TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 9 ELECTRIC SERVICES
PART 568 INTERCONNECTION OF GENERATING FACILITIES WITH A NAMEPLATE RATING UP TO AND INCLUDING 10 MW CONNECTING TO A UTILITY SYSTEM

17.9.568.1 ISSUING AGENCY: New Mexico Public Regulation Commission.
[17.9.568.1 NMAC - Rp, 17.9.568.1 NMAC, 02/14/2023]

17.9.568.2 SCOPE:

A. This rule, and the definitions, standards, procedures and screening processes described herein apply to every electric utility including rural electric cooperatives and investor-owned utilities operating within the state of New Mexico that are subject to the jurisdiction of the New Mexico public regulation commission. These standards and procedures apply to both qualifying and non-qualifying facilities.

B. The standards and procedures described in this rule (17.9.568 NMAC) apply only to the interconnection of generating facilities with a nameplate rated capacity up to and including 10 MW. The standards and procedures described in 17.9.569 NMAC apply to the interconnection of generating facilities with a rated capacity greater than 10 MW and are unchanged by this rule.

C. Interconnection requests are reviewed based on the combined nameplate ratings of systems accounting for their export capacity and energy storage operating mode. For purposes of review screens, only the capacity that is designed to inject electricity to the utility's distribution or transmission system, other than inadvertent exports and fault contribution, will be used.

D. All interconnection contracts between a utility and an interconnection customer existing at the time 17.9.568 NMAC is revised and adopted shall automatically continue in full force and effect. Material modifications to existing facilities or operations require a new interconnection application and agreement and will be subject to review under the current conditions of the electric power system. Any changes made to existing interconnection agreements shall conform to the provisions of 17.9.568 NMAC in effect at the time modification is executed.
[17.9.568.2 NMAC - Rp, 17.9.568.2 NMAC, 02/14/2023]

17.9.568.3 STATUTORY AUTHORITY: This rule is adopted under the authority vested in this commission by the New Mexico Public Regulation Commission Act, Section 8-8-1 *et seq.* NMSA 1978, the Public Utility Act, Section 62-3-1 *et seq.* NMSA 1978; the Energy Transition Act, 62-18-1 *et seq.* NMSA 1978; the Grid Modernization Act, Section 62-8-13 NMSA 1978; and the Community Solar Act, Section 62-16B-1 NMSA 1978.
[17.9.568.3 NMAC - Rp, 17.9.568.3 NMAC, 02/14/2023]

17.9.568.4 DURATION: Permanent.
[17.9.568.4 NMAC - Rp, 17.9.568.4 NMAC, 02/14/2023]

17.9.568.5 EFFECTIVE DATE: February 14, 2023, unless a later date is cited at the end of a section.
[17.9.568.5 NMAC - Rp, 17.9.568.5 NMAC, 02/14/2023]

17.9.568.6 OBJECTIVE: The purpose of this rule is to set forth common interconnection requirements and a common interconnection process based on a standard screening process for utilities and interconnection customers to expeditiously interconnect generating facilities with a rated capacity up to and including 10 MW in a safe and reliable manner.
[17.9.568.6 NMAC - Rp, 17.9.568.6 NMAC, 02/14/2023]

17.9.568.7 DEFINITIONS: Terms used in rule 17.9.568 NMAC shall have the following meanings:

A. Definitions beginning with "A":

(1) Applicant means a person or an entity that has filed an application to interconnect a generating facility to an electric power system. An applicant may include:

(a) A customer who applies for interconnection of a generating facility that will offset part or all of the load of a utility customer, the applicant is that customer, whether the customer owns the generating facility or a third party owns the generating facility.

(b) An owner of a generating facility that applies for interconnection of a generating facility that sells electric power to a utility.

(c) A subscriber organization as defined by the Community Solar Act, Subsection M. of Section 62-16B-2 NMSA 1978.

(2) **Area network** means a section of an electric power system served by multiple transformers interconnected in an electrical network circuit, generally used in large, densely populated metropolitan areas, to provide high reliability of service. Area network has the same meaning as the term "grid network" as defined in IEEE Std 1547.6™. An area network is also referred to as a grid network or a street network.

(3) **Auxiliary load** means electrical power consumed by any equipment necessary to operate the generator or energy storage system. This is intended for in-front-of-the-meter systems.

B. **Definitions beginning with "B": Business day** means Monday through Friday, excluding holidays observed by the utility.

C. **Definitions beginning with "C":**

(1) **Certified** means equipment has been tested in accordance with the applicable requirements of IEEE Std 1547™-2018 and IEEE Std 1547.1™-2020 by any nationally recognized testing laboratory (NRTL) recognized by the United States occupational safety and health administration to test and certify equipment pursuant to the applicable standard and the equipment has been labeled and is publicly listed by such NRTL at the time of the interconnection application. Equipment installed prior to March 28, 2023 will also be considered certified if it has been tested in accordance with IEEE Std 1547™-2003 and 1547.1™-2005.

(2) **Customer options meeting** means a meeting designed to review the status of the interconnection application initial review results, or to determine next steps needed to permit safe and reliable interconnection.

D. **Definitions beginning with "D":**

(1) **Detailed study process** means the procedure for evaluating an interconnection application that may include a scoping meeting, feasibility study, system impact study, or facilities study as described in 17.9.568.18 NMAC**.**

(2) **Distributed energy resource (DER)** means the equipment used by an interconnection customer to generate or store electricity that operates in parallel with the electric distribution system. DER may include, but is not limited to: an electric generator or energy storage system, a prime mover, or combination of technologies capable of injecting power and energy into the electric distribution system, which also includes the interconnection equipment necessary to safely interconnect with the distribution system. DER may not always be interconnected with the bulk power system. DERs may include distributed generation (DG) resources, distributed energy storage, demand response energy efficiency, and electric vehicles and chargers that are connected to the electric distribution power grid. DERs may be capable of exporting active power to an electric power system (EPS). The DER includes the customer's interconnection facilities but shall not include the area EPS operator's interconnection facilities.

(3) **Distribution service** means delivering energy over the electric power system pursuant to the approved tariffs of the utility other than services directly related to the interconnection of a generating facility under these interconnection procedures.

(4) **Distribution system** means the utility's facilities and equipment used to transmit electricity to ultimate usage points, known as premises, directly from nearby generators or from interchanges with higher voltage transmission networks which transport bulk power over longer distances. The voltage levels at which distribution systems operate differ among areas.

(5) **Distribution upgrade** means the additions, modifications, and upgrades to the utility's distribution system at or beyond the point of common coupling to facilitate interconnection of the generating facility and render the service necessary to effect the interconnection customer's operation of on-site generation. Distribution upgrades do not include interconnection facilities.

E. **Definitions beginning with "E":**

(1) **Electric power system (EPS)** means the equipment operated and maintained by a utility (may include: independent system operators, transmission owner/operator, vertically integrated utilities, electric cooperatives, municipals, and distribution companies) to deliver electric service to end-users, including transmission and distribution lines, substations, transformers, spot networks and area networks.

(2) Energy storage system (ESS) means any commercially available, customer-sited system or utility-sited system, including batteries and batteries paired with on-site generation, that is capable of retaining, storing, and delivering electrical energy by chemical, thermal, mechanical, or other means. For the purposes of this rule, an energy storage system can be considered part of a DER or a DER in whole that operates in parallel with the distribution system.

(3) Export capacity means the amount of power that can be transferred from the generating facility to the distribution system. Export capacity is either the nameplate rating, or a lower amount if limited using and acceptable means identified in 17.9.568.12 NMAC.

F. Definitions beginning with "F":

(1) Facilities study means a study that specifies and estimates the cost of the equipment, engineering, procurement, and construction work needed to implement the conclusions of the system impact study.

(2) Fast Track means the process for evaluating an interconnection application utilizing established screens as described in 17.9.568.16 NMAC.

(3) Fault current means the current produced during a short circuit on the electric power system measured in amperes**.**

(4) Feasibility study means a preliminary technical assessment of the proposed interconnection that identifies any potential adverse system impacts that would result from the interconnection of the generating facility.

G. Definitions beginning with "G":

(1) Generating facility means the equipment used by an interconnection customer to generate, store, manage, interconnect and monitor electricity. A generating facility includes the interconnection equipment required to safely interconnect the facility with the distribution system. DERs are generating facilities.

(2) Grid network Grid network is also commonly referred to as area network or street network. For definition, refer to "Area Network".

H. Definitions beginning with "H": Host load means the electrical power, less the DER auxiliary load, consumed by the customer at the location where the generating facility is connected.

I. Definitions beginning with "I":

(1) IEEE means the institute of electrical and electronic engineers.

(2) IEEE standards means the standards published by the IEEE, often in collaboration with American National Standards Institute (ANSI), National Institute of Standards and Technology (NIST), UL, International Electrotechnical Commission (IEC), CIGRE, and National Fire Protection Institute (NFPA), available at www.ieee.org.

(3) Inadvertent export means the unscheduled export of active power from a generating facility, exceeding a specified magnitude and for a limited duration generally due to fluctuations in-load-following behavior.

(4) Interconnection agreement means a standard form agreement between an interconnection customer and a utility that governs the interconnection of a generating facility to a utility's electric delivery system, as well as the ongoing operation of the generating facility after it is interconnected.

(5) Interconnection application means the request by an interconnection customer to interconnect a new generating facility, increase the capacity or make a material modification to the operating characteristics of an existing generating facility that is interconnected with the utility's electric power system.

(6) Interconnection customer means any person who proposes to interconnect a generating facility with the utility's system.

(7) Interconnection facilities means the utility's interconnection facilities and the interconnection customer's interconnection facilities. Collectively, interconnection facilities include all facilities and equipment between the generating facility and the point of common coupling, including any modification, additions or upgrades that are necessary to physically and electrically interconnect the generating facility to the utility's electric power system in a safe and reliable manner. Interconnection facilities are sole use facilities and shall not include distribution upgrades.

(8) Interconnection upgrade cost sharing means the allocation of distribution upgrade costs among multiple generator facility projects that utilize the hosting capacity created by a distribution upgrade.

(9) Interconnection procedures means the procedures specified in 17.9.568.12 NMAC through 17.9.568.23 NMAC.

J. Definitions beginning with "J": [RESERVED]

K. Definitions beginning with "K": [RESERVED]

L. Definitions beginning with "L":

(1) **Limited export** means the exporting capability of a DER whose generating capacity is limited by the use of any configuration or operating mode described in 17.9.568.12 NMAC.

(2) **Line section** means that portion of a utility's electric power system connected to a customer that is bounded by automatic sectionalizing devices or the end of the distribution line.

M. Definitions beginning with "M":

(1) **Material modification** means a modification to machine data, equipment configuration or to the interconnection site of the DER at any time after receiving notification by the utility of a complete interconnection application that has a material impact on the cost, timing, or design of any interconnection facilities or distribution upgrades, or a material impact on the cost, timing, or design of any interconnection application with a later queue priority date or material impact on the safety or reliability of the electric power system. A change to the point of interconnection would require either a new interconnection application or a change in queue position. A material modification does not include, for example;

(a) a change of ownership of a generating facility:

(b) a change or replacement of generating equipment that is a like-kind substitution in size, ratings, impedances, efficiencies, or capabilities of the equipment specified in the original interconnection application; or

(c) a reduction in the output of the generating facility of ten percent or less. Replacement of existing inverters with new inverters that conform to new standards after March 28, 2023, will not be considered a material modification, so long as the generating facilities output or export status does not change as a result.

(2) **Minimum load** means the lowest measured circuit/substation load regardless of time of day.

(3) **Minor modification** means any modification to a utility's electric power system that involves limited work or low costs. Minor modifications include, but are not limited to, activities like changing the fuse in a fuse holder cut-out or changing the settings on a circuit recloser.

N. Definitions beginning with "N":

(1) **Nameplate rating** means the sum total of maximum rated power output of a DER's constituent generating units or ESS, as identified on the manufacturer's nameplate, regardless of whether it is limited by any approved means.

(2) **Network system** means a collection of secondary networks, or combinations of such networks on a primary network feeder or primary network feeders that supply them. This may also consist of primary feeders networked to supply connected loads.

(3) **Network transformer** means a transformer designed for use in a vault to feed a variable capacity system of interconnected secondaries.

(4) **Non-export or non-exporting** means when the DER is sized and designed using any of the methods described in 17.9.568.12 NMAC, such that the output is used for host load only and no electrical energy (except for any inadvertent export) is transferred from the generating facility to the distribution system.

O. Definitions beginning with "O": Operating mode means the mode of DER operational characteristics that determines the performance during normal and abnormal conditions. For example, an operating modes can include "export only," "import only," and "no exchange."

P. Definitions beginning with "P":

(1) **Parallel Operation** means the simultaneous operation of a generating facility with power delivered or received by the electric power system while interconnected. Parallel operation includes only those generating facilities that are interconnected with the electric power system for more than 60 cycles (one second).

(2) **Parties** means the applicant and the utility in a particular interconnection agreement. "Either party" refers to either the applicant or the utility.

(3) **Person** means, for purposes of this rule, an individual, firm, partnership, company, rural electric cooperative organized under Laws 1937, Chapter 100 or the rural electric cooperative act, corporation or lessee, trustee or receiver appointed by any court.

(4) **Point of interconnection** means the point where the interconnection facilities connect with the electric distribution system. Point of interconnection has the same meaning as the term "point of common coupling" as defined in IEEE 1547-2018.

(5) **Power control system** (PCS) means systems or devices which electronically limit or control steady state currents to a programmable limit.

(6) Primary network feeder means a feeder that supplies energy to a network system or the combination of a network system and other radial loads. Dedicated primary network feeders are feeders that supply only network transformers for the secondary network.

(7) Power conversion unit (PCU) means an inverter or AC generator, not including the energy source.

(8) Premise means a piece of land or real estate including buildings and other appurtenances thereon.

(9) Protective function means the equipment, hardware, or software in a generating facility (whether discrete or integrated with other functions) for the purpose of protecting against conditions that, if left uncorrected, could result in harm to personnel, damage to equipment, loss of safety or reliability, or operation outside pre-established parameters required by the interconnection agreement.

Q. Definitions beginning with "Q.": [RESERVED]

R. Definitions beginning with "R":

(1) Rated capacity means the total AC nameplate rating of the power conversion unit(s) at the point of common coupling**.**

(2) Reference point of applicability (RPA) means the location where the interconnection and interoperability performance requirements, as specified by IEEE 1547-2018, apply.

(3) Relevant minimum load means the lowest measured circuit or substation load coincident with the generating facility's production. For solar-only facilities this shall be the daytime minimum load.

S. Definitions beginning with "S":

(1) Secondary network means an AC distribution system where the secondaries of the distribution transformers are connected to a common network for supplying electricity directly to consumers.

(2) Simplified process means the procedure for evaluating an interconnection application for a small certified inverter-based DER described in 17.9.568.15 NMAC.

(3) Small utility means a utility that serves fewer than 50,000 customers.

(4) Supplemental review means additional engineering evaluation to determine if a generating facility can be interconnected following the (simplified or fast track) process without the need for detailed study as described in 7.9.568.17 NMAC.

(5) System emergency means a condition on a utility system that is likely to result in imminent significant disruption of service to customers or is imminently likely to endanger life or property.

(6) System impact study means a study that identifies and details the electric system impacts that would result if the proposed generating facility were interconnected without project modifications or electric system modifications, focusing on the adverse system impacts preliminarily identified in the feasibility study (if conducted), or to study potential impacts, including but not limited to those identified in the scoping meeting. A system impact study shall evaluate the impact of the proposed interconnection on the safety and reliability of the electric power system.

T. Definitions beginning with "T": Technical Interconnection and Interoperability Requirements (TIIR) documents are public documents, often utility specific, which include requirements for interconnection, interoperability, capabilities, and their utilization (settings), and grid integration (e.g., protection coordination, telemetry).

U. Definitions beginning with "U":

(1) UL means the company by that name which has established technical standards for safe operations of electrical devices, previously known as underwriter's laboratory.

(2) UL 1741 CRD for PCS means the certification requirement decision for power control systems for the standard titled "inverters, converters, controllers and interconnection system equipment for use with distributed energy resources". (March 8, 2019), Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook IL 60062-2096.

(3) Unintentional island means an unplanned island per IEEE 1547-2018.

(4) Utility means a utility or public utility, as defined in Subsection G of Section 62-3-3 NMSA 1978, serving electric customers subject to the jurisdiction of the commission.

V. Definitions beginning with "V": [RESERVED]

W. Definitions beginning with "W": [RESERVED]

X. Definitions beginning with "X": [RESERVED]

Y. Definitions beginning with "Y": [RESERVED]

Z. Definitions beginning with "Z": [RESERVED]

[17.9.568.7 NMAC - Rp, 17.9.568.7 NMAC, 02/14/2023]

17.9.568.8 APPLICABILITY: All generating facilities that operate in parallel with the utility electric power system are required to have an interconnection review and an interconnection agreement to ensure safety, system reliability, and operational compatibility. These interconnection procedures are applicable to all state-jurisdictional interconnections of generating facilities with a rated capacity up to and including 10 megawatts (MW). Generating facilities with a rated capacity greater than 10 megawatts (MW) shall be conducted pursuant to 17.9.569 NMAC. Neither these procedures nor the requirements included hereunder apply to generating facilities interconnected or approved for interconnection prior to the effective date of these procedures.
[17.9.568.8 NMAC - N, 02/14/2023]

17.9.568.9 LIBERAL CONSTRUCTION: If any part or application of this rule is held invalid, the remainder of its parts and any other applications of the rule shall not be affected.
[17.9.568.9 NMAC - N, 02/14/2023]

17.9.568.10 APPLICABLE CODES AND STANDARDS:

A. The interconnection customer shall install, operate, and maintain the generating facility and the interconnection equipment in a safe manner in accordance with the rules for safety and reliability set forth in the latest editions of the national electrical code, other applicable local, state, and federal electrical codes, and prudent electrical practices.

B. In order to qualify for any interconnection procedures, each generating facility generator shall be in conformance with the following codes and standards (or their successors) as applicable, unless otherwise provided by law:

(1) IEEE Std 1547™, IEEE standard for interconnection and interoperability of distributed energy resources with associated electric power systems interfaces, as amended by IEEE 1547a™-2020, including use of IEEE 1547.1™-2020 testing protocols to establish conformity;

(2) IEEE Std 1547.1™-.2020™, standard conformance test procedures for equipment interconnecting distributed energy resources with electric power systems and associated interfaces;

(3) ANSI C84.1-2020, electric power systems and equipment - voltage ratings (60 Hertz);

(4) IEEE Std 1547.2™-2008™, application guide for IEEE 1547 standard for interconnecting distributed resources with electric power systems;

(5) IEEE Std 1547.6™-2011™, IEEE recommended practice for interconnecting distributed resources with electric power systems distribution secondary networks;

(6) IEEE Std 1547.7™-2013™, IEEE guide for conducting distribution impact studies for distributed resource interconnection;

(7) IEEE C62,92.6™-2017 IEEE Guide for Application of Neutral Grounding in Electrical Utility Systems, Part VI - Systems Supplied by Current Regulated Sources;

(8) UL 1741, Edition 3, September 28, 2021 Inverters, Converters, Controllers and Interconnection System Equipment for Use with Distributed Energy Resources;

(9) NFPA 70, current version, National Electrical Code, including any NM or local modifications;

(10) IEEE C2, current version, National Electrical Safety Code, including any NM or local modifications;

(11) UL 1741 Certification Requirement Decision for Power Control Systems, March 8, 2019, Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources.

C. The interconnection equipment shall be considered certified for interconnected operation if the equipment package has been tested and listed by a nationally recognized testing and certification laboratory (NRTL) for continuous interactive operation with a utility grid.
[17.9.568.10 NMAC - Rp, 17.9.568.8 NMAC, 02/14/2023]

17.9.568.11 IEEE 1547-2018 ADOPTION*:*

A. Beginning on March 28, 2023 (or another date set by commission order), generating facilities shall be required to comply with IEEE 1547-2018, and shall conform with the following minimum requirements.

(1) Abnormal performance requirements: Category III ride through capabilities must be supported for inverter-based generating facilities. Rotating generating facilities must meet category I ride-through capabilities.

(2) Normal performance requirements: Inverter-based generating facilities shall meet reactive power requirements with category B. Rotating generating facilities must meet category A.

B. Each utility shall post its preferred default settings in their public facing Technical Interconnection and Interoperability Requirements (TIIR) document. As applicable the following shall be identified in the TIIR documents:

(1) voltage and frequency trip settings;

(2) frequency droop settings;

(3) activated reactive power control function and default settings;

(4) voltage active power (volt-watt) mode activation and default settings;

(5) communication protocols and ports requirements.

C. TIIR documents shall be created through a technical advisory group process and submitted to the commission for approval. Subsequent changes to TIIR documents shall also be submitted to the commission for approval.

[17.9.568.11 NMAC - N, 02/14/2023]

17.9.568.12 DETERMINATION OF EXPORT CAPACITY STATUS:

A. Export Controls: If a DER uses any configuration or operating mode in subsection C to limit the export of electrical power across the point of interconnection, then the export capacity shall be only the amount of power capable of being exported (not including any inadvertent export). To prevent impacts on system safety and reliability, any inadvertent export from a DER must comply with the limits identified in this section. The export capacity specified by the interconnection customer in the interconnection application will be documented as the maximum allowed export capacity of the DER in the interconnection agreement.

B. An interconnection application proposing to use a configuration or operating mode to limit the export of electrical power across the point of interconnection shall include proposed control or protection settings.

C. Acceptable export control methods:

(1) Export control methods for non-exporting DER:

(a) Reverse power protection (Device 32R): To limit export of power across the point of interconnection, a reverse power protective function is implemented using a utility grade protective relay. The default setting for this protective function shall be one tenth percent (export) of the service transformer's nominal base nameplate rating, with a maximum two second time delay to limit inadvertent export.

(b) Minimum power protection (Device 32F): To limit export of power across the point of interconnection, a minimum import protective function is implemented utilizing a utility grade protective relay. The default setting for this protective function shall be five percent (import) of the generating unit's total nameplate capacity, with a maximum two second time delay to limit inadvertent export.

(c) Relative distributed energy resource rating: This option requires the DER facility's nameplate capacity to be no greater than fifty percent of the interconnection customer's verifiable minimum host load during DER operating hours over the past 12 months. This option is not available for interconnections to area networks or spot networks.

(2) Export control methods for limited export DER:

(a) Directional power protection (Device 32): To limit export of power across the point of interconnection, a directional power protective function is implemented using a utility grade protective relay. The default setting for this protective function shall be the export capacity value, with a maximum 2.0 second time delay to limit inadvertent export.

(b) Configured power rating: A reduced output power rating utilizing the power rating configuration setting may be used to ensure the DER does not generate power beyond a certain value lower than the nameplate capacity. The configuration setting corresponds to the active or apparent power ratings in Table 28 of IEEE Std 1547-2018, as described in subclause 10.4. A local DER communication interface is not required to utilize the configuration setting if it can be set by other certified means. The reduced power rating may be indicated by means of a nameplate rating replacement or, a supplemental adhesive de-rating tag to indicate the reduced power output capacity. The customer must also provide a signed attestation confirming the reduced power output capacity. This method must be certified to IEEE 1547.1-2020. Use of a configured power rating not applied to individual power conversion unit(s) shall require evaluation under mutually agreed-upon means.

(3) Export control methods for non-exporting DER or limited export DER:

(a) Certified power control systems: DER facilities may use certified power control systems to limit export. DER facilities utilizing this option must use a power control system and inverter certified per UL 1741 by a nationally recognized testing laboratory (NRTL) with a maximum open loop response time of no more than 30 seconds. NRTL testing to the UL power control system certification requirements decision shall be accepted until similar test procedures for power control systems are included in a standard. This option is not available for interconnections to area networks or spot networks.

(b) Agreed-upon means: DER facilities may be designed with other control systems or protective functions to limit export and inadvertent export if mutual agreement is reached with the distribution provider. The limits may be based on technical limitations of the interconnection customer's equipment or the electric distribution system equipment. To ensure inadvertent export remains within mutually agreed-upon limits, the interconnection customer may use an uncertified power control system, an internal transfer relay, energy management system, or other customer facility hardware or software if approved by the distribution provider. [17.9.568.12 NMAC - N, 02/14/2023]

17.9.568.13 APPLICATION REVIEW PROCESS:

A. There are four interconnection review paths:

(1) Simplified process: For certified inverter-based generating facilities that have a nameplate rating that does not exceed 50 kilowatts (kW) and an export capacity that does not exceed 25 kilowatts (kW).

(2) Fast track process: For generating facilities that have a nameplate rating of up to 5 megawatts (MW), depending on the line capacity and distance from the substation. To qualify for fast track, the generating facility's export capacity shall not exceed the limits identified in the table below, which vary according to the voltage of the line at the proposed point of interconnection. Generating facilities located within 2.5 miles of a substation and on a main distribution line with minimum 600-amp capacity are eligible for the fast track process under higher thresholds. For purposes of the table below, a mainline is the three-phase backbone of a circuit. It will typically constitute lines with wire sizes of 4/0 American wire gauge, 336.4 kcmil, 397.5 kcmil, 477 kcmil and 795 kcmil.

Line Voltage	**Export Capacity for Fast Track Eligibility**	
	Regardless of location	**On > 600 amp line and < 2.5 miles from substation**
5 kV	< 500 kW	< 500 kW
5 kV - 14 kV	< 2 MW	< 3 MW
15 kV - 30 kV	< 3 MW	< 4 MW
31 kV - 69 kV	< 4 MW	< 5 MW

(3) Detailed study process: For all generating facilities with a rated capacity 10 megawatts (MW) or less that do not qualify, or pass through, the simplified or fast track processes or subsequent supplemental review.

(4) Case specific review process: Generating facilities with a rated capacity greater than 10 megawatts (MW) shall be reviewed pursuant to 17.9.569 NMAC.

B. Application submittal: The interconnection applicant shall submit an interconnection application (see Appendices 1A, 1B or 1C, as appropriate) to the utility, together with the applicable processing fee identified in 17.9.568.23 NMAC. The application shall be date and time-stamped upon receipt for the purposes of any timetable in these procedures**.**

C. Completeness review: Utility shall notify the interconnection applicant, via email or other means, that the interconnection-application has been received within three business days of receipt of the interconnection application. Within 10 business days of receipt, the utility shall notify the applicant whether the interconnection application is deemed complete and valid. If the application is incomplete, the utility shall provide the applicant with a list of all information that the applicant must provide to complete the application. The applicant must provide the requested information within 10 business days, or the application will be deemed withdrawn.

D. Interconnection queue position and posting: The utility shall assign the interconnection application a queue position based on when it is received under Subsection C of 17.9.568.13 NMAC.

(1) The utility shall maintain a single queue, which may be sortable by geographic region (e.g., feeder or substation).

(2) The queue position of each interconnection application will be used to determine the cost responsibility for the upgrades necessary to accommodate the interconnection.

(3) The queue shall be publicly available on the utility's website and shall be updated at least monthly.

(4) If an application fails the screening process under the simplified or fast track process, but the applicant decides to continue with review (including Supplemental review) under another level, the applicant shall retain its original queue position.

(5) If an interconnection application fails the screening process under the simplified or fast track process, but the applicant decides to continue with review (including supplemental review) under another level, the applicant shall retain its original queue position.

E. Modifications to generating facility:

(1) At any time after an interconnection application is deemed complete or an interconnection agreement has been signed, if the applicant wishes to make modifications to the planned generating facility it shall submit to the utility, in writing, all proposed modifications to any information provided in the interconnection application or in the interconnection agreement. Any modification to machine data, equipment configuration, or to the interconnection site of the generating facility not agreed to in writing by the utility and the interconnection customer may be deemed a withdrawal of the interconnection application.

(2) Within 10 business days of receipt of a proposed modification, the utility shall notify the applicant whether a proposed modification to either an interconnection application or an existing generating facility constitutes a material modification.

(a) If the utility determines the proposed modification is a material modification, then the utility shall notify the interconnection customer in writing that the customer may:

(i) withdraw the proposed modification; or

(ii) proceed with a new interconnection application for such modification.

The interconnection customer shall provide its determination in writing to the utility within 10 business days after being provided the material modification determination results. If the interconnection customer does not provide its determination, the proposed modification shall be deemed withdrawn.

(b) If the proposed modification is determined not to be a material modification, then the utility shall notify the interconnection customer in writing that the modification has been accepted and that the customer shall retain its eligibility for interconnection, including its place in the interconnection queue. Existing generating facilities may make the modification without requiring a new interconnection application.

(3) Any dispute as to the utility's determination that a modification constitutes a material modification shall proceed in accordance with the dispute resolution provisions in 17.9.568.26 NMAC.

(4) Any modification to machine data, equipment configuration, or to the interconnection site of the generating facility not agreed to in writing by the utility and the interconnection customer may be deemed a withdrawal of the interconnection application and may require submission of a new interconnection application, unless proper notifications of each party by the other as described in Paragraphs (1) and (2) of Subsection E of 17.9.568.13 NMAC.

F. Site Control: Documentation of site control must be submitted with the interconnection request. Site control may be demonstrated by:

(1) ownership of, or a leasehold interest in, or a right to develop a site for the purpose of constructing a generating facility;

(2) a fully executed option to purchase or acquire a leasehold site for such purpose; or

(3) a fully executed agreement demonstrating exclusivity or other business relationship between the interconnection applicant and the entity having the authority to grant the applicant the right to possess or occupy a site for such purpose.

[17.9.568.13 NMAC - N, 02/14/2023]

17.9.568.14 OPTIONAL PRE-APPLICATION REPORT: Potential applicants may request this optional report for a specific site to get information about system conditions at their proposed point of interconnection without submitting a full interconnection application.

A. Potential applicants shall provide the following information to the utility to expedite its pre-application review:

(1) project contact information including name, address, phone number, and email address;

(2) project location (street address with nearby cross streets, and town/city);

(3) meter number, pole number, or other equivalent information (such as latitude and longitude coordinates) identifying the potential point of interconnection, if available;

(4) generator type (i.e., solar, wind, combined heat and power) and whether energy storage will be collocated with the generation;

(5) nameplate capacity (in alternating current kW);

(6) single or three phase generator configuration;

(7) stand-alone generator with no on-site load (yes or no?);

(8) whether new service is requested. If there is existing service, include the customer account number, site minimum and maximum existing or proposed maximum loads in kW and specify if the amount of any anticipated additional load is expected to change.

B. The pre-application report shall be completed by the utility per the schedule in Subsection F of this section and include the following information, if available:

(1) Total capacity (MW) of substation/area bus or bank and circuit likely to serve proposed site. If substation or circuit planned capacity limits are less than the total capacity the utility shall indicate the planned capacity limits.

(2) Aggregate existing export capacity (MW) interconnected to the substation/area bus or bank and circuit likely to serve proposed site.

(3) Aggregate queued export capacity (MW) proposing to interconnect to the substation/area bus or bank and circuit likely to serve proposed site.

(4) Available capacity (MW) of substation/area bus or bank and circuit likely to serve proposed site. Available capacity is the total capacity less the sum of existing and queued export capacity, accounting for all load served by existing and queued generators.

(5) Whether the proposed generating facility is located on an area, spot or radial network.

(6) Nominal distribution circuit voltage at the proposed site.

(7) Approximate circuit distance between the proposed site and the substation.

(8) Relevant line section(s) and substation actual or estimated peak load and minimum load data, when available.

(9) Manufacturer model number/type and rating of protective devices and number and type of voltage regulating devices between the proposed site and the substation/area.

(10) Whether or not three-phase power is available at the site or distance from three-phase service.

(11) Limiting conductor rating from proposed point of interconnection to distribution substation.

(12) Based on proposed point of interconnection, existing or known constraints such as, but not limited to, electrical dependencies at that location, short circuit interrupting capacity issues, power quality or stability issues on the circuit, capacity constraints, or secondary networks.

(13) Any other information the utility deems relevant to the interconnection application.

C. The pre-application report need only include pre-existing data. A pre-application report request does not obligate the utility to conduct a study or other analysis of the proposed project if that data is not available. If the utility cannot complete all or some of a pre-application report due to lack of available data, the utility will provide the potential applicant with a pre-application report that includes the information that is available and identify the information that is unavailable.

D. Notwithstanding any of the provisions of this section, the utility shall, in good faith, provide pre-application report data that represents the best available information at the time of reporting.

E. Costs of pre-application reports: The party requesting the pre-application report shall pay $300.00 for up to one MW system size, and $500.00 for over one MW. If a utility can provide documentation that the cost is higher, then the requesting party shall pay that additional amount.

F. Time frames for pre-application reports: Pre-application reports should be completed in 20 business days for system sizes up to one MW, and 30 business days for system sizes greater than one MW, from the receipt of the completed request form and payment of the fee. If it can be documented that a utility cannot meet this deadline due to circumstances beyond their control, then the utility will be given more time but must notify the applicant.

G. Length of time for accuracy of information: Due to the dynamic nature of the electric power system, accuracy cannot be guaranteed past the time of completion of a report. The pre-application report shall be non-binding on the utility and shall not confer any rights to the interconnection customer. The provided information does not guarantee that an interconnection may be completed.

[17.9.568.14 NMAC - N, 02/14/2023]

17.9.568.15 SIMPLIFIED PROCESS:

A. Application: An interconnection customer must submit an interconnection application, pursuant to Subsection B of 17.9.568.13 NMAC, using the standard simplified interconnection application form provided in Appendix 1A, which may be sent electronically to a recipient designated by the utility. The application fee specified in Subsection A of 17.9.568.23 NMAC shall be submitted along with the application. An interconnection customer executes the standard interconnection agreement for the simplified process by submitting a simplified process application.

B. Simplified screening: The utility shall evaluate the interconnection application using the following simplified screens.

(1) Screen 1: The generating facility must utilize a UL 1741 certified inverter.

(2) Screen 2: For interconnection of a proposed generating facility to the load side of network protectors, the proposed generating facility must utilize an inverter-based equipment package and, its nameplate rating, together with the nameplate rating of the aggregated other inverter-based generation, shall not exceed fifty percent of the secondary network's relevant minimum load.

(3) Screen 3: Until December 31, 2023, for interconnection of a proposed generating facility to a radial distribution circuit, the aggregate export capacity of the generating facilities connected to the distribution circuit, including the proposed generating facility, may not exceed one hundred percent of the relevant minimum load (or fifteen percent of maximum load if minimum load data is unavailable) normally supplied by the distribution circuit. After December 31, 2023, for interconnection of a proposed generating facility to a radial distribution circuit, the aggregate export capacity of the generating facilities connected to the distribution circuit, including the proposed generating facility, may not exceed one hundred percent of the relevant minimum load normally supplied by the distribution circuit.

(4) Screen 4: If the proposed generating facility is to be interconnected on a single-phase shared secondary, the aggregate export capacity generation capacity on the shared secondary, including the proposed generating facility, shall not exceed sixty-five percent of the transformer nameplate power rating.

(5) Screen 5: If the proposed generating facility is single-phase and is to be interconnected on a center tap neutral of a 120/240 volt service, its addition shall not create an imbalance between the two sides of the 240 volt service of more than twenty percent of the nameplate rating of the service transformer.

C. Simplified screening results: Within seven business days after the utility notifies the applicant that its interconnection application is complete, the utility shall notify the customer whether the generating facility meets the simplified process screens and include with the notification copies of the analysis and data underlying the utility's determinations under the screens. Despite the failure of one or more screens, the utility, at its sole option, may approve the interconnection provided such approval is consistent with safety and reliability.

(1) Failed screens: If the utility cannot determine that the generating facility may nevertheless be interconnected consistent with safety, reliability, and power quality standards, the utility shall provide the applicant the screen results. If one or more screens are not passed, the utility shall provide, in writing, the specific screens that the interconnection application failed, including the technical reason for failure. The utility shall provide information and detail about the specific system threshold or limitation causing the interconnection application to fail the screen. In addition, the utility shall allow the customer to select one of the following, at the applicant's option:

(a) undergo supplemental review in accordance with 17.9.568.17 NMAC; or

(b) continue evaluating the interconnection application under detailed study in accordance with 17.9.568.18 NMAC. The applicant must notify the utility of its selection within 10 business days or the interconnection application will be deemed withdrawn.

(2) Approval: If the proposed generating facility passes the screens, or the utility determines the proposed generating facility can be interconnected safely and reliably despite the failure of one or more screens, the interconnection application shall be approved. The utility shall return to the applicant an executed simplified process interconnection agreement at the same time it provides the applicant with the screen results. If the utility determines that the generating facility can be interconnected safely and reliably, but requires construction of interconnection facilities or distribution system modifications, the utility shall instead process the interconnection application according to the procedures for the fast track process starting at 17.9.568.16 NMAC.

D. Reference point of applicability review:

(1) The following process will occur concurrently with the simplified process screening in Subsections B and C of 17.9.568.15 NMAC. Within five business days after the utility notifies the applicant that the interconnection application is complete, the utility shall review the reference point of applicability denoted by the applicant and determine if it is appropriate.

(2) If it is determined that the reference point of applicability is appropriate, the utility will notify the applicant when it provides the simplified screen results and proceed according to Subsection C of 17.9.568.15 NMAC.

(3) If the utility determines the reference point of applicability is inappropriate, the utility will notify the applicant in writing, including an explanation as to why it requires correction. Applicant shall provide the utility with a corrected interconnection application with the proper reference point of applicability within five business days of notification. During this time the utility will proceed with applying the simplified screens. The utility shall review the revised interconnection request within five business days of receipt to determine if the revised reference point of applicability has been appropriately denoted. If correct, the utility will proceed according to Subsection C of 17.9.568.15 but be provided with a total of 12 business days to provide the simplified results. If the interconnection customer does not provide the appropriate reference point of applicability or a request for an extension of time within the deadline, the interconnection application will be deemed withdrawn.
[17.9.568.15 NMAC - N, 02/14/2023]

17.9.568.16 FAST TRACK PROCESS:

A. Application: An interconnection customer must submit an interconnection application, pursuant to Subsection B of 17.9.568.13 NMAC, using the standard interconnection application form provided in Appendix 1B, which may be sent electronically to a recipient designated by the utility. The application fee specified in Subsection A of 17.9.568.23 NMAC shall be submitted along with the interconnection application.

B. Fast track screening: The utility shall evaluate the interconnection application using the following fast track initial review screens.

(1) Screen 1: For interconnection of a proposed generating facility to the load side of network protectors, the proposed generating facility must utilize a certified inverter-based equipment package and its nameplate rating, together with the nameplate rating of the aggregated other inverter-based generation, shall not exceed fifty percent of the secondary network's relevant minimum load.

(2) Screen 2: Until December 31, 2023, for interconnection of a proposed generating facility to a radial distribution circuit, the aggregate export capacity of the generating facilities connected to the distribution circuit, including the proposed generating facility, may not exceed one hundred percent of the relevant minimum load (or fifteen percent of maximum load if minimum load data is unavailable) normally supplied by the distribution circuit. After December 31, 2023, for interconnection of a proposed generating facility to a radial distribution circuit, the aggregate export capacity of the generating facilities connected to the distribution circuit, including the proposed generating facility, may not exceed one hundred percent of the relevant minimum load normally supplied by the distribution circuit.

(3) Screen 3: For interconnection of a proposed generating facility that can introduce inadvertent export, where the nameplate rating minus the export capacity is greater than 250 kW, the following inadvertent export screen limit is required. With a power change equal to the nameplate rating minus the export capacity, the change in voltage at the point on the medium voltage (primary) level nearest the point of interconnection does not exceed three percent. Voltage change will be estimated applying the following formula:

Formula	$\frac{(R_{SOURCE} \times \Delta \boldsymbol{P}) - (X_{SOURCE} \times \Delta \boldsymbol{Q})}{V^2}$
Where: $\Delta \boldsymbol{P}$ = (DER apparent power Nameplate Rating - Export Capacity) × PF, $\Delta \boldsymbol{Q} =$ (DER apparent power Nameplate Rating - Export Capacity) × $\sqrt{(\boldsymbol{1 - PF^2})}$, R_{SOURCE} is the grid resistance, X_{SOURCE} is the grid reactance, V is the grid voltage, PF is the power factor	

(4) Screen 4: If the proposed generating facility is to be interconnected on a single-phase shared secondary, the aggregate export capacity on the shared secondary, including the proposed generating facility, shall not exceed sixty-five percent of the transformer nameplate power rating.

(5) Screen 5: If the proposed generating facility is single-phase and is to be interconnected on a center tap neutral of a 120/240 volt service, its addition shall not create an imbalance between the two sides of the 240 volt service of more than twenty percent of the nameplate rating of the service transformer.

(6) Screen 6: The starting voltage dip shall be less than five percent and the flicker requirements of IEEE 1547™-2018 must be met. This screen only applies to generating facilities that start by motoring the generator(s).

(7) Screen 7: When measured at the primary side (high side) of a dedicated distribution transformer serving a generating facility, the sum of the short circuit current contribution ratios of all generating facilities connected to utility's distribution system circuit that serves the generating facility must be less than or equal to 0.1.

(8) Screen 8: The generating facility, aggregated with other generation on the distribution circuit, will not cause any distribution protective devices and equipment (including but not limited to substation breakers, fuse cutouts, and line reclosers), or utility customer equipment on the system, to exceed ninety percent of the short circuit interrupting capability; nor is the interconnection proposed for a circuit that already exceeds ninety percent of the short circuit interrupting capability.

(9) Screen 9: The generating facility complies with the applicable type of interconnection, based on the table below. This screen includes a review of the type of electrical service provided to the interconnecting customer, including line configuration and the transformer connection to limit the potential for creating over-voltages on the utility's electric power system due to a loss of ground during the operating time of any anti-islanding function.

Primary Distribution Line Type	**Type of Interconnection to Primary Distribution Line**	**Result/Criteria**
Three-phase, three-wire	If ungrounded on primary or any type on secondary	Pass screen
Three-phase, four-wire	Single-phase line-to-neutral	Pass screen
Three-phase, four-wire or mixed three-wire and four-wire	All others	Pass screen for inverter-based generation if the aggregate nameplate rating, including the nameplate rating of the proposed project, is • ≤ 100% feeder or line section minimum load, or • if minimum load data is not available: ≤ 30% feeder or line section peak load. Pass screen for rotating generation if the aggregate nameplate rating, including the nameplate rating of the proposed project, is: • ≤ 33% of feeder or line section minimum load, or • if minimum load data isn't available: ≤ 10% of feeder or line section peak load.

(10) Screen 10: If the generating facility's point of interconnection is behind a line voltage regulator, the generating facility's export capacity is less than 250 kW.

C. Fast track screening results: Within 15 business days after the utility notifies the applicant that the interconnection application is complete, the utility shall notify the applicant of the initial review results and include with the notification copies of the analysis and data underlying the utility's determinations under the screens. If one or more screens are not passed, the utility shall provide, in writing, the specific screens that the interconnection application failed, including the technical reason for failure. The utility shall provide information and detail about the specific system threshold or limitation causing the interconnection application to fail the screen.

D. Approval: For all interconnection applications that pass initial review and do not require interconnection facilities or distribution upgrades, utility shall provide applicant with an interconnection agreement no later than 15 business days of providing notice of initial review results, except where a utility is required to provide notice to the transmission provider as outlined in Paragraph (1) of Subsection D of 17.9.568.16 NMAC. Despite the failure of one or more screens, the utility, at its sole option, may approve the interconnection provided such approval is consistent with safety and reliability. For interconnection applications that fail initial review but the utility determines the interconnection application can be approved with minor modifications, the utility shall provide the applicant with a non-binding cost estimate of the minor modifications and an interconnection agreement within 5 business days of providing notice of initial review results.

(1) If a utility's transmission service agreement requires that it notify the transmission provider of interconnections (of any size or beyond a specific threshold as specified in the transmission service agreement), the utility shall provide the notice to the transmission provider immediately after it has applied the fast track screens. If the transmission provider determines that it does not need to conduct a further analysis of transmission system impacts, the utility shall provide the interconnection agreement to the customer within three business days of receiving the transmission provider's determination. If the transmission provider does require further analysis, the utility shall coordinate with the interconnection applicant and the transmission provider to ensure such analysis is conducted in a timely manner.

(2) If the transmission provider determines that there are impacts that require upgrades, the utility shall follow the detailed study process in 17.9.568.18 NMAC for providing the customer with an interconnection agreement.

E. Failed screens: For interconnection applications that fail initial review, at the time it provides the screen results, the utility shall provide the applicant the option to either attend a customer options meeting or proceed directly to supplemental review. The applicant must notify the utility of its selection within 10 business days or the interconnection application will be deemed withdrawn.

F. The utility shall use the screens identified above to evaluate the interconnection application and shall not impose arbitrary limitations on interconnection (i.e., limiting interconnection to projects less than fifty percent of the circuit's rated capacity) without a valid technical reason. that is provided to the applicant in writing with an explanation. In providing detail about the specific system threshold or limitation causing the interconnection applicant to fail the screen, the utility shall provide an estimate of the cost of and expected timeline for conducting necessary upgrades to accommodate the interconnection application.

G. Reference point of applicability review:

(1) The following process will occur concurrently with the fast track screening process in Subsection C of 17.9.568.16 NMAC. Within five business days after the utility notifies the applicant that the interconnection application is complete, the utility shall review the reference point of applicability denoted by the applicant and determine if it is appropriate.

(2) If it is determined that the reference point of applicability is appropriate, the utility will notify the applicant when it provides the fast track screen results and proceed according to Subsections C through F of 17.9.568.16.

(3) If the utility determines the reference point of applicability is inappropriate, the utility will notify the applicant in writing, including an explanation as to why it requires correction. Applicant shall provide the utility with a corrected interconnection application with the proper reference point of applicability within five business days of notification. During this time the utility will proceed with applying the fast track screens. The utility shall review the revised interconnection request within five business days of receipt to determine if the revised reference point of applicability has been appropriately denoted. If correct, the utility will proceed according to Subsections C through F of 17.9.568.16 NMAC. If the applicant does not provide the appropriate reference point of applicability or a request for an extension of time within the deadline, the interconnection application will be deemed withdrawn.

H. Customer options meeting: Within 10 business days of the utility's completion of its initial review, the utility shall offer to convene a customer options meeting with the applicant to review possible interconnection customer facility modifications or the screen analysis and related results to determine what further steps are needed to permit the generating facility to be connected safely and reliably. At the time of notification of the utility's determination, or at the customer options meeting, the utility shall:

(1) Offer to perform facility modifications or minor modifications to the utility's electric system (e.g., changing meters, fuses, relay settings) and provide a non-binding good faith estimate of the limited cost to make such modifications to the utility's electric system and offer to continue the screening process; or

(2) Offer to perform a supplemental review if the utility concludes that the supplemental review might determine that the generating facility could continue to qualify for interconnection pursuant to the fast track process, and provide a non-binding good faith estimate of the costs and time of such review; or

(3) Offer to continue evaluating the interconnection application under the full interconnection study process.

[17.9.568.16 NMAC - N, 02/14/2023]

17.9.568.17 SUPPLEMENTAL REVIEW:

A, Agreeing to supplemental review: To accept the offer of a supplemental review, the applicant shall agree in writing and submit a $2,500 fee for the review, both within 15 business days of the offer. If the

written agreement and deposit have not been received by the utility within that timeframe, the interconnection application shall continue to be evaluated under the detailed study process unless it is withdrawn by the applicant.

B. Supplemental review screens: The utility shall evaluate the interconnection application using the following supplemental review screens.

(1) Minimum gross load screen: Where 12 months of line section minimum load data (including onsite load but not station service load served by the proposed generating facility) are available, can be calculated, can be estimated from existing data, or determined from a power flow model, the aggregate export capacity on the line section is less than one hundred percent of the gross minimum load for all line sections bounded by automatic sectionalizing devices upstream of the proposed generating facility. If minimum load data is not available, or cannot be calculated, estimated or determined, the utility shall include the reason(s) that it is unable to calculate, estimate or determine minimum load in its supplemental review results notification. After December 31, 2023 utility should have minimum load data for all circuits.

(a) The type of generation used by the proposed generating facility will be taken into account when calculating, estimating, or determining circuit or line section minimum load relevant for the application of Subsection B of 17.9.568.17 NMAC. Solar photovoltaic (pv) generation systems with no battery storage use daytime minimum load (i.e. 10 a.m. to 4 p.m. for fixed panel systems and 8 a.m. to 6 p.m. for pv systems utilizing tracking systems), while all other generation uses absolute minimum load.

(b) When this screen is being applied to a generating facility that serves some station service load, only the net injection into the electric system will be considered as part of the aggregate export capacity.

(c) Utility will not consider as part of the aggregate export capacity generation for purposes of this screen generating facility export capacity known to be already reflected in the minimum load data

(2) Voltage and power quality screen: In aggregate with existing generation on the line section:

(a) the voltage regulation on the line section can be maintained in compliance with relevant requirements under all system conditions;

(b) the voltage fluctuation is within acceptable limits as defined by Institute of Electrical and Electronics Engineers (IEEE) Standard 1453, or utility practice similar to IEEE Standard 1453; and (3) the harmonic levels meet IEEE Standard 519 limits. If the generating facility limits export pursuant to 17.9.568.12 NMAC, the export capacity instead of nameplate rating must be utilized in any analysis including power flow simulations.

(3) Safety and reliability screen: The location of the proposed generating facility and the aggregate export capacity on the line section do not create impacts to safety or reliability that cannot be adequately addressed without application of the detailed study process. If the generating facility limits export pursuant to 17.9.568.12 NMAC, the export capacity must be included in any analysis including power flow simulations, except when assessing fault current contribution. To assess fault current contribution, the analysis must use the rated fault current; for example, the customer may provide manufacturer test data (pursuant to the fault current test described in IEEE 1547.1-2020 clause 5.18) showing that the fault current is independent of the nameplate rating. The utility shall give due consideration to the following and other factors in determining potential impacts to safety and reliability in applying this screen.

(a) whether the line section has significant minimum loading levels dominated by a small number of customers (e.g., several large commercial customers);

(b) whether the loading along the line section is uniform or even;

(c) whether the proposed generating facility is located in close proximity to the substation (i.e., less than 2.5 electrical circuit miles), and whether the line section from the substation to the point of interconnection is a mainline rated for normal and emergency ampacity;

(d) whether the proposed generating facility incorporates a time delay function to prevent reconnection of the generator to the system until system voltage and frequency are within normal limits for a prescribed time;

(e) whether operational flexibility is reduced by the proposed generating facility, such that transfer of the line section(s) of the generating facility to a neighboring distribution circuit/substation may trigger overloads or voltage issues;

(f) whether the proposed generating facility employs equipment or systems certified by a recognized standards organization to address technical issues such as, but not limited to, islanding, reverse power flow, or voltage quality.

C. Supplemental review screening results: Within 20 business days of an applicant's election to undergo supplemental review, the utility shall perform supplemental review using the screens set forth above and notify the customer of the results.

(1) Failed screens and option to revise interconnection application: If the proposed interconnection fails any of the supplemental review screens, the utility shall specify which screens the interconnection application failed, including the technical reason for failure, and the data and the analysis supporting the supplemental review. The utility shall provide information and detail about the specific system threshold or limitation causing the interconnection application to fail the screen. If the applicant chooses to amend the interconnection application to address the specific failed screens, the applicant must submit an updated interconnection application demonstrating the redesign within 10 business days after receiving the screen results. The redesign shall only include changes to address the screen failures or identified upgrades (which could include, for example, the addition of DC-coupled or AC-coupled energy storage). Increases in export capacity or changes in point of interconnection are not permitted and shall require the interconnection application to be withdrawn and resubmitted. The utility will evaluate whether the redesign addresses the screen failure and notify the applicant of the results of this evaluation within 10 business days. This redesign option to mitigate impacts shall only be available one time during the supplemental review process. If the applicant does not amend or withdraw its interconnection application within 10 business days of receiving results, it shall continue to be evaluated under the detailed study process consistent with Subsection A of 17.9.568.18 NMAC below.

(2) Approval:

(a) If the proposed interconnection passes the supplemental screens above and does not require construction of facilities by the utility on its own system, the interconnection agreement shall be provided within 10 business days after the notification of the supplemental review results unless the provisions in Paragraph (2) of Subsection D of 17.9.568.17 NMAC apply.

(b) If interconnection facilities or minor modifications to the utility's system are required for the proposed interconnection to pass the supplemental screens above, the interconnection agreement, along with a non-binding good faith estimate for the interconnection facilities or minor modifications, shall be provided to the applicant within 15 business days after receiving written notification of the supplemental review results.

(c) If the proposed interconnection would require more than interconnection facilities or minor modifications to the utility's system to pass the supplemental screens above, the utility shall notify the applicant, at the same time it notifies the applicant with the supplemental review results, that the interconnection application shall be evaluated under the detailed study process unless the applicant withdraws its interconnection application.

(d) If a utility's transmission service agreement requires that it notify the transmission provider of interconnections (of any size or beyond a specific threshold as specified in the transmission service agreement), the utility shall provide the notice to the transmission provider immediately after it has applied the supplemental review screens. If the transmission provider determines that it does not need to conduct a further analysis of transmission system impacts, the utility shall provide the interconnection agreement to the customer within three business days of receiving the transmission provider's determination. If the transmission provider does require further analysis, the utility shall coordinate with the interconnection applicant and the transmission provider to ensure such analysis is conducted in a timely manner. If the transmission provider determines that there are impacts that require upgrades, the utility shall follow the detailed study process in 17.9.568.18 NMAC for providing the customer with an interconnection agreement.

[17.9.568.17 NMAC - N, 02/14/2023]

17.9.568.18 DETAILED STUDY PROCESS:

A, Application: An interconnection customer must submit an interconnection application, pursuant to Subsection B of 17.9.568.13 NMAC, using the interconnection application form for fast track and detailed study provided in Appendix 1C, which may be sent electronically to a recipient designated by the utility. The application fee specified in Subsection A of 17.9.568.23 NMAC shall be submitted along with the application. An applicant who was unable to proceed through the simplified or fast track process application due to failure of the screening process may request that the utility treat that existing interconnection application as a new detailed study application.

B. Scoping meeting:

(1) A scoping meeting will be held within 10 business days after the interconnection application is deemed complete., or the applicant agrees to proceed to detailed study after simplified or fast track review or as otherwise mutually agreed to by the parties. By mutual agreement of the parties, the scoping meeting,

system impact study or facilities study may be waived. The utility and the applicant will bring to the meeting personnel, including system engineers and other resources as may be reasonably required to accomplish the purpose of the meeting.

(2) The purpose of the scoping meeting is to discuss the interconnection application, the reference point of applicability, and review existing studies relevant to the interconnection application. The parties shall further discuss whether the utility should perform a feasibility study (at the customer's option) or proceed directly to a system impact study, or a facilities study, or an interconnection agreement. If the parties agree that a feasibility study should be performed, the utility shall provide the applicant, as soon as possible, but not later than five business days after the scoping meeting, a feasibility study agreement, provided by the utility, including an outline of the scope of the study and a non-binding, good- faith estimate of the cost to perform the study.

(a) the feasibility study will provide a preliminary review of short circuit currents, including contribution from the proposed generation facility, and coordination and potential overloading of distribution circuit protection devices. If the interconnection applicant agrees to the feasibility study, the interconnection applicant shall provide an executed agreement and a deposit for the estimated costs provided by the utility;

(b) the scope of the feasibility study can be modified by the parties upon mutual agreement.

(3) In order to remain in consideration for interconnection, an applicant who has requested a feasibility study must return the executed feasibility study agreement and any required deposit within 15 business days. If the parties agree not to perform a feasibility study, the utility shall provide the applicant, no later than five business days after the scoping meeting, a system impact study agreement provided by the utility including an outline of the scope of the study and a non-binding, good faith estimate of the cost to perform the study.

C. Feasibility study: A feasibility study shall identify any potential adverse system impacts that would result from interconnection of the generating facility.

(1) A deposit of the lesser of fifty percent of the good faith estimated feasibility study cost, or earnest money of $1,000.00 may be required by the utility.

(2) Once the feasibility study is completed, a feasibility study report shall be prepared and transmitted to the applicant. Barring unusual circumstances, the feasibility study must be completed and the feasibility study report transmitted within 30 business days of the applicant's agreement to conduct a feasibility study.

(3) If the feasibility study shows no potential for adverse system impacts, but facilities are required, the utility shall send the applicant a facilities study agreement, including an outline of the scope of the study and a non-binding, good faith estimate of the cost to perform the study.

(4) If no additional facilities are required, the utility shall provide the applicant an executable interconnection agreement within five business days.

D. System impact study: A system impact study shall identify and detail the electric system impacts that would result if the proposed generating facility were interconnected without project modifications or electric system modifications. A system impact study shall consist of a short circuit analysis, a stability analysis, a power flow analysis, voltage drop and flicker studies, protection and set point coordination studies, and grounding reviews, as necessary. A system impact study shall state the impact of assumptions upon which it is based, state the results of the analyses, and provide the requirement or potential impediments to providing the requested interconnection service, including a preliminary indication of the cost and length of time that would be necessary to correct any problems identified in those analyses and implement the interconnection. A system impact study shall provide a list of facilities that are required as a result of the interconnection application and non-binding good faith estimates of cost responsibility and time to construct. The system impact study must take into account the proposed generating facility's design and operating characteristics, including but not limited to the proposed operating profile, and study the generating facility according to how it is proposed to be operated. If the generating facility limits export pursuant to 17.9.568.12 NMAC, the system impact study must use export capacity instead of the nameplate rating, except when assessing fault current contribution. To assess fault current contribution, the system impact study must use the rated fault current; for example, the customer may provide manufacturer test data (pursuant to the fault current test described in IEEE 1547.1-2020 clause 5.18) showing that the fault current is independent of the nameplate rating.

(1) The utility shall provide the applicant a system impact study agreement within five business days if:

(a) a feasibility study is conducted and indicates adverse impacts on either the transmission system or the distribution system;

(b) the parties agree at the scoping meeting to proceed directly to a system impact study;

(c) the scoping meeting is omitted by mutual agreement; or

(d) the simplified process or fast track process has been completed and the applicant has elected to continue with the study process, and a system impact study is required.

(2) The system impact study agreement shall include an outline of the scope of the study and a non-binding good-faith estimate of the cost to perform the study. If applicable, the agreement shall list any additional and reasonable technical data on the generating facility needed to perform the system impact study. The scope of and cost responsibilities for a system impact study must be described in the system impact study agreement. A deposit of the good faith estimated costs for each system impact study shall be provided by the applicant when it returns the study agreements. The additional and reasonable technical data, if applicable, shall be returned with the system impact agreement. In order to remain under consideration for interconnection, the applicant must return the executed system impact study agreements and a deposit for the good-faith estimates of the studies within 20 business days.

(3) If the feasibility study shows no potential for adverse impacts on either the transmission or distribution systems, (or the parties agree to proceed straight to a facilities study), the utility shall send the applicant a facilities study agreement, including an outline of the scope of the study and a non-binding, good faith estimate of the cost to perform the study, or an executable interconnection agreement, as applicable.

(4) A system impact study shall be completed within 40 business days after the system impact study agreement is signed by the parties and delivered with deposit to the utility. The results and, if necessary, facilities study agreement shall be delivered to the applicant within five business days of completion of the system impact study. Upon request, the utility shall provide the applicant supporting documentation and workpapers developed in the preparation of the system impact study.

(5) In instances where the system impact study shows potential for transmission system adverse system impacts, within five business days following the identification of such impacts by the utility, the utility shall coordinate with the appropriate transmission provider to have the necessary studies completed to determine if the DER causes any adverse transmission impacts. If the utility's transmission service agreement requires that the transmission provider be notified of an interconnection, it shall provide that notice, regardless of whether the system impact study shows potential for transmission system adverse system impacts, and coordinate with the transmission provider on any studies it may determine are necessary.

(6) In order to remain in consideration for interconnection, an applicant must return the executed transmission system impact study agreement within 15 business days of receipt of the agreement.

(7) A transmission system impact study, if required, shall be completed and the results transmitted to the applicant in as timely a manner as possible after the transmission system impact study agreement is signed by the parties. The utility shall be responsible for coordination with the transmission provider as needed. Affected systems shall participate in the study and provide all information necessary to prepare the study.

(8) A one-time modification of the interconnection application is allowed as a result of information from the system impact study report.

(a) if the applicant chooses to amend the interconnection application to address the specific system impacts, the applicant must submit an updated interconnection application demonstrating the redesign within 15 business days after receiving the system impact study results from the utility. The redesign shall only include changes designed to address the specific system impacts or identified upgrades (which could include, for example, the addition of DC-coupled or AC-coupled energy storage). This redesign option to mitigate impacts shall only be available one time during the detailed study process. Increases in export capacity or changes in point of interconnection are not permitted and shall require the interconnection application to be withdrawn and resubmitted;

(b) the utility shall notify the interconnecting customer within ten business days of receipt of the modified interconnection application if any additional information is needed. If additional information is needed or document corrections are required, the applicant shall provide the required information or corrections within 10 business days from receipt of the utility notice;

(c) the actual costs to the utility for any necessary restudies as a result of a modification described above shall be paid by the applicant. Such restudies should be limited to the impacts of the modification and shall be billed to the applicant at cost and not for work previously completed. The utility shall use reasonable efforts to limit the scope of such restudies to what is necessary. The revised impact study shall be completed within 15 business days.

E. Facilities study: Once the required system impact study/studies are completed, a system impact report shall be prepared and transmitted to the applicant along with a facilities study agreement within five business days.

(1) The report and agreement shall provide an outline and non-binding, good faith estimate of the cost of the facilities study.

(2) In order to remain under consideration for interconnection, the applicant must return the executed facilities agreement, and a deposit for the good-faith estimates of the studies, within 15 business days. The facilities study shall specify and estimate the cost of the equipment, engineering, procurement and construction work (including overheads) needed to implement the conclusions of the system impact study(s).

(3) Design for any required interconnection facilities or upgrades shall be performed under the facilities study agreement. The utility may contract with consultants to perform activities required under the study agreement.

(4) The applicant and the utility may agree to allow the applicant to arrange for the design of some of the interconnection facilities, but the proposed deign will be reviewed subject to modification by the utility prior to acceptance.

(5) In cases where upgrades are required, the facilities study must be completed within 45 business days of the receipt of the executed facilities study agreement and deposit. In cases where no upgrades are necessary, and the required facilities are limited to interconnection facilities, the facilities study must be completed within 30 business days of the receipt of the executed facilities study agreement and deposit.

(6) Once the facilities study is completed, a facilities study report shall be prepared and transmitted to the applicant. Upon request, the utility shall provide applicant supporting documentation and workpapers developed in the preparation of the interconnection facilities study.

(7) Upon completion of the facilities study, and with the agreement of the interconnection applicant to pay for interconnection facilities or upgrades identified in the study, the utility shall provide the interconnection applicant with an executable interconnection agreement within five business days.

F. Payment for study costs: For each of the studies conducted, any study fees shall be based on the utility's actual costs and will be invoiced to the applicant after the study is completed and delivered and will include a summary of professional time. The applicant must pay any study costs that exceed the deposit without interest within 30 calendar days on receipt of the invoice or resolution of any dispute. If the deposit exceeds the invoiced fees, the utility shall refund such excess within 30 calendar days of the invoice without interest.

[17.9.568.18 NMAC - N, 02/14/2023]

17.9.568.19 COST SHARING FOR INTERCONNECTION UPGRADES:

A. The cost of utility system modifications required pursuant to the fast track process or the full interconnection study process shall be borne by the applicant unless otherwise agreed to by the parties or following a determination by the commission that some or all of the costs constitute system benefits eligible for cost-sharing options:

(1) The commission may determine on a case-by-case basis whether the cost of distribution system upgrades necessary to interconnect one or more generating facilities may be eligible for some form of cost-sharing:

(a) among several developers using the same distribution facilities;

(b) among all ratepayers of the qualifying utility via rate base adjustments; or

(c) among ratepayers of the same rate class as subscribers to the community solar facility via a rate rider for that class.

(2) In making such a determination that there are public benefits to such a cost-sharing mechanism, the commission shall employ the same analysis as provided for cost-sharing or rate basing grid modernization projects as defined by Section 62-8-13 NMSA 1978 (Grid Modernization Act 2019, HB 233) to make a finding that the approved expenditures are:

(a) reasonably expected to improve the public utility's electrical system efficiency, reliability, resilience and security; maintain reasonable operations, maintenance and ratepayer costs; and meet energy demands through a flexible, diversified and distributed energy portfolio;

(b) reasonably expected to increase access to, and use of, clean and renewable energy, with consideration given to increasing access to low-income subscribers and subscribers in underserved communities;

(c) designed to contribute to the reduction of air pollution, including greenhouse gases;

(3) Expenditures approved for such cost sharing of necessary interconnection upgrades shall not be considered a "subsidization" subject to the three percent limitations spelled out in this rule or in the Community Solar Act.
[17.9.568.19 NMAC - N, 02/14/2023]

17.9.568.20 INTERCONNECTION AGREEMENT:

A. For simplified process interconnection projects, the applicant will sign a form interconnection agreement at the time it submits its interconnection application, and the utility will return a counter-signed interconnection agreement with the screen results.

B. For fast track and detailed study interconnection projects: after receiving an interconnection agreement from the utility, the applicant shall have 30 business days or another mutually agreeable timeframe to sign and return the interconnection agreement. If the applicant does not sign the interconnection agreement within 30 business days, the interconnection application shall be deemed withdrawn. After the interconnection agreement is signed by the parties, the interconnection of the generating facility shall proceed under the provisions of the interconnection agreement.
[17.9.568.20 NMAC - N, 02/14/2023]

17.9.568.21 PERMISSION TO OPERATE:

A. The interconnection customer may not commence operations until its interconnection application is deemed complete and the utility has issued a permission to operate (PTO). The interconnection customer shall provide the utility with at least 10 business days' notice of the anticipated start date of the generating facility.

B. Within 10 business days of receiving the notice of the anticipated start date of the generating facility, the utility may conduct an inspection of the generating facility at a time mutually agreeable to the parties. The inspection may include verification that the facility complies with applicable codes and standards, the terms of the interconnection agreement, and may include a witness test. The utility may also schedule appropriate metering replacement or programming if necessary. If the generating facility passes the inspection, the utility shall provide written notice of the passage within three business days. If a Generating Facility initially fails a utility inspection, the utility shall offer to redo the inspection at the applicant's expense at a time mutually agreeable to the parties. If the utility determines that the generating facility fails the inspection, the utility must provide the applicant with a written explanation detailing the reasons for the failure and any standards violated. If the utility determines no inspection is necessary, it shall notify the applicant within three business days of receiving the notice of the anticipated start date.

C. For simplified process and fast track generating facilities, utility approval for interconnection (i.e. permission to operate) shall normally be processed not later than 10 business days following the utility's receipt of:

(1) a completed net energy metering interconnection application, if appropriate, including all supporting documents and required payments;

(2) a completed signed interconnection agreement, if appropriate; and

(3) evidence of the applicant's final electric inspection clearance from the governmental authority having jurisdiction over the generating facility. If the 10-day period cannot be met, the utility shall-notify the applicant.

D. A generating facility that has not been approved for parallel operation within one year of execution of the interconnection agreement is subject to withdrawal by utility; however, the utility may not deem the interconnection application withdrawn if:

(1) applicant provides reasonable evidence that the interconnection application is still active; or

(2) the delay is at no fault of applicant.
[17.9.568.21 NMAC - N, 02/14/2023]

17.9.568.22 INTERCONNECTION APPLICATION REVIEW FLOW CHART: [RESERVED]
[17.9.568.22 NMAC - Repealed, 02/14/2023]

17.9.568.23 GENERAL PROVISIONS APPLICABLE TO INTERCONNECTION APPLICATIONS:

A. An applicant shall pay the following application fee to the utility at the time it delivers its interconnection application to the utility:

(1) $150.00 if the proposed generating facilities will have a nameplate rating less than or equal to 25 kW;

(2) $300.00 if the proposed generating facilities will have a nameplate rating greater than 25 kW and less than or equal to 100 kW; or

(3) $300.00 + $1.00 per kW if the proposed generating facilities will have a nameplate rating greater than 100 kW;

(4) if the proposed generating facility is non-export only, it shall pay $150.00, if it has a nameplate rating below 100kW, or $300 if the nameplate rating is greater than 100 kW.

B. In addition to the fees authorized by this rule, a small utility may collect from the applicant the reasonable costs incurred to obtain necessary expertise from consultants to review interconnection applications for generating facilities with rated capacities greater than 10 kW. A small utility shall provide a good faith estimate of the costs of such consultants to an applicant within 10 business days of the date the interconnection application is delivered to the utility.

C. Commissioning tests of the interconnection customer's installed equipment shall be performed pursuant to applicable codes and standards, including IEEE 1547.1 "IEEE standard conformance test procedures for equipment interconnecting distributed energy resources with electric power systems." A utility must be given at least five business days written notice of the tests, or as otherwise mutually agreed to by the parties, and may be present to witness the commissioning tests. An interconnection customer shall reimburse a utility for its costs associated with witnessing commissioning tests performed except that a utility may not charge a fee in addition to the interconnection application fee for the cost of witnessing commissioning tests for inverter-based generating facilities that have nameplate capacities that are less than or equal to 25 kW.

D. If an interconnection customer requests an increase in capacity for an existing generating facility, the interconnection application shall be evaluated on the basis of the new total capacity of the generating facility. If an interconnection customer requests interconnection of a generating facility that includes multiple energy production devices at a site for which the interconnection customer seeks a single point of common coupling, the interconnection application shall be evaluated on the basis of the aggregate capacity of the multiple devices.

E. Confidential information shall remain confidential unless otherwise ordered by the commission. Confidential information shall mean any confidential and proprietary information provided by one party to the other party that is clearly marked or otherwise designated "confidential".

[17.9.568.23 NMAC - N, 02/14/2023]

17.9.568.24 GENERAL PROVISIONS APPLICABLE TO UTILITIES:

A. A utility shall interconnect any interconnection customer that meets the interconnection criteria set forth in this rule. A utility shall make reasonable efforts to keep the applicant informed of the status and progress.

B. Utilities shall reasonably endeavor to aid and assist interconnection customers to ensure that a proposed generating facility's interconnection design, operation, and maintenance are appropriate for connection to the utility's system. This may include consultations with the applicant and its engineer and other representatives.

C. Utilities shall make reasonable efforts to meet all time frames provided for in this rule unless a utility and an applicant agree to a different schedule. If a utility cannot meet a deadline provided herein, it shall notify the-applicant in writing within one business day, explain the reason for its inability to meet the deadline, and provide an estimated time by which it will complete its activity. The utility shall keep the applicant updated of any changes in the expected completion date.

D. Utilities shall use the same reasonable efforts in processing and analyzing interconnection applications from all interconnection customers, whether the generating facility is owned or operated by the utility, its subsidiaries or affiliates, or others.

E. Utilities shall maintain records for three years of each interconnection application received, the times required to complete each interconnection application approval or disapproval, and justification for the utility's disapproval of any interconnection application. Other reporting requirements are specified in 17.9.568.23 NMAC.

F. Utilities shall maintain current, clear, and concise information regarding this rule including the name, telephone number, and email address of contact persons. The information shall be easily accessible on the utility's website beginning within one month of the effective date of this rule, or the information may be provided in bill inserts or separate mailings sent no later than one month after the effective date of this rule and no less often than once each year thereafter. Each utility shall maintain a copy of this rule at its principal office and make the same available for public inspection and copying during regular business hours.

G. A small utility that uses a consultant to review a proposal to interconnect a generating facility with the small utility's system may extend each of the time deadlines for review of the fast track process by a period not

to exceed 20 business days provided that the small utility shall make a good faith effort to complete the review sooner.

H. Compliance with this interconnection process does not constitute a request for, nor provision of any transmission delivery service, or any local distribution delivery service. Interconnection under this rule does not constitute an agreement by the utility to purchase or pay for any energy, inadvertently or intentionally exported.
[17.9.568.24 NMAC - N, NMAC, 02/14/2023]

17.9.568.25 GENERAL PROVISIONS APPLICABLE TO INTERCONNECTION CUSTOMERS:

A. An interconnection customer is responsible for the prudent maintenance and upkeep of its interconnection equipment.

B. Upon the petition of a utility, for good cause shown, the commission may require a customer with a generating facility with a rated capacity of 250 kW or less to obtain general liability insurance prior to connecting with a public utility. A utility may require that an applicant proposing to connect a generating facility with a rated capacity greater than 250 kW provide proof of insurance with reasonable limits not to exceed $1,000,000.00 or other reasonable evidence of financial responsibility.
[17.9.568.25 NMAC - Rp, 17.9.568.14 NMAC, 02/14/2023]

17.9.568.26 EXTENSIONS:

A. The applicant may request in writing the extension of one timeline set by these rules. The requested extension may be for up to one-half of the time originally allotted (e.g., a 10 business day extension for a 20 business day timeframe). The utility shall not unreasonably refuse this request.

B. If further timeline extensions are necessary, the applicant may request an extension and the utility shall grant the extension so long as it does not unreasonably delay the processing of later queued interconnection applications.
[17.9.568.26 NMAC - N, 02/14/2023]

17.9.568.27 DISPUTE RESOLUTION:

A. Each party agrees to attempt to resolve all disputes arising hereunder promptly, equitably and in a good faith manner.

B. In the event of a dispute, either party shall provide the other party with a written notice of dispute. Such notice shall describe in detail the nature of the dispute. The non-disputing party shall acknowledge the notice within three business days of its receipt and identify a representative with the authority to make decisions for the non-disputing party with respect to the dispute.

C. If the dispute has not been resolved in eight business days for timeline related disputes or 20 business days for all other disputes after the receipt of the notice, the parties may, upon mutual agreement:

(1) continue negotiations for an additional 10 business days; or

(2) seek resolution through the assistance of a dispute resolution service. The dispute resolution service will assist the parties in either resolving the dispute or in selecting an appropriate dispute resolution venue (e.g., mediation, settlement judge, early neutral evaluation, or qualified technical expert(s)) to assist the parties in resolving their dispute. Each party will be responsible for one-half of any costs paid to neutral third-parties.

D. For any technical disputes, both parties shall have a qualified technical representative present in the attempts to resolve the dispute.

E. If the dispute remains unresolved after 30 business days, either party may petition the commission to handle the dispute as a formal complaint or may exercise whatever rights and remedies it may have in equity or law.

F. If the dispute remains unresolved after 90 business days, a formal complaint to the commission has not been submitted, and the dispute is causing delays to other projects in the queue, the utility may adjust the queue position of the disputing project. The disputing party shall be responsible for any additional study costs that may result from the change in queue position.
[17.9.568.27 NMAC - N, 02/14/2023]

17.9.568.28 REPORTING REQUIREMENTS:

A. For each request for a pre-application report or interconnection application-received, the utility shall collect and retain the following data, at a minimum:

(1) facility capacity;

(2) DER type (technology);

(3) number of pre-application reports requested and processed;

(4) date of interconnection application submittal;

(5) date interconnection application deemed complete;

(6) date and disposition at applicable milestones in the interconnection process, including which screens, if any, are failed in the applicable process:

(a) initial review, (under the simplified or fast track process);

(b) supplemental review;

(c) feasibility study;

(d) system impact study;

(e) facilities study;

(f) interconnection agreement; and

(g) permission to operate.

(7) interconnection fees and study costs assessed to the customer;

(8) interconnection facility and distribution upgrade costs assessed to the customer;

(9) number of times outside consultants were utilized and the range of fees assessed to the customer for the consultants services.

B. Twice annually each utility shall submit to the commission and make available to the public on its website an interconnection report with the following information. The report shall contain information in the following areas, including relevant totals for both the year.

(1) Pre-application reports: total pre-application reports requested, completed within the time limits (20 business days for system sizes up to one MW, and 30 business days for system sizes greater than one MW30), and number completed outside the specified time limits.

(2) Interconnection applications: total number received, (noting nameplate rating of proposed systems).

(3) Number of interconnection applications processed within specified timeframes and completed outside of specified time limits.

(4) Number of interconnection upgrades completed within negotiated timelines and outside of negotiated timelines, including a narrative on how much time it is taking to complete typical upgrades.

(5) Number of interconnection applications that required more than initial review: median number of days to complete such reviews.

(6) Number of interconnection applications withdrawn.

(7) Number of interconnection agreements executed.

(8) A table showing the range of fees charged for the feasibility study, system impact study, and facilities study.

(9) A table showing how many projects failed each of the interconnection screens in the simplified, fast track and supplemental review processes broken out by project size and type (i.e. solar, storage, solar+storage) in the following increments: up to 25 kW, 25-100 kW, 100-500 kW, 500 kW to 2 MW, 2 to 5 MW.

(10) A narrative of how the process is working and where there is potential for improvement by the utility or interconnection applicants.

[17.9.568.28 NMAC - N, 02/14/2023]

17.9.568.29 SAFETY PROVISIONS:

A. A DER project that operates outside of its approved export status or operational limits may be disconnected by the utility following notification of violation and a 30-day cure period.

B. An interconnection customer shall separate from the utility system in the event of any one or more of the following conditions:

(1) a fault on the generating facility's system; or

(2) a generating facility contribution to a utility system emergency; or

(3) abnormal frequency or voltage conditions on the utility's system; or

(4) any occurrence or condition that will endanger utility employees or customers; or

(5) a generating facility condition that would otherwise interfere with a utility's ability to provide safe and reliable electric service to other customers; or

(6) the sudden loss of the system power.

C. The utility may temporarily disconnect the generating facility upon the following conditions:

(1) for scheduled outages per notice requirements in the utility's tariff or commission rules;

(2) for unscheduled outages or emergency conditions pursuant to Subsection B of 17.9.568.29 NMAC;

(3) if the generating facility does not operate in the manner consistent with these terms and conditions;

(4) the utility shall inform the customer in advance of any scheduled disconnection, or as is reasonable after an unscheduled disconnection.

D. A visible-open, load break disconnect switch between the generating facility and the utility system that is visibly marked "generating facility generation disconnect" and is accessible to and lockable by the utility is required for all generating facilities except for those generating facilities with a maximum capacity rating of 10 kW or less that use a certified inverter including a self-contained renewable energy certificate (REC) meter and either:

(1) a utility accessible AC load break disconnect; or

(2) a utility accessible DC load break disconnect where there is no other source of generated or stored energy connected to the system.

E. Interconnection customers shall post a permanent and weatherproof one-line electrical diagram of the generating facility located at the point of service connection to the utility. Generating facilities where the disconnect switch is not located in close proximity to the utility meter must post a permanent and weatherproof map showing the location of all major equipment including the utility meter point, the generating facility generation disconnect, and the generating facility generation breaker. Non-residential generating facilities larger than 10 kW shall include with or attached to the map the names and current telephone numbers of at least two persons authorized to provide access to the generating facility and who have authority to make decisions regarding the generating facility interconnection and operation.

F. If the generating facility interconnection equipment package is not certified or if a certified equipment package has been modified, the generating facility interconnection equipment package shall be reviewed and approved by a professional electrical engineer, registered in the state of New Mexico.

[17.9.568.29 NMAC - Rp, 17.9.568.15 NMAC, 02/14/2023]

17.9.568.30 VARIANCES: A party may file a request for a variance from the requirements of this rule. Such application shall describe the reasons for the variance; set out the effect of complying with this rule on the parties and the utility's customers if the variance is not granted; identify the section(s) of this rule for which the variance is requested; describe the expected result which the request will have if granted; and state how the variance will aid in achieving the purposes of this rule. The commission may grant a request for a procedural variance through an order issued by the chairman, a commissioner or a designated hearing examiner. Other variances shall be presented to the commission as a body for determination.

[17.9.568.30 NMAC - Rp, 17.9.568.16 NMAC, 02/14/2023]

HISTORY OF 17.9.568 NMAC:

Pre-NMAC History: None.

History of Repealed Material:

17.9.568 NMAC, Interconnection of Generating Facilities with a Rated Capacity up to and Including 10 MW Connecting to a Utility System (filed 10/15/2008) repealed effective 02/14/2023.

Other History:

17.9.568 NMAC, Interconnection of Generating Facilities with a Rated Capacity up to and Including 10 MW Connecting to a Utility System (filed 10/15/2008) was replaced by 17.9.568 NMAC, Interconnection of Generating Facilities with a Rated Capacity up to and Including 10 MW Connecting to a Utility System, effective 02/14/2023.