



NOTICE TO EL PASO ELECTRIC COMPANY'S CUSTOMERS

On July 10, 2026, EPE filed its Application for approval of a Certificate of Public Convenience and Necessity ("CCN") and for Right-of-Way ("ROW") Width Approval. EPE's Application seeks approval to construct a new, approximately 14.4 mile long 345 kV transmission line that will follow a single ROW corridor, starting at an upgraded Afton North Substation and ending at EPE's existing Airport Substation. EPE states that this project is necessary to support electrical grid reliability, resiliency, and operational performance, and will enable EPE to continue to provide adequate and reliable service without unnecessary duplication or economic waste. The proposed transmission line is approximately 14.4 miles long, with 12.79 miles on U.S. Bureau of Land Management land.

The estimated cost of the project is approximately \$43.23 million. EPE affirms it is not seeking recovery of costs of this project in this filing, but rather, will seek to recover the New Mexico jurisdictional associated costs, which are approximately 20% of the total cost of the project, through a future general rate case.

Because of different statutory deadlines, the Commission has bifurcated this matter into two separate proceedings:

- A proceeding concerning EPE's request for approval for a CCN to construct, own, and operate a new 345 kV transmission line between the Afton North and Airport Substations, which is labeled Docket No. 26-0000137 and described in a separate Notice being issued at or about the same time as this one.
- A proceeding concerning EPE's request for approval of the necessary ROW width to construct and maintain the transmission line, which is labeled **Docket No. 26-0000143**, and is described in this Notice.

The dates in this Notice apply only to the portions of the Application being heard under Docket No. 26-0000143 and concerning EPE's requested right of way width. Dates

related to the portion of the Application relating to EPE's request for a certificate of convenience and necessity are included in the Notice for Docket No. 26-0000137.

EPE's complete Application is accessible online on EPE's website, <https://www.epelectric.com/company/public-notice/> the Commission's PRCe360 Docketing System at <https://e360.prc.nm.gov/> under Docket Number 26-0000143. The Application is also available at EPE's office, 100 N. Stanton Street, El Paso, Texas 79901. Telephone (915) 543-5711.

NO ACTION IS REQUIRED ON YOUR PART UNLESS YOU WANT TO BECOME A PARTY OR COMMENT ON THE APPLICATION

The major events for public participation in this matter, which concerns the requested right of way width, will occur as follows:

- Deadline to file motions to intervene to become a party: **September 3, 2026**
- Deadline to file intervenors' direct testimony: **September 3, 2026**
- Deadline to file rebuttal testimony: **September 18, 2026**
- Public Evidentiary Hearing: **October 2, 2026**

PUBLIC HEARING

A public hearing to hear and receive testimony, exhibits, and legal arguments about the segment of the Application concerning right of way width is set for **October 2, 2026, commencing at 9 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 concerning right of way width as allowed by Rule 1.2.2.23(F) NMAC. Written comments must refer to **Docket Number 26-0000143** 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 concerning right of way width 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/>. 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 concerning right of way width as a party, you must file a motion for leave to intervene, pursuant to 1.2.2.23 NMAC, on or before **September 3, 2026**. Intervenor 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 ALL THE DEADLINES SET FORTH IN THIS MATTER, AND PARTIES AND POTENTIAL INTERVENORS ARE ADVISED TO READ THE COMPLETE PROCEDURAL ORDER ISSUED ON **August 6, 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 Ryan.Jimenez@prc.nm.gov.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION OF EL PASO)
ELECTRIC COMPANY FOR A RIGHT OF WAY)
WIDTH APPROVAL) Docket No. 26-0000143
)

PROCEDURAL ORDER

THIS MATTER comes before Jocelyn Barrett and Nicholas Rossi, hearing examiners for the New Mexico Public Regulation Commission (“Commission”), upon the Commission’s July 17, 2026, Order Bifurcating Matter, Modifying Case Caption, Opening New Docket, and Appointing Co-Hearing Examiners. Being duly informed, the Hearing Examiners **FIND AND CONCLUDE:**

1. On July 10, 2026, El Paso Electric Company (“EPE”) filed its application and direct testimonies in support of its project for a new 345kv transmission line between the Afton North and Airport substations for Right of Way (“ROW”) width approval.

2. The Application and supporting documents are accessible online on EPE’s website, <https://www.epelectric.com/company/public-notice/> and the Commission’s Case Management System <https://e360.prc.nm.gov> under Docket Number 26-0000143. The Application is also available at the offices of El Paso Electric Company, 2820 Las Vegas Ct., Las Cruces, NM 88007, Contact Ricardo F. Gonzales, Reg. VP – Government Affairs – NM.

3. The Commission’s July 17, 2026 Order bifurcated this application into two separate proceedings: one proceeding concerning EPE’s request for approval for a CCN to construct, own, and operate a new 345 kV transmission line between the Afton North and Airport Substations, and another proceeding concerning EPE’s request for approval of the necessary ROW width to construct and maintain the transmission line.

4. In this Docket, EPE requests that the Commission approve the ROW width request of greater than 100 feet because it is necessary to construct and maintain the project.

5. The Hearing Examiners convened a scheduling conference on August 3, 2026, that addressed a procedural schedule for this proceeding where representatives from EPE, Commission Utility Division Staff (“Staff”), Commission Office of General Counsel, New Mexico Department of Justice (“NMDOJ”), and Dona Ana County were present.

6. The Notice to EPE Customers (“Notice”) Appended to this Order as Attachment A and incorporated herein by reference provides additional information regarding EPE’s proposed application.

IT IS THEREFORE ORDERED:

A. On or before **August 17, 2026**, EPE shall cause, at its sole expense, the Notice to be published once in a newspaper of general circulation available in every county where EPE provides service in New Mexico. EPE shall file an affidavit confirming such publication is promptly filed in the docket.

B. On or before **August 17, 2026**, EPE shall post to the Regulatory Information page on EPE’s website, <https://www.epelectric.com/company/public-notice> the Notice, the Application, the supporting pre-filed direct testimony, exhibits, and related papers. EPE shall ensure that an affidavit confirming such posting is promptly filed in the docket.

C. Any person desiring to become a party to this case must file a motion for leave to intervene in conformity with PRC Rules of Procedure 1.2.2.23(A) and 1.2.2.23(B) NMAC on or before **September 3, 2026**. All motions for leave to intervene shall be served on all existing parties and other proposed intervenors of record.

D. Staff shall and any intervenor may file direct testimony by **September 3, 2026**.

E. Any rebuttal testimony shall be filed on or before **September 18, 2026**.

F. Any motions in limine, motions to strike testimony, and other prehearing motions shall be filed on or before **September 25, 2026**. Responses to such motions shall be filed on or before **September 29, 2026**.

G. A prehearing conference is tentatively scheduled for **September 30, 2026**, commencing at 2:00 p.m. Mountain Time (“MT”) on the Zoom videoconference platform. The purpose of that conference is to address, among other things, the following matters:

H. The order of presentation of the parties and their respective witnesses;

I. Designation by each party of the witnesses they intend to cross-examine and for what length of time; and,

J. Any other matters that may expedite orderly conduct and disposition of this proceeding.

K. A public evidentiary hearing will be held beginning on **October 2, 2026**. The hearing shall commence at 9:00 a.m. MT.

L. The evidentiary hearing shall be conducted via the Zoom videoconference platform and will be livestreamed through YouTube and on the Commission’s website at <https://www.prc.nm.gov/public-hearings/>. 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.

M. Those who are not affiliated with a party may make oral or written comment as allowed by Rule 1.2.2.23(F) NMAC. Written comments must refer to Docket Number 26-0000143 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 comment is welcome at 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. 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/>.

N. 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 Examiners, 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 Examiners.

O. 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. 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 Examiners, 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 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.

P. **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.

Q. 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 Examiners will entertain appropriately lodged objections to friendly cross-examination made by counsel not sponsoring the witness.

R. 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.

S. The procedural dates and requirements provided here are subject to further order of the Hearing Examiners or the Commission.

T. The Commission's Rules of Procedure, 1.2.2.1 NMAC *et seq.*, shall apply except as modified by order of the Hearing Examiners or Commission. The Rules of Procedure and other Commission rules are available online at <https://www.srca.nm.gov/nmac-home/nmac-titles/>.

U. All Filings must be submitted online through the Commission's e360 Case Management System <https://e360.prc.nm.gov>.

V. All filings shall be emailed to the Hearing Examiners on the date filed at Jocelyn.Barrett@prc.nm.gov and Nicholas.Rossi@prc.nm.gov by no later than 5:00 p.m. MT. **Any filing emailed to the Hearing Examiners shall include the executable Word or other native version of the filing (e.g., Excel or Power Point) if created in such format.** Any filings not emailed 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.

W. Discovery matters and disputes shall be governed by the Commission's discovery rules at 1.2.2.25 NMAC. Agreements between or among any of the participants regarding discovery matters is encouraged. All other participants shall be notified of such agreements. 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. Motions regarding discovery disputes will not be considered unless accompanied by a statement that the participants made a good faith effort to resolve the dispute but were unable to do so.

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ISSUED under the seal of the Commission at Santa Fe, New Mexico, on August 6, 2026.

NEW MEXICO PUBLIC REGULATION COMMISSION



A handwritten signature in black ink, which appears to read "Nicholas Rossi", is written over a horizontal line.

Nicholas Rossi
Hearing Examiner
Nicholas.Rossi@prc.nm.gov