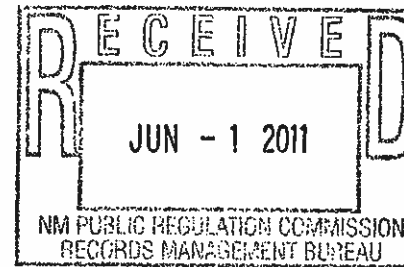


NEW MEXICO GAS COMPANY

ORIGINAL RULE NO. 15

WINTER MORATORIUM



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I. Policy

It is the policy of the Company to provide its Residential Customers the protection of disconnection of service for the period of November 15 through March 15 if such Residential Customer meets the qualifications for protection.

II. Procedure

1. Notice

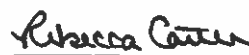
- a. The Company shall make available to the public information regarding:
  - (i) LIHEAP application forms, qualification requirements, application procedures, and locations at which the Residential Customer may submit LIHEAP applications; and
  - (ii) Winter moratorium protection against discontinued and disconnected service for Residential Customers who meet the qualifications of LIHEAP including an explanation of payment options and circumstances under which services may be disconnected or discontinued.
- b. Beginning with the August billing cycle and prior to the next heating season, the Company shall communicate in writing to all Residential Customers in English and Spanish, when applicable, at least two (2) times the following statement on either a bill, in a bill insert or through a direct mailing:
  - (i) "Protection from winter shut-off begins November 15, (year). To avoid potential disconnection of service please contact the Human Services Department at 800-583-4465, or the appropriate tribal or pueblo entity for eligibility information for Low Income Heating Energy Assistance Program (LIHEAP). Your service will not be disconnected from November 15, (year), through March 15, (year), if you meet the qualifications of LIHEAP and have no past due amounts or you remain current on any settlement or installment agreement for amounts due as of November 15, (year). Members of New Mexico tribes or pueblos who need help with translation or with other matters may contact the commission's consumer relations division at (888) 427-5772, who will contact the appropriate tribal or pueblo official for assistance."
- c. Beginning with the February billing cycle the Company shall communicate in writing, in English and Spanish, when applicable, to all Residential Customers at least one time the following statement on either a bill, in a bill insert or through a direct mailing:

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- (i) "Protection from winter shut-off ends March 15, (year). To avoid potential disconnection of services please contact New Mexico Gas Company, (888) 664-2726, to make arrangements for payment. Members of New Mexico tribes or pueblos who need help with translation or with other matters may contact the Commission's Consumer Relations Division at (888) 427-5772, who will contact the appropriate tribal or pueblo official for assistance."
- d. The Company shall include the following statements in both English and Spanish in all 15-Day Disconnect Notices issued during the heating season:
  - (i) "15-Day Disconnect Notice for Services;"
  - (ii) Your service will not be disconnected from November 15, (year) through March 15, (year), if you meet the qualifications of the Low Income Home Energy Assistance Program (LIHEAP) and have no past due amounts, or you remain current on any settlement or installment agreement for amounts dues as of November 15, (year). For information call New Mexico Human Services Department at 1-800-286-4465, or the tribal or pueblo entity that administers a tribe's or pueblo's LIHEAP."
- 2. Protection
  - a. Unless requested by a Residential Customer, the Company shall not discontinue or disconnect service to a Residential Customer during the heating season, November 15 through March 15, for nonpayment of the Residential Customer's utility bill if:
    - (i) The Company receives notice that the Residential Customer meets the qualifications of LIHEAP as determined by the Administering Authority for the current heating season, and;
    - (ii) The Residential Customer has no past due charges on November 15 of the current heating season; or
    - (iii) The Residential Customer has a settlement agreement or an installment agreement with the Company for amounts other than those owing from the prior heating season, **and**
    - (iv) The Residential Customer continues to make the agreed-upon payments under the settlement or installment agreement.

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- b. Any time during the current heating season, a Residential Customer may become eligible for winter moratorium protection if a notice issued by the Administering Authority is provided to the Company that the customer meets the qualifications of LIHEAP and the Residential Customer either pays the amount due as of November 15 or enters into a settlement or installment agreement for past due amounts and continues to make the agreed upon payments under the settlement or installment agreement.
- c. Any Residential Customer that has had services disconnected for nonpayment during the current winter heating season for whom the Company receives, subsequent to the disconnection of service, a proof of qualification issued by the Administering Authority and has met the payment requirements of subsections 2, shall have service reconnected as soon as reasonable but not later than the next working day if otherwise qualified for protection. Payment of reconnection fee, shall be billed and not be a prerequisite to such reconnection.
3. The Company shall make installment agreement options available to any Residential Customer that has an unpaid bill pursuant to the regulations of the Commission.
4. A Residential Customer who has defaulted on an installment agreement and whose utility service has been disconnected for non-payment shall be reconnected and maintain moratorium protection by paying the reconnection fees and by paying the amount due pursuant to the installment agreement by the date on which service is reconnected.
5. If a Residential Customer notifies the Company that the Residential Customer needs payment assistance and requests that the Company report the Residential Customer's need to the administering authority, the Company shall report the request to the administering authority.

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