

**NOTICE OF PROPOSED RULEMAKING CASE NO. 23-00033-TR-P**

The New Mexico Public Regulation Commission (the “Commission”) gives notice of its initiation of a proposed rulemaking to amend **Rule 18.3.14. NMAC**. The amendment which may be adopted as the final rule in this proceeding may include all, part, or none of the language in the proposed rules issued by the commission. The commission may also consider alternative proposals for amending the current rules.

Concise statement of proposed rules: The commission is considering a short-form amendment to the Minimum Personnel Requirements of Rule 18.3.14. NMAC. In particular, the commission is considering removing the terms “unusual” and “unforeseen” from Subsection A of 18.3.14 NMAC.

Constitutional and statutory authority: New Mexico Constitution, Article XI, Sec. 2; Paragraph (11) of Subsection A of Section 65-2A-4 NMSA 1978, Paragraph (10) of Subsection B of Section 62-19-9 NMSA 1978 (2023), Section 62-19-21 NMSA 1978 (2023), and Section 65-6-4 NMSA 1978.

How a copy of the full text of the proposed rule can be obtained:

A copy of the full text of the proposed rules may be obtained from the Rulemaking Proceedings section of the Commission’s website at [www.nm-prc.org](http://www.nm-prc.org) under Case No. 23-00033-TR-P or by calling LaurieAnn Santillanes in the Office of General Counsel at (505) 670-4830.

How a person can comment on the proposed rule, where comments will be received and when comments are due:

Written initial comments and written response comments shall be filed by the deadlines below in accordance with NMPRC rules of procedure 1.2.2 NMAC. For information as to how to file at the time of filing, please contact Melanie Sandoval, the commission’s records bureau chief at (505) 470-8535 or [melanie.sandoval@prc.nm.gov](mailto:melanie.sandoval@prc.nm.gov). Written initial comments shall be filed no later than **June 30th, 2023** and written response comments shall be filed no later than **July 14, 2023**. Comments shall refer to Case No. 23-00033-T. All written comments will be posted on the commission’s website within three days of their receipt by the records bureau.

A public hearing will be held on **July 28, 2023, beginning at 2:00 p.m.** via Zoom platform. The Commission’s Office of General Counsel will email a Zoom invitation to the persons on the official service list in this matter prior to the hearing. The Zoom invitation will include a call-in number for those participants who are unable to access the Zoom platform via computer. Any member of the public who wishes to make a comment at the hearing must contact LaurieAnn Santillanes at (505) 670-4830 or [LaurieAnn.Santillanes@prc.nm.gov](mailto:LaurieAnn.Santillanes@prc.nm.gov) by **no later than 12:00pm on July 26, 2023** to sign up as a hearing participant. The commission’s office of general counsel will email a Zoom invitation to all hearing participants the day before the hearing. The Zoom invitation will include a call-in number for those participants who are unable to access the Zoom platform via computer. The hearing will be held in order to receive oral comments. In the interest of administrative efficiency, commenters who have submitted written comments may be restricted from making oral comments at the discretion subject to the discretion of the Commission or its designee. In addition, any commenter may be limited to five minutes to speak, subject to the discretion of the commission or its designee. The commission or its designee may also determine that a spokesperson should be designated to speak on behalf of an organization, a group, or a group of individuals that shares the same message or seeks the same goals, in order to maximize the efficiency of the public comment hearing. No testimony or other evidence will be taken at the hearing as this is a rulemaking proceeding. A court reporter will prepare a transcript of the hearing for filing the rulemaking docket, Docket No. 23-00033-TR-P.

The record of this case will close on **August 11, 2023**. From that date through the completion of this proceeding, rulemaking participants will be forbidden from communicating with the commission or its representatives concerning substantive issues in this proceeding.

Any person with a disability requiring special assistance in order to participate in the hearing should contact LaurieAnn Santillanes at (505) 670-4830 at least 48 hours prior to the commencement of the hearing.

Instructions on how to access the complete rulemaking record, reports and other items filed in the commission's e-docket system can be found at <https://www.nm-prc.org/rulemaking-proceedings/>.