsed from existence altogether. It is an open question whether circulating notice by newspaper achieves any kind of meaningful publication of proposed utility activity. This thought is particularly significant given that the utilities can communicate directly with their customers via e-mail and through other targeted electronic communication. The point is that it does not appear the utilities are obligated by 17.9.572.14(D) to circulate notice via newspaper. Even if this conclusion is wrong, there is little sense in requiring provision of the RPS notice by newspaper as this is inefficient and the slowest possible means of communication.

10. The second point to make about 17.9.572.14(D) concerns the direction that the utility applicant “serve notice” and a copy of its plan by sending it first class mail to renewable resource providers requesting such notice from the Commission, the NMDOJ, and intervenors in

the applicant's last rate case. It is unclear why sophisticated renewable energy providers, the NMDOJ, and intervenors will need both the filing and a notice of the existence of the filing. The filing itself will give these entities all the notice they need.

11. Moreover, Commission notices should be designed to alert the public at large about developments in their energy system. This is necessary as the public, unlike the sophisticated parties who appear regularly before the Commission, have minimal familiarity with utility regulation or the goings on at the Commission. The sophisticated parties who appear regularly at the Commission will rely on the filing to discern what is the full scope of action the utility applicant is proposing. Generally, renewable energy providers pay close attention to the Commission's electronic docketing system and generally participate in cases where they have real or possible interest. It is unlikely a renewable energy provider will contact the Commission to obtain an RPS application. Those providers will likely receive service of the document as soon as the utility applicant files it. Additionally, the requirement that first class mail be used for service is entirely contrary to administrative efficiency. There are far more rapid means of communication available in our fully digital society. The rule enshrines and mandates analog inefficiency.

12. The provision indicates that the NMDOJ must also be provided with a copy of the filing by first class mail. This requirement makes little sense given that the NMDOJ appears on virtually every initial service list generated by the filing of applications from the New Mexico investor-owned utilities with the Commission. The NMDOJ will almost always participate in the IOUs rate cases; it would be unusual if they did not. The practical impact of this is that the NMDOJ is virtually assured to receive an electronic copy of utility filings at the time the filings are filed with the Commission. In other words, 17.9.572.14(D) requires that the utility applicant mail the NMDOJ a paper copy of something they will already have. This is not just a hypothesis. At the prehearing in this case, the NMDOJ informed SPS it neither needed nor wanted a paper copy of

the application because they had already obtained the application the moment it was filed. This obvious inefficiency is more than just a minor nuisance as Commission RPS filings can be voluminous. Much data and testimony can accompany such applications. This is particularly true where an RPS case involves procurement. What value is there in producing paper copies of voluminous documents and mailing them to parties that already have them in digital format, especially when the costs of this needless utility activity are ultimately borne by the ratepayers.

13. Point three. The rule does one sensible thing: require the utility to use its website to ensure the public at large has knowledge of and access to its application. It is unclear why the rule does not require the Commission to post the application on its own website. New Mexico residents can and should expect that the Commission compiles and provides notice to the public at large about the applications it is adjudicating. The legal notices section of the Commission's website does just that. The notice in this case will be posted there. SPS's application will be made readily available digitally to the public through the Commission's e-docket system which is open to all users at no cost.

14. That the writing above is the correct way to think about notice is confirmed by the fact that the REA does not point to the provision of notice as the triggering event that starts the running of the time for a protest. The administrative code explains that "[i]nterested parties wishing to protest an annual Renewable Energy Act plan shall do so by stating the bases for the protest within 30 days after the filing of the utility's annual renewable energy plan."² As these words make clear, timing for the filing of a protest begins as of the "filing" of the RPS application. This is noted as it indicates something inherent to modern practice: the filing of the application with the Commission in its e-docketing system and then distribution through electronic means to

² 17.9.572.20 NMAC (emphasis added).

the regulatory bar clearly and sufficiently signals the utility applicant has taken an action that putative protestors must timely act upon or accept.

15. Moving beyond the RPS rule and its notice provisions, it is also important to point out that the statutory provision governing “Change in Rates”³ provides that “no public utility shall make any change in any rate that has been duly established except after thirty days’ notice to the commission, which notice shall plainly state the changes proposed to be made in the rates then in force and the time when the changed rates will go into effect and other information as the commission by rule requires.” The next sentence in the provision explains that “the utility shall also give notice of the proposed changes to other interested persons as the commission may direct.”

16. The regulation addressing this statute, 17.1.2.10 NMAC, explains that all rate cases must be initiated by advice notice, requires the utility to include a proposed notice with its rate case filing, explains that the utility must file a “notice of hearing” as well as “notice to ratepayers.” The rules specify what the notice to ratepayers must include and to whom it must be circulated. The requirements are too lengthy to reproduce here. They can be viewed on the compilation commission’s site. It is essential only to note that newspaper publication of the notice of hearing is required and that the notice of hearing must include all the information the utility is obligated to supply in the notice to ratepayers.

17. The rule concludes with the directives that “[t]he commission or presiding officer may by order require such other notice of the proceeding as is deemed proper under the circumstances” and “[f]ailure to comply with this section may result in a dismissal of the application.”⁴

³ NMSA 1978, Section 62-8-7 (2011).

⁴ 17.1.2.10(C)(3), (4) NMAC.

18. These notice provisions require the applicant utility to include a variety of information in the notices. To inform ratepayers about the impact on them of the proposed rate increase is no simple matter. The utility must supply information in lengthy, tabular form given the number of rate classes utilities serve and the dynamic impacts any amendment to rates works on a utility's varying customers. Moreover, the information that must be supplied must capture impacts at varying usage levels as customers use of electricity varies significantly.

19. These requirements are noted and relevant given what the Commission's order appointing the hearing examiners here unearths.⁵ That order notes that, "[i]n contrast to previous RPS Plans filed by SPS, SPS's application does not include an advice notice. Hence, there is no advice notice setting forth SPS's proposed rates Cost Rider Rate Nos. 70, 76, and 91." The obvious import of this writing is that SPS should have filed an advice notice as it proposed to modify rates, i.e. the RPS cost rider. The Commission order goes on to explain that "[a] logical conclusion is that SPS intends to file an advice notice, or advice notices in compliance with the Commission's final order in this docket, given that the possible use of a rate rider to collect the certificated costs of the projects approved in Docket No. 23-00252-UT" as that "is a matter for adjudication in this docket." The order concludes that "it would be helpful for the Commission to have further information regarding SPS's plan for the issuance of advice notices in relation to this docket."

20. SPS responded.⁶ It explains that it "plans" to "file one or more advice notices to update Rate Rider Nos. 70, 76, 91[.]" and "appreciates the opportunity to clarify these matters."

21. What should be apparent is that it is an open question whether the notice provisions applicable to rate cases apply here, and (more fundamentally) there is the question whether the

⁵ Case No. 25-00027-UT, Order Extending Application Review Period to 180 Days and Appointing Co-Hearing Examiners (04/14/2025).

⁶ Case No. 25-00027-UT, SPS's Response to April 14, 2025, Order Extending Application Review Period to 180 Days and Appointing Co-Hearing Examiners (04/23/2025).

notice provisions in rate cases supplant the notice requirements in the RPS rule in cases where rate impacts will flow from resolution of RPS matters. These questions are raised. They are not answered here.

22. The real purpose of exploring these matters is not to resolve any of the questions noted above but to point out that the rules about the Commission's obligation to ensure that the ratepayers of the New Mexico IOUs are aware of the IOUs' proposed actions are far too complex and riddled with inefficiency.

23. The presiding officers and the Commission more generally are committed to ensuring that the public remains aware of what the utilities in the state are doing. It is no simple matter how best to do that. It is clear, however, that the Commission's existing directives about notice are unclear, ensure only that a large mass of information that is not necessarily accessible or clear is circulated by a form of communication (newspapers) that is among the least efficient and indirect forms of communication available, and that all of this has an uncertain and unknown impact on ratepayer awareness. Moreover, newspaper communication will become entirely outdated and anachronistic as utilities move towards digital, electronic-only billing and web-based customer engagement platforms designed to allow customers to optimize their use of a utility system to save money.

24. The notice authorized in this case attempts to proactively address these concerns by simplifying the content appearing on it, providing a link in the form of a QR code to the tabular data to shorten and simplify the notice. The goal is to make the notice more accessible to the average New Mexico SPS ratepayer, and to communicate that participation in Commission proceedings is optional while still noting that all ratepayers can participate as permitted by rules. Clarity and simplicity in communicating about these matters is essential as the Commission's consumer relations division has informed the hearing examiners that utility customers who receive

notices that look like legal pleadings think the notice is some form of legal action filed by the utility against them. This is not a surprising outcome given that Commission notices have, previously, looked like and had all the hallmarks of a legal pleading in an adversarial matter.

25. While the hearing examiners recognize that the notice authorized here departs from past Commission practice, the Commission is endeavoring to streamline and update outmoded notice requirements while ensuring that the public is properly informed. After a careful review of the relevant rules and statutes, the hearing examiners conclude that the authorized notice here achieves these goals. The authorized notice was shared with the parties at the prehearing. Intervenors who elected to speak and provide feedback articulated support for the Commission's desire to make Commission proceedings more accessible to the public.

For all the reasons set out above, **IT IS ORDERED:**

- A. Any protest to SPS's RPS application shall be filed on or before **May 1, 2025**.⁷
 - B. On or before **May 8, 2025**, SPS shall cause, at its sole expense, the notice to SPS customers attached to this order to be published once in a newspaper of general circulation available in every county where SPS provides service in New Mexico.⁸
 - C. SPS shall ensure that an affidavit confirming such publication is promptly filed in the docket.⁹
 - D. The notice authorized in this proceeding shall also be published on SPS's website.
- Because print and web-based formats offer users different functionality, SPS is free to present the

⁷ 17.9.572.20(A) NMAC.

⁸ 17.9.572.14(D) NMAC; 17.1.2.10(C)(1) NMAC.

⁹ 1.2.2.24(C)(2) NMAC ("The party who is required to publish notice shall cause to be filed, on or before the date of public hearing, an affidavit of publication of a responsible officer of the newspaper making such publication."); 17.1.2.10(C)(1)(d) NMAC ("The utility shall ensure that an affidavit of publication is filed promptly upon publication of the notice.").

rate-impact tables in a form online that is maximally useful to consumers. The notice authorized for newspaper publication shall link to the tables through the QR code. This is to minimize information overload. It may be wiser and more likely to help viewers of the notice on SPS's website to have some other kind of link or to some other presentation of the data in the tables. Again, the goal of the notice provisions is pragmatic, not formalistic.

E. SPS shall ensure that an affidavit confirming publication on their website is promptly filed in the docket for this matter.

F. The notice will also be posted on the Commission's legal notices section of the Commission's website <https://www.prc.nm.gov/nmprc-legal-notices/>.

G. Any person desiring to become a party (intervenor) to this case must file a motion for leave to intervene that satisfies 1.2.2.23(A) and (B) NMAC on or before **May 1, 2025**. All motions for leave to intervene shall be served on all existing parties and other proposed intervenors of record.

H. Staff shall, and any intervenor may file direct testimony by **May 21, 2025**.

I. Any rebuttal testimony shall be filed on or before **June 4, 2025**.

J. With respect to SPS's direct and intervenor testimony, any motions *in limine*, motions to strike testimony, and other prehearing motions shall be filed on or before **May 26, 2025**. Responses to such motions shall be filed on or before **May 30, 2025**.

K. With respect to rebuttal testimony, any motions *in limine*, motions to strike testimony, and other prehearing motions shall be filed on or before **June 9, 2025**. Responses to such motions shall be filed on or before **June 13, 2025**.

L. Responses to discovery shall be produced by close of business on the date that the certificate of service confirming such production is filed in the record. Discovery responses

produced *after* 5:00 p.m. on the date that the certificate of service is filed shall be deemed produced the following business day.

M. It is the hearing examiners' understanding that the parties to this case have negotiated their own, shortened discovery deadlines. Responses to discovery requests in this matter shall comport with those agreed upon deadlines.

N. The public hearing of this matter shall be held on Monday, **June 16, 2025**, and will continue through June 17, 2025, if necessary, as determined by the hearing examiners. Each hearing session shall commence at 9:00 a.m. Mountain Time unless otherwise ordered.

O. The evidentiary hearing will be conducted via the Zoom videoconference platform. 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.

P. The Zoom hearing will be livestreamed through YouTube and will be displayed on the Commission's website at <https://www.prc.nm.gov/public-hearings/>. People who are not participating in the evidentiary hearing as an attorney or witness may view the hearing on the Commission's website and shall not join the hearing via Zoom.

Q. If no protest is filed by the time required by statute or rule, then the hearing examiners may vacate the public hearing if they find that administrative efficiency is best served by not conducting a hearing.

R. Interested people who are not affiliated with a party may make written comment as allowed by Rule 1.2.2.23(F) NMAC. Written public comments may be submitted before the Commission takes final action by sending the comment, which shall reference Case No. 25-00027-UT, to prc.records@prc.nm.gov.

S. Oral comments about this matter can be offered at any Commission open meeting. The hearing examiners may permit oral comments at the beginning of the evidentiary hearing on June 16, 2025. Directions and protocol for receiving oral comments on the hearing date will be provided on an as needed basis.

T. Public comments, whether oral or written, shall not be considered as evidence in this proceeding.

U. Since the evidentiary hearing will be conducted via Zoom, the parties and Staff will be required to electronically distribute the exhibits they intend to offer for admission into evidence at the hearing in advance of the hearing. That electronic distribution shall provide the documents to all parties, the Hearing Examiner, and the court reporter. The requirements for those and any other necessary submissions shall be set forth in a subsequent prehearing order issued by the Hearing Examiner.¹⁰

V. Any person filing prepared testimony in accordance with 1.2.2.35(I) NMAC on behalf of a party shall attend the hearing and submit to examination under oath and shall appear via the Zoom video feed. No person shall testify at the hearing unless that person has pre-filed testimony. All pre-filed testimonies of a witness shall be moved into evidence when the witness is first presented. Unless otherwise ordered or approved by the Hearing Examiner, only pre-filed testimony in question-and-answer form and verified by the witness – and examination of witnesses on such pre-filed testimony – shall be accepted, considered, and received in evidence along with other relevant and otherwise admissible exhibits. Oral testimony elicited by a party or Staff presenting a witness (except for appropriate redirect examination) shall consist solely of the

¹⁰ Parties will be required to utilize Dropbox to upload and download documents. See <https://www.dropbox.com>. All parties should familiarize themselves with use of that file-sharing application.

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.

W. Prior to the evidentiary hearing, the hearing examiners may direct counsel for SPS, any intervenors, and Staff to provide the hearing examiners an estimate of their time for cross-examining each witness. To conduct an orderly and efficient hearing, the hearing examiners may limit the time for providing direct testimony or cross-examination at any public hearing if necessary to promote the proper and orderly management of the public hearing.¹¹

X. Friendly cross-examination is prohibited unless authorized by the hearing examiners. Friendly cross-examination entails examining a witness by a party who does not disagree with the witness's position on an issue. Counsel violating this rule are advised that the hearing examiners may curtail, reduce, or eliminate the remaining cross-examination time of counsel attempting to engage in friendly cross-examination.

Y. With one limited exception, only counsel presenting the witness may make objections during cross-examination of that witness. The limited exception is that the Hearing Examiner will entertain appropriately lodged objections to friendly cross-examination made by counsel not sponsoring the witness.

Z. Each witness at the hearing, and each witness's attorney, shall have readily available to them at the hearing a copy of the pre-filed testimony of each witness and any related exhibits.

¹¹ 1.2.2.32(G)(3) NMAC.

AA. Interested people may examine the Application and other filings in this case at the Commission's website under "Case Lookup E-docket" at <https://www.prc.nm.gov/case-lookup-e-docket/> , by referencing Case No. 25-00027-UT, or on Applicants' website, https://www.xcelenergy.com/company/rates_and_regulations/filings/new_mexico_renewable_portfolio_standard.

BB. Anyone filing pleadings, testimony, and other documents in this case shall, until further notice, comply with the Commission's electronic filing policy. This includes electronic filings by e-mailing in PDF format, with electronic signatures, to prc.records@prc.nm.gov within regular business of the due date. Documents received after regular business hours will be considered as being filed the next business day. Regular business hours are from 8:00 am to 5:00 pm MT. Pleadings, testimony, and other documents shall also be served on all parties of record and Staff in the way or ways specified in the most recent certificate of service issued in this case by the hearing examiners.

CC. All filings shall be e-mailed to the hearing examiners on the date filed at Christopher.Ryan@prc.nm.gov and Jocelyn.Barrett@prc.nm.gov by no later than 5:00 p.m. MT. Any filing e-mailed to the hearing examiners shall include the Word or other native version of the filing (e.g., Excel or Power Point) if created in such format. All PDF documents shall be Optical Character Recognition ("OCR") enabled. If a PDF is not OCR enabled, it will be returned to the sender. Any filings not e-mailed to the hearing examiners in compliance with the requirements of this order and Commission rules are subject to being summarily rejected and stricken from the record at the hearing examiners' discretion.

DD. The procedural dates and requirements provided here are subject to further order of the Hearing Examiner or the Commission. Any person desiring to permissibly participate in the

hearing should contact the Commission at (505) 690-4191 for confirmation of the hearing date, time, and place as hearings are occasionally rescheduled or canceled. Similarly, members of the public who wish to make public comment should take the steps necessary to receive updates about this case as the Commissioners may schedule a public comment hearing.

EE. The Commission's rules of procedure, 1.2.2.1, to .40 NMAC shall apply in this case except as modified by order of the hearing examiners or Commission. The rules of procedure and other NMPRC rules are available online at the New Mexico Compilation Commission at <http://www.srca.nm.gov/nmac-home/>.

FF. Except as expressly provided in this order or subsequently ruled, discovery matters, and any discovery disputes shall be governed by the Commission's discovery rules at 1.2.2.25 NMAC. The parties shall raise any disputes, questions, or concerns regarding discovery with the hearing examiners at the earliest available opportunity so that all such issues may be considered well in advance of the hearing.

GG. An order of the hearing examiners or Commission is not required for agreements between or among any of the participants regarding discovery matters. All other participants shall be notified of such agreements.

HH. Motions regarding any discovery dispute shall not be considered unless accompanied by a statement that the participants have made a good faith effort to resolve the dispute but were unable to do so.

II. The caption atop this Order shall be the official caption for this matter. Henceforth, all party pleadings shall reflect that caption.

JJ. The certificate of service for this case is attached to this order. Subject to the issuance of an official service list under 1.2.2.10(C)(4) NMAC, the attached service list shall be used for service of all pleadings and other documents.

KK. This Order is effective immediately.

PEOPLE WITH DISABILITIES

IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE TO ATTEND OR PARTICIPATE IN THE HEARING. OR FOR A SUMMARY 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.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico this 25th day of April 2025.



NEW MEXICO PUBLIC REGULATION COMMISSION

A handwritten signature in black ink, appearing to be "Jm", written over a horizontal line.

Jocelyn Barrett
Hearing Examiner
Jocelyn.Barrett@prc.nm.gov

A handwritten signature in black ink, appearing to be "C. Ryan", written over a horizontal line.

Christopher P. Ryan
Hearing Examiner
Christopher.ryan@prc.nm.gov

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF SOUTHWESTERN)	
PUBLIC SERVICE COMPANY'S)	
ANNUAL 2026 RENEWABLE ENERGY)	
PORTFOLIO PROCUREMENT PLAN)	
AND REQUESTED APPROVALS)	Case No. 25-00027-UT
THEREIN; PROPOSED 2026)	
RENEWABLE PORTFOLIO STANDARD)	
COST RIDER; AND OTHER)	
ASSOCIATED RELIEF)	

CERTIFICATE OF SERVICE

I **CERTIFY** that on this date I served upon the individuals listed below, via email, the Procedural Order.

SPS	
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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

Initial Service List

Case No. 25-00027-UT

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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

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DATED this April 25, 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION

Ana Kippenbrock

Ana Kippenbrock, Law Clerk