

**NOTICE OF PROPOSED RULEMAKING
DOCKET NO. 22-00089-UT**

The New Mexico Public Regulation Commission (“Commission”) gives notice of its initiation of a formal rulemaking to promulgate a new rule at Title 17, Chapter 9, Part 587 of the New Mexico Administrative Code entitled “Grid Modernization and Integrated Distribution Planning.” A rule which may be adopted as the final rule by the Commission may include all, part, or none of the language in the proposed rule.

Summary and concise statement of proposed rule: The objective of the proposed rule is to bring transparency and consistency to distribution system planning and establishing a defined process to create a grid plan for each jurisdictional electric utility. The objective of a grid plan is to assess the state of an electric utility’s distribution systems, identify potential expansion or upgrade projects, and consider grid enhancing technologies and “non-wires” alternative solutions for infrastructure expansion that may enhance system reliability and service opportunities at a lower cost. The further objective of the proposed rule is to ensure that the State benefits from electric distribution systems that align with New Mexico’s policies, such as the Public Utility Act, Renewable Energy Act, Efficient Use of Energy Act, and the Energy Transition Act. Building on the statutory framework for grid modernization, this rule defines how proposals for grid modernization investments shall: be evaluated; fit into the larger context of integrated distribution planning and integrated resource planning while setting forth procedures for cost recovery; and be subject to reporting and accountability requirements.

Legal authority: The Commission has the authority to promulgate and adopt the proposed rule pursuant to Section 62-8-2 NMSA 1978; Section 62-8-13 NMSA 1978; and Section 62-19-9 NMSA 1978.

How a copy of the full text of the proposed rule may be obtained: A copy of the full text of the proposed rule and instructions on how to access the complete rulemaking record, reports, and other items filed in the commission’s e-docket system may be obtained from the Rulemaking Proceedings section of the Commission’s website at <https://www.prc.nm.gov/rulemaking-proceedings/> under Docket No. 22-00089-UT or by calling LaurieAnn Santillanes in the Office of General Counsel at (505) 670-4830.

How a person may comment on the proposed rule, where comments will be received, and when comments are due: Written initial comments may be filed no later than **April 18, 2025**, and written response comments may be filed no later than **May 5, 2025**. Filed comments shall refer to Docket No. 22-00089-UT. Comments may be electronically filed by sending them in PDF format to prc.records@prc.nm.gov. All written comments will be posted on the Commission’s e-Docket website within three days of their receipt by the Commission’s Records Management Bureau.

The record closure date is **May 30, 2025**. From that date through the completion of this proceeding, rulemaking participants shall be forbidden from communicating with the Commission or its advisory staff concerning substantive issues in this proceeding.

When and where a public rule hearing will be held and how a person may participate in the hearing: A public comment hearing on the proposed rule and any proposed alternatives, to be presided over by the Commission or its designee, shall be held beginning at **10:00 a.m. on April 24, 2025** at the Commission’s offices located at 142 W. Palace, Santa Fe, New Mexico, 87505, and via the Zoom video-conferencing platform.

Any interested person who wishes to provide comment at the hearing may contact Patrick Rodriguez via email at public.comment@prc.nm.gov or by phone at (505) 490-7910 as soon as possible before the start of the hearing to sign up as a commenter. The Commission will email a Zoom invitation to all commenters. The Zoom invitation will include a call-in number for those commenters who are unable to access Zoom’s video-conferencing platform. The public comment hearing shall be held to receive oral comments. All commenters may be limited in time 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

hearing. No testimony or other evidence shall be taken at the hearing as this is a rulemaking proceeding. The subject of public comments shall be relevant to matters within the Commission's jurisdiction. A court reporter shall prepare a transcript of the hearing for filing in this docket.

Any person with a disability requiring special assistance to participate in the hearing should contact the **Office of Director of Administrative Services of the Commission at (505) 827-8019** as soon as possible prior to the commencement of the hearing.

Technical information that served as a basis for the proposed rule and how the information can be obtained: None.