

**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**IN THE MATTER OF THE APPLICATION OF )  
NEW MEXICO GAS COMPANY, INC. FOR )  
CONTINUED USE OF ITS PURCHASED GAS )  
ADJUSTMENT CLAUSE, ) Case No. 24-00222-UT  
NEW MEXICO GAS COMPANY, INC. )  
Applicant. )  
\_\_\_\_\_ )**

**NOTICE OF PROCEEDING AND HEARING**

**NOTICE** is hereby given to customers of New Mexico Gas Company, Inc. (“NMGC”): this document is required by the New Mexico Public Regulation Commission (“NMPRC” or the “Commission”). The purpose of this document is to provide you with notice of NMGC’s request that the NMPRC allow NMGC the continued use of its purchased gas adjustment clause (“PGAC”). This notice:

- Describes the NMPRC process for considering NMGC’s request; and
- Describes how you can participate in this process if you want to participate.

**PARTICIPATION IS COMPLETELY VOLUNTARY. IF YOU DO NOT WANT TO PARTICIPATE IN THIS PROCESS, YOU DO NOT NEED TO DO ANYTHING FURTHER. IF YOU WANT TO PARTICIPATE, PLEASE READ THE FOLLOWING INFORMATION AND INSTRUCTIONS.**

**NOTICE** is hereby given by the Commission of the following: NMGC filed with the Commission an Application pursuant to 17.10.640 NMAC (“Rule 640”), which requires that each utility operating with a PGAC as part of its tariff shall file an application for continued use of its PGAC at intervals of no more than four years. Through its Application, NMGC requests that the Commission approve the continued use of NMGC’s PGAC. Rule 640 defines a PGAC

(purchased gas adjustment clause) as the mechanism which allows a utility to set gas cost billing rates for the purpose of recovering gas costs on a continuing basis and allows for levelization of the gas cost factor reflected in the PGAC component of the customer's bill. The PGAC is intended to ensure the stability of the utility's annual earnings consistent with the utility's duty to provide adequate service at just and reasonable rates.

Rule 640 further requires that an application must address the considerations described in Section 62-8-7(E)(1) through E(4) of the New Mexico Public Utility Act. In addition, Rule 640 requires that the utility present evidence supporting its application for continued use of its PGAC.

Attached to and in support of NMGC's Application are the testimonies of Tom C. Bullard, NMGC's Vice President of Engineering, Gas Management and Technical Services and Erik C. Buchanan, NMGC's Vice President of Finance. NMGC last filed for continuation of its PGAC on June 11, 2020, and the continued use by NMGC of its PGAC was approved by the Commission in Case No. 20-00130-UT on December 16, 2020.

The Hearing Examiner has established the following schedule for this case:

A. Any person who desires to become a party to this case must file a Motion for Leave to Intervene, pursuant to 1.2.2.23 NMAC, by August 16, 2024.

B. A public hearing to hear and receive testimony, exhibits, arguments is set to commence at 9:00 A.M. on October 18, 2024. The hearing will take place via the Zoom teleconferencing platform. The hearing may be vacated, however, and the Commission may approve the Application without a formal hearing if it is determined, after the time for filing motions to intervene and for filing of Staff and Intervenor testimony, that good cause exists to submit a decision in this matter to the Commission without a formal hearing.

C. Staff shall, and any intervener may, file direct testimony by September 16, 2024.

D. Rebuttal Testimony may be filed by September 30, 2024.

E. The Commission has assigned Case No. 24-00222-UT to this proceeding and all inquiries or written comments concerning this proceeding should refer to that case number.

F. The procedural dates and requirements provided herein are subject to further Order of the Commission or the Hearing Examiner. Interested persons should contact the Commission for confirmation of the hearing date, time, and place since hearings are occasionally rescheduled.

G. The Commission's Utility Division Procedures, 1.2.2 NMAC, shall apply to this case except as modified by Order of the Commission or Hearing Examiner.

H. If a Zoom hearing occurs, any interested person may appear at the time and place of the hearing and make oral comment pursuant to 1.2.2.23(F) NMAC without becoming an intervenor. Anyone desiring to make oral comment must register in advance by sending an email to [Ana.Kippenbrock@prc.nm.gov](mailto:Ana.Kippenbrock@prc.nm.gov) no later than 8:30 a.m. on the day of the hearing. Persons may submit written comments at any time before the Commission takes final action. Written comments may be sent to [prc.records@prc.nm.gov](mailto:prc.records@prc.nm.gov). All written comments must reference Case No. 24-00222-UT. Public comments in any form are not considered evidence.

I. Anyone may examine NMGC's filing together with any exhibits and related papers that may be filed in this case at: NMGC's office, 7120 Wyoming Blvd. NE, Suite 20, Albuquerque, New Mexico 87109, telephone (505) 697-3831; at the Commission's offices at 142 W Palace Ave Santa Fe, New Mexico 87501; or online at <https://www.prc.nm.gov/case-lookup-e-docket/>; or at NMGC's website, [www.nmgco.com/en/regulatory\\_filings](http://www.nmgco.com/en/regulatory_filings).

**PERSONS 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 MEETING, 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 MEETING.**

**ISSUED** under the seal of the Commission at Santa Fe, New Mexico, on June 21, 2024.

**NEW MEXICO PUBLIC REGULATION COMMISSION**

**/s/ Hans Muller**

**Hans Muller, Hearing Examiner**

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