

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE FILING OF
PROPOSED NEW RATES BY KIT CARSON
ELECTRIC COOPERATIVE, INC.**

**KIT CARSON ELECTRIC COOPERATIVE,
INC.,**

Applicant.

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) **Case No. 15-00375-UT**
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**ORDER DENYING SUMMERS' AND WHALEY'S MOTIONS FOR REHEARING AND
DES GEORGES' APPLICATION FOR REHEARING**

THIS MATTER comes before the New Mexico Public Regulation Commission (Commission) upon the Application filed by Kit Carson Electric Cooperative on December 3, 2015 for new rates (Application); the Recommended Decision (RD) issued by Hearing Examiner Elizabeth Hurst (HE) on October 31, 2016; the Final Order Adopting Recommended Decision issued by the Commission on December 7, 2016 and upon the Motions for Rehearing filed by Intervenor Link Summers, William Whaley, (collectively referred to as Rehearing Motions), and Rose DesGeorges Application filed on January 6, 2017; whereupon, being duly advised in the premises,

THE COMMISSION FINDS AND CONCLUDES:

Rehearing Motions:

1. **Summers' Rehearing Motion:** Summers' Rehearing Motion requests the Commission "to reconvene a hearing to address matters related to the Final Order" arguing that "the HE failed to call to the Commissioners attention or to address the inequity created between the rates levied on residential customers and all other classes of ratepayers." Summers' Rehearing Motion contends "KCEC's application included numerous inaccuracies, commingled and misleading financial data, misrepresentations, misstatements, obfuscation and false

statements" that the non-residential ratepayers accepted as being accurate, but which "resulted in the imposition of significantly higher rates imposed on all the different nonresidential classes of ratepayers... - which is an unjust inequity - all of which the residential ratepayer is forced to pay indirectly."

2. The Commission finds that it has previously ordered, consistent with New Mexico law, that the only sufficient and valid protests filed in opposition to KCEC's Advice Notice No. 60 were protests of the residential rates. *See*, the Hearing Examiner's (HE) Sixth Procedural Order dated August 18, 2016 ("Sixth Procedural Order") which states¹: "[t]he Non-residential rates contained in the Stipulation and Revised Stipulation were not included in limited scope as set forth in the Commission's Order [Narrowing Scope].Therefore, the [HE] finds that the Non-residential rates contained in the Stipulation and Revised Stipulation are beyond the scope of the [HE's] authority, and the [HE] cannot hear the Stipulation of Revised Stipulation....The Non-residential rates contained in the Stipulation and Revised Stipulation are beyond the scope of the Hearing Examiner's authority." The Commission finds that the HE's conclusion that the non-residential rates were beyond the scope of the HE's authority to review Kit Carson's rates complies with New Mexico law and the NMPRC's determination that the only sufficient and valid protests were those made objecting to the four (4) residential rates. The New Mexico Public Utility Act (PUA) authorize the Commission to suspend the rates and conduct a hearing concerning the reasonableness of any proposed rates filed by a rural electric cooperative upon the filing of protests setting forth grounds for review of the proposed rates signed by at least twenty-

¹ Sixth Procedural Order at pp. 11-12.

five (25) members of a customer class of the rural electric cooperative for which the Commission determines there is just cause for reviewing the proposed rates on one or more grounds of the protests. NMSA 1978 § 62-8-7(H) and the hearing and review "shall be limited to the issues set forth in the protest and for which the [C]ommission may find just cause for the review, which issues shall be contained in the notice of hearing." *Id.* The Commission has previously ordered, in accordance with New Mexico law, is authorized to only conduct a hearing concerning the rural electric cooperative's rates for which there are a sufficient number of valid protests.

3. Summers Rehearing Motion also asserts that the RD should be reheard based upon the HE's abuse of discretion" due to the exclusion of several "material facts and issues;" including that the HE "admitted to having undisclosed *ex parte* communications prior to the hearing, which she claims were 'innocent' with a representative from the Rural Utility Service of the United States Department of Agriculture (RUS). Summers alleges these "undisclosed *ex parte* communications" were "sufficient grounds for the HE to recuse herself..." and since she failed to do so, and the RD is "fatally flawed and should be reheard."

4. The Commission finds that there is no evidence of *ex parte* communications by the the HE. The communications of the HE with an employee of RUS were not "undisclosed" by the HE. The HE, in explaining her determination to deny Summers' recusal motion fully disclosed and explained why there was no *ex parte* communication -- the RUS employee in question was not a party in this case; was not a representative of a party in this case, and the communication dealt with procedural matters only; the communication did not deal with substantive matters or issues on the merits of Kit Carson's rate case, which is the basis of an *exparte* communication under 1.2.3.7 NMAC.

5. Summers' Rehearing Motion also asserts that the RD "is fatally flawed and should be reheard for her abuse of discretion" because the HE wrongfully refused to admit any income from the Chevron mine Superfund Cleanup site, which Summers' Rehearing Motion claims "is estimated to be approximately \$1 million dollars per year."

6. The Commission finds that it has already ruled that issues or questions about non-residential rates, such as the Chevron mine, were outside the narrowed scope of the rate hearing, which was specifically limited by the Commission's own Order Narrowing Scope. The Commission, limited the issues in the hearing to review and establishment of KCEC's residential rates, which did not involve the rates for non-residential rate classes, including the Chevron Mining load and rates.

7. Summers' Rehearing Motion also asserts that the RD "is fatally flawed and should be reheard for her abuse of discretion" because the "HE wrongfully refused to admit the material facts concerning KCEC's termination and the \$37 million dollar buyout of its wholesale contract with Tri States [*sic*] and substitution of new contract with a power brokerage firm, Guzman, as a fixed rate provider of power."² Summers' allegations relate to Kit Carson's contract with Guzman, entered into in 2016, are outside the calendar year 2014 Test Period and the Commission's Order narrowing the scope of the rate hearing. As the HE correctly concluded after review of the Commission's Order Narrowing Scope, "the [purchased power agreement

² Whaley's Rehearing Motion makes the same argument that "while in the midst of the hearing process, in late June, KCEC announced (as did Tri-State) that KCEC was withdrawing from the 44-member G&T Coop at the cost of \$37 million. To this date details about costs, charges, and maintenance of transmission lines and sub stations for which KCEC's distribution journeymen are untrained, remain unknown." Whaley Motion at ¶ 6

with Guzman Renewable Energy Partners, LLP] and issues related to it are not within the scope of the issues assigned to the HE for hearing."³

8. Summers' Rehearing Motion also asserts that the HE's RD "is fatally flawed and should be reheard for her abuse of discretion" because the HE "wrongfully failed to call to Commissioner's attention the Staff's assertion that KCEC's Solar Arrays are in violation of State statutes and illegal... because "[t]he income from [Kit Carson's solar] arrays is reported as a component of KCEC's income."

9. The Commission finds that the HE correctly concluded the Staff's recommendations regarding an investigation of Kit Carson's Solar Garden were beyond the scope of this rate proceeding⁴ and outside the scope of the Commission's Order Narrowing Scope for this case. There is no evidence to support Staff's contention, argued in their post hearing brief, that information provided by Kit Carson in discovery in this case "has generally confirmed Staff's concerns about whether the Solar Garden is permissible pursuant to New Mexico statute and about the associated costs and risks shifted from KCEC members who are owners of the Solar Garden to the remaining KCEC members."⁵ Nevertheless, the Commission finds that this issue raised by Staff is currently being inquired into by the Commission in the pending Case No. 15-00355-UT⁶ which is a Notice of Inquiry into community solar gardens

³ Order Granting Motion on Discovery in Part, dated August 25, 2016, at pp. 9-10.

⁴ See, RD at p. 87.

⁵ See Staff Initial Brief at p. 18; Direct Testimony of John J. Reynolds Direct at pp. 22-23.

⁶ *IN THE MATTER OF A COMMISSION INQUIRY INTO PUBLIC UTILITIES CONSTRUCTING AND OWNING DISTRIBUTED GENERATION DEDICATED TO SERVING ONE OR MORE RETAIL CUSTOMERS* which states: "NOTICE IS HEREBY GIVEN that the New Mexico Public Regulation Commission ("Commission"), on its own motion, is commencing an inquiry into whether public utilities constructing and owning distributed generation facilities that are dedicated to serving one or more specific retail customers provides net benefits or detriments to
Order Denying Motions for Rehearing
Case No. 15-00375-UT

throughout the State of New Mexico, and which KCEC is participating in as a party. Summers and Staff may participate in this Notice of Inquiry as it relates to KCEC's Solar Garden.

10. For the reasons stated herein, Summers Rehearing Motion should be denied.

11. **Whaley's Rehearing Motion:** Whaley requests the Commission to "reconvene a hearing to address matters related to the Final Order" and requests the Commission order Kit Carson to "refile their rate request for a full hearing of the issues so that [KCEC's] members in accord with due process can hear all the evidence, concerning KCEC activities...." Whaley argues the RD is "fatally flawed" because it "ignores the revenue and expenses affecting the residential rates due to" the Commission's termination of the suspension of non-residential rates. As with Summers' Rehearing Motion, Whaley's Rehearing Motion collaterally attacks both the Commission's Order Narrowing Scope ten (10) months after it was issued, and the Order Terminating Suspension four (4) months after it was issued. Both Summers' and Whaley's collateral attacks of these Orders are long past the required thirty (30) day time frame for seeking rehearing or appeal these orders.⁷ As stated herein, the RD and the HE appropriately complied with the law and the Commission's Order Narrowing Scope, and determined that the non-residential rates were beyond the scope of her authority in this rate case.⁸ Whaley states he is concerned about the revenues and expense of non-residential customers "affecting residential rates" resulting from the Order Terminating Suspension, but he failed to submit such evidence during the hearing. Moreover, Whaley's Motion fails to point to anyone presenting such evidence in the record of non-residential revenues and expenses "affecting residential rates."

consumers, the environment, public utilities and the public interest, and whether the Commission should, as a matter of policy, encourage or discourage such arrangements."

⁷ 1.2.2.37. F NMAC.

⁸ Sixth Procedural Order, Decretal ¶ A.

Order Denying Motions for Rehearing
Case No. 15-00375-UT

12. The Commission finds the RD in this case was based upon substantial evidence and rejects Whaley's allegations that the RD ignored evidence that non-residential rates affected residential rates given that there was no evidence to support such an allegation.

13. Whaley's Rehearing Motion next argues that the "Black Box Test Year" of 2014 is a "historic anomaly" and not an average year for KCEC's operations and that "extraordinary issues involving KCEC's consolidated financial statements" occurred within Kit Carson's calendar year 2014 Test Period. Similarly, Whaley fails to identify any evidence in the record upon which it relies to make this allegation.

14. The Commission finds that Kit Carson has previously utilized consolidated financial statements that have been reviewed in Commission rate proceedings such as KCEC's prior rate Case No. 10-00379-UT. The Commission also finds that KCEC's use of a historic test year is acceptable since utility applicants may choose what type of test year it will use when it files a rate increase application. In this Application, KCEC, consistent with its prior practice and other rural electric cooperative rate cases in New Mexico, chose to use a historic test period case, in accordance with NMPRC's rules.⁹

15. Whaley's Rehearing Motion next "alleges that KCEC, according to [S]taff testimony and general discovery, has been 'taking' money from 'capital credits' and reinvesting the money while allegedly violating prudent guidelines and best practices, using the money in questionable real estate, Propane, Internet, and Broadband 'deals' for the last 16 years."

16. The Commission finds that Kit Carson's engagement in non-utility businesses both within a wholly owned subsidiary and a separate operating division of KCEC were

⁹ Transcript 1, pages 62-63.

previously reviewed and vetted by the Commission in Kit Carson's 2010 rate case, Case No. 10-00379-UT.¹⁰ The Commission finds that the RD's decision was supported by substantial evidence and finds that, while the intervenors in the case, including intervenor Whaley, made allegations of cross subsidization between Kit Carson's electric utility operations and its propane and broadband businesses, the intervenors "failed to provide any evidence to substantiate their claims." RD at p. 66. Additionally, the Commission finds that the RD determined that while the intervenors, including intervenor Whaley, made allegations that some of Kit Carson's investments have been imprudent, e.g., the so called Command Center, the intervenors "failed to provide evidence that this facility is not used and useful for electric purposes." *Id.*

17. Whaley's Rehearing Motion next raises an argument made by intervenor Peggy Nelson in her opposition to Kit Carson's Motion to Terminate Suspension of Nonresidential Rates filed the case in August 2016, and intervenor Nelson's opposition Response to KCEC's Motion to Terminate Suspension also filed in August 2016. Specifically, Whaley repeats Nelson's arguments from her pleading "that due process and required notice to non-commercial parties were ignored." As with portions of Summers' Motion, this portion of the Whaley's Rehearing Motion collaterally attacks the Order Terminating Suspension of Nonresidential Rates, months past the 30 day time frame for seeking rehearing of that Order under 1.2.2.37.F NMAC.

18. The Commission rejects Whaley's and Nelson's due process arguments and finds the Order Terminating Suspension specifically addressed the due process concerns raised by Nelson and ruled that the notice of the rate increase formally provided by Kit Carson to all

¹⁰ Reynolds Direct Testimony at p. 7.
Order Denying Motions for Rehearing
Case No. 15-00375-UT

customers, including the residential and nonresidential classes of customers fully complied with the notice requirements in 17.9.540.13 NMAC ("Rule 540.13").¹¹ In the Order Terminating Suspension, the Commission has previously rejected Whaley's and Nelson's argument and ruled¹² that the Advice Notice No. 60 and the Notice to KCEC's members required by the first Procedural Order issued by the HE in this case, "provided notice in according with Section 62-8-7(H) NMSA 1978...."[f]or this reason, the Intervenor's due process concerns have been satisfied in so far as the aforementioned Notices clearly stated that the non-residential rates were not at issue in the rate hearing and informed non-residential customers that the nonresidential rates would be revised as noticed in Advice Notice No. 60."

19. Whaley's Rehearing Motion¹³ next argues that due to the NMPRC terminating the suspension of non-residential rates, "upon information and belief, an extraordinary 'financial hardship' has occurred in the private commercial sector and in the local government sector of the Town of Taos and Taos County...." and states: "upon information and belief, this intervenor argues that the KCEC's [non-residential] rate increases and fuel pass through expenses are costing the [private commercial sector and local government sector of the Town of Taos and Taos County] hundreds of thousands of dollars as KCEC games the system due to focus wrongly aimed at the year 2014." Whaley also argues: "Intervener Whaley is a resident and citizen of both the Town of Taos and Taos County by virtue of which he incorporates this motion for

¹¹ KCEC, by Rule 540, is required to provide specific written notice to its members of the proposed rate increase in Advice Notice No. 60. As part of its Advice Notice No. 60 filing, Kit Carson submitted its Affidavit of Mailing indicating that the rate increase notice was mailed to each member of record, including both residential and non-residential members, which included local governmental customers. Kit Carson also complied with the requirement in Rule 540.13(C) to submit a copy of the form of notice to the Commission for approval at least fifteen days prior to giving notice to customers. KCEC also mailed copies of the notice to its members in compliance with the requirements of Section 62-8-7(H) and Rule 540.13.

¹² Order Terminating Suspension at ¶14.

¹³ Whaley Motion at ¶ 7 (a) and (b).

rehearing, since local government has not acted. All taxpayers are affected by the diversion of tax revenue to unanticipated electricity bills, which negatively affects the health, safety, and welfare of the town and county."

20. The Commission finds that Whaley failed to submit evidence during the hearing regarding a "domino" effect of the increase on non-residential rates upon the residential customers and that Whaley is attempting to introduce new evidence on this issue after the hearing has concluded and the evidentiary record has closed. As previously stated herein, the Commission's Order Requiring Rate Review required that any customer, including the Town of Taos or Taos County, wanting to become a party in the rate case file a motion for leave to intervene within one (1) month of the date of the order, or by February 20, 2016. The Commission finds that no such intervention motions were filed by either the Town of Taos or Taos County and the Whaley has not been designated by either entity to advocate on their behalf or on behalf of the taxpayers of the Town and/or County.

21. Whaley's Rehearing Motion next argues the rate case hearing was "flawed" and that "Kit Carson has substituted a 2014 financial report for a financial report of the calendar year 2015 or 2016 as directed by the PRC order of December 7, 2016 (See KCEC recent filing)."¹⁴ This argument refers to the January 3, 2016 Compliance Filing made by Kit Carson pursuant to the Final Order issued in this case which required Kit Carson to make as a compliance filing "an annual statement, filed in the docket each January 1, that ties audited interest expenses by loan for all of its activities to interest expense on RUS Form 7 for electric loans only and provides clear, easy to understand, separated, detailed information to tie interest expense for each loan by

¹⁴ Whaley Rehearing Motion at ¶ 9(d).
Order Denying Motions for Rehearing
Case No. 15-00375-UT

loan purpose (electric, broadband, propane)."¹⁵ Kit Carson did comply with the Final Order in so far as it provided detailed information related to the audited interest expense for KCEC's electric loans, and also identified the loans and interest expense for the broadband business and KCEC's propane subsidiary for the year for which it had audited financials, i.e., calendar year 2014.¹⁶ However, as Kit Carson explained in its compliance filing, the most current audited financial information available to Kit Carson as of January 1, 2017 was for calendar year 2014. *See*, Affidavit of Luis A. Reyes, Jr., which explained that Kit Carson's financial audit for calendar year 2015 was not completed until after the Commission issued its rate case Final Order in December 2016 and had not yet been presented to KCEC's Board of Trustees for review and approval as of the date of filing the compliance filing. KCEC asserts that the completed 2015 financial audit is anticipated to be approved at the next Board meeting scheduled for the end of January 2017, and, after that, KCEC will submit a supplemental loan interest statement that reflects the audited interest expense for calendar year 2015. *Id.* Kit Carson anticipates this supplemental audited interest expense compliance filing will occur in February 2017, after the January KCEC Board meeting. *Id.* Given the requirement in the Final Order for audited interest expense, any filing of calendar year 2015 interest expense prior to completion and presentation of the final 2015 financial audit would not have complied with the Commission's Final Order.

22. The Commission finds that Kit Carson complied with the Final Order when it submitted on January 3rd its Compliance Filing utilizing the calendar year 2014 audited interest expense instead of the audited interest expense for calendar year 2015 as Whaley's Motion

¹⁵ *See*, Final Order at ordering ¶ C.

¹⁶ In addition, the January 3rd Compliance Filing showed the audited interest expense statement was tied back to RUS Form 7 - Part N, long term debt and interest expense as required by the Final Order.

asserts. In other words, Kit Carson complied with the specific requirements of the Final Order and filed the only audited interest expense information it had available as of January 1, 2017, i.e., the audited interest expense for calendar year 2014.

23. Whaley's Rehearing Motion next argues that the Final Order should be reconsidered due to KCEC's arbitrary and capricious service and billing dates.

24. The Commission finds that KCEC's service and billing cycles are neither arbitrary nor capricious and were not ever an issue raised at any time in the Commission's rate case hearing in this case, either before, during or after the hearing, or the during the Exceptions period.

25. **Des Georges' Application**¹⁷: Des Georges' Application "accepts correctness of details as presented in the Final Order... Item 1 through 31, Pages 1 through 16." Des Georges' Application does not contest or request rehearing of the merits or determinations reached by the Commission in its Final Order as to the rate case determinations reached by the RD and the Commission's ruling that the orders contained in the RD be adopted, approved and accepted in its entirety. Nevertheless, Des Georges' Application objects to the Final Order's ordering paragraph D and objects to KCEC filing of revised Advice Notice No. 60 compliance filing on December 12, 2016. Des Georges' Application attaches examples of several residential Rate No. 1 as: "customer utility bills which demonstrate undeniably that the increased System and Energy Charges were applied to customer usage for Service Periods which were prior to the Final Order

¹⁷ Whaley's Rehearing Motion next argues the rate case hearing was "flawed" and presents arguments that refer to alleged "retroactive" billing of charges to members "for systemic meter expenses, prior to the Dec. 7, 2014 decision and prior to the Dec. 14, 2014 KCEC announcement of rate increase on the KCEC web site" for residential, private non-residential, town and county customers.

of December 7, 2016 and decidedly prior to the Effective Date of December 14, 2016 . . ."¹⁸ Des Georges Application argues "KCEC implemented the increased rate on their Residential utility customers retroactively." Additionally, Des Georges Application argues that the attached commercial bills which "... demonstrate that the increased System and Energy Charges were similarly applied to customer usage for Service Periods which were prior to the [Order Terminating Suspension] which was filed on September 7, 2016.". Des Georges argues "that the documentation provided demonstrates that KCEC implemented the increased rate on their commercial utility customers retroactively." Des Georges requests the Commission find that the documentation presented be sufficient to grant rehearing as provided in NMSA 1978 § 62-10-16.

26. Kit Carson responds to Des Georges' arguments regarding the billing of nonresidential rates by pointing out that the Order Terminating Suspension of Nonresidential Rates¹⁹ attached the proposed nonresidential rates originally filed in Advice Notice No. 60 as an exhibit to the order and did not require a revised filing be made by KCEC. Rather, that Order terminated the suspension of the six non-residential rates and those non-residential rates immediately went into effect on the date of the issuance of the Order Terminating Suspension, as KCEC noticed in its original Advice Notice No. 60, "starting with the next billings issued by KCEC to non-residential customers affected" by the revised rates.²⁰

27. KCEC's Response states that it reviewed the sample residential electric bills for the November and December 2016 billing periods attached to Des Georges Application with its

¹⁸ Des Georges' Application at ¶ 6 ¶ 8 ¶ 11.

¹⁹ Order Terminating Suspension at ¶ 4, ordering ¶ C, and ordering ¶ B.

²⁰ The commercial Rate No. 3 bill attached to Des Georges Application was for the billing period August 11, 2016 to September 15, 2016, which overlaps the effective date of the Order Terminating Suspension. It was the next billing sent to this customer and appropriately contained the higher monthly fixed service charge and the higher volumetric charges.

billing vendor. KCEC's Response²¹ states that it has identified that an inadvertent error did occur in the billing parameters for the fixed monthly service charge and the volumetric kilowatt hour ("kWh") charges for some customers for the November billing period. Kit Carson states that it has not yet completed its review, however, KCEC states that it appears, at the time of filing the Response, that approximately 6,500 residential customers were affected by the billing error for the November 2016 billing period. Kit Carson asserts that it will provide a refund in the form of a credit for those affected customers in an amount equal to the difference between the old monthly fixed charge and kWh charges in place at that time and the new monthly fixed and kWh charges erroneously charged during the November billing period. Kit Carson states that it also met with the NMPRC's Staff on January 17, 2017, to address these billing issues and identify the solution to provide an appropriate refund credit to these residential customers. As a result of that meeting, Kit Carson's Response states that KCEC and Staff have agreed on a plan to rectify the inadvertent billing errors. Kit Carson's Response further states that it anticipates that it will take additional time to develop the software changes necessary to appropriately bill for the kWhs consumed by residential customers in the December billing period prior to the effective date of the rate change at the lower volumetric rate; and bill kWhs consumed after the effective date of the rate change at the higher volumetric rate. KCEC's Response states that, for those residential customers whose billing period straddled the effective date of the December rate change, the higher fixed monthly service charge that went into effect during the billing period will be charged for that billing period. Kit Carson's Response affirms that it will provide

²¹ Exhibit 1 to KCEC's Response to Motions for Rehearing.
Order Denying Motions for Rehearing
Case No. 15-00375-UT

a final report to Staff that will identify the steps taken by KCEC to correct the inadvertent billing errors and the aggregate amount of the refund credits to residential electric customers.

28. The Commission finds that KCEC's purported inadvertent billing errors relate to KCEC's implementation of the Final Order and do not relate to the merits of either the RD or the Final Order and therefore, do not warrant rehearing of the Final Order. Kit Carson's identification of purported inadvertent errors with the implementation of the new rates and its proposed action plan to correct the implementation of the Final Order have been reviewed by Staff and appear to be a reasonable proposal for correction.

29. The Commission finds that for the reasons stated herein, the Commission should deny Summers' and Whaley's Rehearing Motions and Des Georges' Application. The arguments raised by these pleadings have already been raised, argued, fully litigated in both the hearing and the exception period and were previously denied.

IT IS THEREFORE ORDERED:

A. Summers' and Whaley's Motions for Rehearing and Des Georges' Application are hereby denied.

B. This Order is effective immediately.

C. Copies of this Order shall be e-mailed to all persons on the attached Certificate of Service if their email addresses are known, and otherwise shall be sent via regular mail.

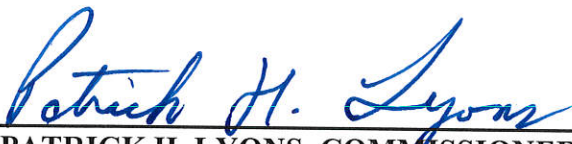
ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 25th day of
January, 2017.

NEW MEXICO PUBLIC REGULATION COMMISSION


SANDY JONES, CHAIRMAN


CYNTHIA HALL, VICE CHAIR

VOTED YES
VALERIE ESPINOZA, COMMISSIONER


PATRICK H. LYONS, COMMISSIONER


LYNDA LOVEJOY, COMMISSIONER



BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE FILING OF)
PROPOSED NEW RATES BY KIT CARSON)
ELECTRIC COOPERATIVE, INC.) Case No. 15-00375-UT
)
KIT CARSON ELECTRIC COOPERATIVE,)
INC., APPLICANT)

OFFICIAL CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the **Order Denying Summers'**
and Whaley's Motions for Rehearing and Des Georges' Application for Rehearing issued
on January 25, 2017, was sent via email on January 25, 2017, to the parties listed below:

Link Summers	linksummers@hotmail.com ;	Charles V. Garcia	cgarcia@cuddymccarthy.com ;
Jerome Lucero	jflucero9-12@q.com ;	Laura E. Sanchez-Rivet	lsanchez-rivet@cuddymccarthy.com ;
William E. (Bill) Whaley	bwhaley@newmex.com ;	John Reynolds	John.reynolds@state.nm.us ;
Carl Rosenberg	Carlr@taosnet.com ;	Bradford Borman	Bradford.Borman@state.nm.us ;
Peggy Nelson	pjnelson@taosnet.com ;	Jack Sidler	Jack.Sidler@state.nm.us ;
Fabi Romero	Fabrom@taosnet.com ;	Milo Chavez	Milo.Chavez@state.nm.us ;
Rose Des Georges	rdesgeorges@gmail.com ;	Vincent De Cesare	Vincent.Decesare@state.nm.us ;
A. Eugene Sanchez	genesanchez@centurylink.net ;	Judith Amer	Judith.Amer@state.nm.us ;
Arsenio Cordova	arseniocordova@hotmail.com ;		
Jeff Northrop	Jeffn@taosnet.com ;		

DATED on January 25, 2017.

NEW MEXICO PUBLIC REGULATION COMMISSION



Kathleen M Segura, Law Clerk