

TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 9 ELECTRIC SERVICES
PART 560 SERVICE STANDARDS FOR ELECTRIC UTILITIES

17.9.560.1 ISSUING AGENCY: New Mexico Public Regulation Commission.
[17.9.560.1 NMAC - Rp, 17.9.560.1 NMAC, 11/10/2020]

17.9.560.2 SCOPE: 17.9.560 NMAC shall apply to every electric utility (investor-owned, rural electric cooperative, or municipal) operating within the state of New Mexico and which is subject to the jurisdiction of the New Mexico public regulation commission as provided by the public utility act.
[17.9.560.2 NMAC - Rp, 17.9.560.2 NMAC, 11/10/2020]

17.9.560.3 STATUTORY AUTHORITY: Public Regulation Commission Act, Section 8-8-15 NMSA 1978.
[17.9.560.3 NMAC - Rp, 17.9.560.3 NMAC, 11/10/2020]

17.9.560.4 DURATION: Permanent.
[17.9.560.4 NMAC - Rp, 17.9.560.4 NMAC, 11/10/2020]

17.9.560.5 EFFECTIVE DATE: November 10, 2020 unless a later date is cited at the end of a section.
[17.9.560.5 NMAC - Rp, 17.9.560.5 NMAC, 11/10/2020]

17.9.560.6 OBJECTIVE: 17.9.560 NMAC is intended to promote safe and adequate service to the public, to provide standards for uniform and reasonable practices by utilities, and to establish a basis for determining the reasonableness of such demands as may be made by the public upon the utilities.
[17.9.560.6 NMAC - Rp, 17.9.560.6 NMAC, 11/10/2020]

17.9.560.7 DEFINITIONS: When used in 17.9.560 NMAC unless otherwise specified the following definitions will apply:

- A. “commission means”** the New Mexico public regulation commission;
- B. “customer means”** any person, firm, association, or corporation, or any agency of the federal, state, or local government being supplied with and responsible for payment for electric services by an electric utility;
- C. “electric plant means”** all plant, property, or facilities owned, operated, leased, or controlled for the generation, transmission, or distribution of electricity;
- D. “filed rule means”** rules and regulations filed by a utility with the commission in compliance with 17.1.210 NMAC which has been made effective either through commission approval thereof or by operation of law;
- E. “final notice means”** personal communication with a non-residential customer by telephone, hand delivery or other electronic communications at least two days prior to the specific date of discontinuance of service or, if by mail, at least four days prior to the specific date of discontinuance of service, excluding Sundays and holidays observed by the utility, to remind the non-residential customer of the pending date of discontinuance of service.
- F. “meter means”**, unless otherwise qualified, a device that measures and registers the integral of an electrical quantity with respect to time;
- G. “meter shop means”** a shop where meters are inspected, repaired, and tested and may be at a fixed location or may be mobile and shall contain facilities for protected storage of secondary standards;
- H. “meter standards laboratory means”** a facility which is equipped and staffed to provide the calibration and certification of secondary standards by comparison with primary standards;
- I. “premises means”** a piece of land or real estate including buildings and other appurtenances thereon;
- J. “primary standards means”** those items of laboratory equipment from which the basic units of electricity and standard time interval can be obtained for use in a meter standards laboratory;
- K. “protected storage means”** an enclosed case or cabinet in a clean location free from excessive heat, moisture, and vibration for the storage and protection of secondary standards and which is accessible only to

authorized personnel;

L. “secondary indicating ammeter standard means” an indicating ammeter standard which is in a semi-fixed installation in the protected storage of the meter shop and is used for calibrating the working ammeter standard; this standard remains in the protected storage at all times except when sent to a meter standards laboratory for standardization;

M. “secondary indicating voltmeter standard means” an indicating voltmeter standard which is in a semi-fixed installation in the protected storage of the meter shop and is used for calibrating the working voltmeter standard; this standard remains in the protected storage at all times except when sent to a meter standards laboratory for standardization;

N. “secondary instrument transformer standard means” an instrument transformer standard which is in a semi-fixed installation in the protected storage of the meter shop and is used for calibrating the working transformer standard; this standard remains in the protected storage at all times except when sent to a meter standards laboratory for standardization;

O. “secondary watt-hour standard means” an indicating watt-hour standard which is in a semi-fixed installation in the protected storage of the meter shop and is used for calibrating the working watt-hour standard; this standard remains in the protected storage at all times except when sent to a meter standards laboratory for standardization;

P. “special contract means” a written agreement between a utility and a customer to establish a rate or conditions of utility service, or both, that, due to size or load characteristics or both, differs from those established for general classes of service;

Q. “utility and electric utility” has the meaning given for “public utility” or “utility” in Section 62-3-3 NMSA 1978.

[17.9.560.7 NMAC - Rp, 17.9.560.7 NMAC, 11/10/2020]

17.9.560.8 [RESERVED]

[17.9.560.8 NMAC - Rp, 17.9.560.8 NMAC, 11/10/2020]

17.9.560.9 APPLICATION OF RULE:

A. Modifications. If unreasonable hardship to a utility or to a customer results from the application of any provision herein prescribed, application may be made to the commission for the modification of the provision or for temporary or permanent exemption from its requirements.

B. Rule revisions. 17.9.560 NMAC establishes standards to be followed by every electric utility in providing service to customers who are not residential customers as defined in Subsection J of 17.5.410.7 NMAC of the commission's code of rules and regulations and in providing service to residential customers except to the extent inconsistent with 17.5.410 NMAC of the code; provided, however, that any electric utility may file rules inconsistent with the provisions herein established when permitted by the commission under the provisions of Subsection A of 17.9.560.9 NMAC above, or, for residential customers, to conform with the requirements of 17.5.410 NMAC and when so filed and approved by the commission such utility rules shall take precedence over the provisions herein established.

C. Adoption. The adoption of 17.9.560 NMAC will in no way preclude the commission from altering or amending it or from making such modifications with respect to its application as may be found necessary to meet exceptional conditions.

D. Duties. These regulations shall in no way relieve any utility from any of its duties under the laws of this state.

[17.9.560.9 NMAC - Rp, 17.9.560.9 NMAC, 11/10/2020]

17.9.560.10 RECORDS AND REPORTS:

A. Location of records. The location of records shall be as prescribed in Section 62-6-17 NMSA 1978.

B. Retention of records. Records shall be retained as prescribed in 17.3.310 NMAC.

C. Data to be filed with the commission. The utility shall maintain the following documents and information on a current basis. Upon commission request, the utility shall provide the following information to the commission within 10 working days:

(1) a copy of utility's drawings or rules, if any, published or furnished by the utility for the use of engineers, architects, electrical contractors, etc., covering meter and service installations;

(2) a map or series of maps showing the geographical location of the utility system outside

the limits of an incorporated community together with a schematic drawing which shows:

- (a) generating stations, with the individual unit nameplate kilowatt capability and total capability of all units shown;
 - (b) transmission lines, with operating and design voltages and types and sizes of conductors shown;
 - (c) sub-transmission lines, with operating and design voltages and types and sizes of conductors shown;
 - (d) utility-owned transmission and sub-transmission substations and switching stations, with the capacities and voltages shown;
 - (e) state boundary crossings of utility's lines, with sources of generation from other states shown;
 - (f) intrastate and interstate connections with other utilities, with metering points, names of other utilities, and nature of service furnished or taken shown;
 - (g) names of all incorporated communities served;
- (3) the name, title, address, and telephone number of the person or persons who should be contacted by the commission in connection with:
- (a) general management duties;
 - (b) customer relations (complaints);
 - (c) engineering operations;
 - (d) meter tests and repairs; and
 - (e) emergencies during non-office hours;
- (4) a list of those items such as meters, meter sockets, instrument transformers, enclosures, and service entrances along with all other equipment which is furnished and maintained by the utility in its regular rates for service;
- (5) report detailing the results of all meters (excluding new meters) tested during the year showing:
- (a) total of meters tested;
 - (b) percentage of breakdown of reasons for tests;
 - (c) number of meters found to be more than two percent fast; and
 - (d) number of meters found to be more than two percent slow;
- (6) a list detailing all genuine customer voltage complaints and investigations along with the corrective measures taken to correct high or low voltage system conditions;
- (7) the location at which the utility keeps the various classes of records required by these rules;
- (8) information regarding any generating units which are not available for service, either scheduled or nonscheduled, which may affect reliability, and the arrangements to maintain service:
- (a) scheduled-by advance letter advice of scheduled maintenance by the owning utility, or if the utility is a member of any power pool the pool schedule should be furnished in advance; if a unit is not returned to service by the scheduled date, such supplemental notice as will enable the commission to be fully advised will be required;
 - (b) nonscheduled-by telegraph in the event a unit is not available for service for a period of 24 hours or longer due to any reason not covered by Subparagraph (a) above;
- (9) A list detailing the continuity of service (short planned outages for routine maintenance, system improvements, etc., are not considered as a customer hours outage).

$$\text{Continuity} = \frac{\text{Customer hours actually served}}{\text{Maximum customer hours possible to serve}} \times \text{one hundred percent}$$

[17.9.560.10 NMAC - Rp, 17.9.560.10 NMAC, 11/10/2020]

17.9.560.11 METER REQUIREMENTS:

A. Disposition of electricity:

(1) All electricity sold by a utility shall be on a basis of meter measurement except for service of installations where the load is constant and the consumption may be readily computed.

(2) Wherever practicable, consumption of electricity within the utility itself or by administrative units associated with it shall be metered.

B. Meter reading sheets, cards, or records: The meter reading sheets, cards, or records from which the customer's bills are prepared shall show:

- (1) customer's name, address, and rate schedule;
- (2) identification number or description of the meter(s);
- (3) meter readings;
- (4) if the reading has been estimated; and
- (5) any applicable multiplier or constant.

C. Meter reading interval: The meter shall be read at monthly intervals as nearly as practicable except that authority may be obtained from the commission for reading the meters at other than monthly intervals. commission approval need not be obtained where deviation from monthly meter reading schedules occurs because of the seasonal nature of the customer. As nearly as practicable utilities shall avoid sending a customer two successive estimated bills.

D. Condition of meter: No meter shall be installed which is known to be mechanically or electrically defective or to have incorrect constants or which has not been tested and adjusted, if necessary, in accordance with Subsection H of 17.9.560.14 NMAC. The capacity of the meter and the index mechanism should be consistent with the requirements of the customer.

E. Meter charts: All charts taken from recording meters shall be marked with the date of the record, the meter number, the customer's name and location, and chart multiplier.

F. Meter multiplier: If it is necessary to apply a multiplier to the meter readings the multiplier must be marked on the face of the meter register.

G. Demand meter registration: When a demand meter is used for billing the installation should be designed so that the highest demand reading used for billing should appear in the upper half of the meter's range. [17.9.560.11 NMAC - Rp, 17.9.560.11 NMAC, 11/10/2020]

17.9.560.12 CUSTOMER RELATIONS:

A. Customer information: Each utility shall:

- (1) maintain up-to-date maps, plans, or records of its entire transmission and distribution systems with such other information as may be necessary to enable the utility to advise prospective customers and others entitled to the information as to the facilities for serving any locality;
- (2) assist the customer or prospective customer in selecting the most economical rate schedule appropriate for their class of service;
- (3) notify customers affected by a change in rates or schedule classification;
- (4) post a notice in a conspicuous place in each office of the utility where applications for service are received informing the public that copies of the rate schedules and rules relating to the service of the utility as filed with the commission are available for inspection;
- (5) upon request inform its customers as to the method of reading meters; and
- (6) furnish such additional information as the customer may reasonably request.

B. Customer deposits: Each utility may require from any customer or prospective customer a deposit intended to guarantee payment of bills for service.

- (1) A utility may not require a security deposit or other guarantee of payment as a condition of new or continued service to a customer except in the case of service:
 - (a) to a customer that has not previously had utility service with the utility and that has not established an acceptable credit rating;
 - (b) to a customer that has on three or more occasions, within a 12-month period, received a final notice;
 - (c) as a condition for reconnection of service following discontinuance of service by the utility; or
 - (d) to a customer that in an unauthorized manner has interfered with or diverted the service of the utility situated on or about or delivered to the customer's premises.
- (2) In determining whether a customer that has not previously had utility service with the utility has an acceptable credit rating, a utility shall consider the following:
 - (a) documentation that the customer has an adequate credit reference from a utility where the customer had prior utility service;
 - (b) documentation obtained by the utility from a commercial credit source; or
 - (c) any other reasonable documentation.
- (3) A utility may give special consideration to a prospective or existing customer in determining if payment by an installment agreement is appropriate.

(4) If a utility requires a deposit, it shall have on file with the commission an approved rule setting forth the minimum and maximum deposit that may reasonably be required by the utility in cases involving all types of service. That rule shall conform to the following provisions:

(a) a deposit for a customer shall not exceed an amount equivalent to one-sixth of that non-residential customer's estimated annual billings; a utility shall base its deposit criteria upon the most recent available prior 12-month corresponding period at the same service location; or, if there is not a comparable period of service at the same service location, the deposit shall be based upon consumption of similar units in the same area;

(b) simple interest on deposits at a rate not less than the rate required by Section 62-13-13 NMSA 1978, shall accrue annually to the customer's credit for the time the deposit is held by the utility; by January 15 of each year the commission shall post on its website the minimum rate to be paid on any deposits required of a customer by any public utility; the deposit shall cease to draw interest on the date it is returned, on the date service is terminated, or on the date the refund is sent to the non-residential customer's last known address.

(5) Each customer that posts a security deposit shall receive in writing at the time of tender of deposit or with the first bill a receipt as evidence thereof. A utility shall provide the means whereby a depositor may establish its claim if its receipt is lost. The receipt shall contain the following minimum information:

(a) name of customer;

(b) date of payment;

(c) amount of payment; and

(d) statement of the terms and conditions governing the payment, retention, interest, and return of deposits.

(6) Refunds: Any non-residential customer that has not received a final notice for the 12-month period from the date of deposit or guarantee shall promptly receive a credit or refund in the amount of the deposit together with accrued interest due or shall be permitted to terminate any guarantee. If the amount of the deposit exceeds the amount of the current bill, the customer may request a refund in the amount of the excess if such excess exceeds \$25.00. If the customer fails to qualify for a refund of the deposit on the one year anniversary date of the deposit, that account shall be reviewed at least annually, and the amount of the deposit shall be credited if the customer has not received a final notice during the preceding 12 months. A customer may request a refund at any time after 12 months payment history, which refund shall promptly be paid if the customer has not received a final notice during the prior 12-month period or a utility may pay such refund in the absence of a request within a reasonable period of time.

(7) Each utility shall keep records to show:

(a) the name and address of each depositor;

(b) the amount and the date of the deposit; and

(c) each transaction concerning the deposit.

(8) A record of each unclaimed deposit shall be maintained for at least three years during which time the utility shall mail a check or a letter to the customer at their last known address in an effort to return the deposit.

(9) Unclaimed deposits together with accrued interest shall be credited to the appropriate account and shall be handled as required by the uniform disposition of unclaimed property act of the state of New Mexico.

C. Customer bill forms:

(1) The utility shall bill each customer as promptly as possible following the reading of their meter. The bill shall show:

(a) the reading of the meter at the end of the period for which the bill is rendered;

(b) the nominal date on which the meter was read;

(c) the number and kind of units metered;

(d) the applicable rate schedule or identification of the applicable rate schedules;

(e) the gross or net amount of the bill;

(f) the date by which the customer must pay the bill in order to benefit from any discount or to avoid any penalty;

(g) a distinct marking to identify an estimated bill;

(h) any conversions from meter reading units to billing units or any calculations to determine billing units from recording or other devices or any other factors, such as fuel clause adjustments, power factor adjustments, applicable primary discounts for customer-owned transformer, or billing units additions for secondary metering of primary services used in determining the bill; and

(i) a multiplier constant when used to determine billing will be shown on the bill

whenever applicable.

(2) In lieu of information required under subparagraphs (c), (g), and (h) above, the utility may incorporate on the bill form a statement advising the customer that any additional information desired relative to the application of the rate schedule can be obtained by contacting one of the utility's offices.

D. Customer records: The utility shall retain records as may be necessary to effect compliance with 17.3.310 NMAC and with Subsection E of 17.9.560.12 NMAC and Subsection E of 17.9.560.14 NMAC, and shall show where applicable the following:

- (1) KWH meter reading;
- (2) KWH consumption;
- (3) KW or KVA readings;
- (4) KW or KVA measured demand;
- (5) KW or KVA billing demand;
- (6) primary discounts; and
- (7) total amount of bill.

E. Adjustments of bills:

(1) General: An adjustment of bills for service shall be made for the following reasons, and may be made for reasons not listed below in order to achieve a reasonable, fair and just result:

- (a) meter creep;
- (b) kilowatt-hour registration in excess of two percent average error determined by meter test;
- (c) demand registration in excess of one percent error in addition to errors allowed under accuracy of demand meters, Subsection H of 17.9.560.14 NMAC;
- (d) failure of meter or equipment including automatic meter reading technology if such failure was not the result of a customer tampering with, damaging, replacing or deliberately destroying the equipment furnished and owned by the utility;
- (e) improper installation, testing, or inspection of equipment;
- (f) improper application of rate schedule;
- (g) improper multiplier;
- (h) improper application of a tax;
- (i) failure of utility to bill a customer for services at the time the customer received

the services; or

- (j) failure of a customer to provide safe and reasonable access to utility equipment.

(2) The amount of the adjustment shall be calculated on the basis that the metering equipment should be one hundred percent accurate with respect to the testing equipment used to make the test. For watt-hour meters the average accuracy shall be the arithmetic average of the percent registration at light load and at heavy load, giving the light load registration a weight of one and the heavy load registration a weight of four.

(3) Determination of adjustments: Unless otherwise specified, the time periods established in Paragraph (8) of Subsection E of 17.560.12 NMAC shall apply to adjustments made under Paragraph (3) of Subsection E of 17.560.12 NMAC.

(a) Meter creep: The error in registration due to creep shall be calculated by timing the rate of creeping and assuming that this creeping affected the registration of the meter for twenty percent of the time since the meter was installed or since the last previous test, whichever is later.

(b) Meter with inaccuracy in excess of specified limits: If the date when the error in registration began can be determined, such date shall be the starting point for determination of the amount of adjustment. If the date when the error in registration began cannot be determined, it shall be assumed that the error has existed for a period equal to one-half the time elapsed since the meter was installed or one-half the time elapsed since the last previous test, whichever is later.

(c) Failure of meter or equipment: When the error in registration is caused by failure of part or all of the metering installation, it shall be permissible to use the registration of check metering installations, if any, or to estimate the kilowatt-hour consumption, demand, and other data required for billing based upon a period of similar operating conditions as agreed to between the customer and the utility.

(d) Improper installation, testing, or inspection of meter or equipment: When the error in registration is caused by improper installation, testing, or inspection of meter or equipment, the date of installation, date of test, or date of inspection shall be the starting point for determination of the amount of the adjustment.

- (4) Refunds:

(a) If the recalculated bills indicate that a refund is due an existing customer or a person no longer a customer of the utility, the full amount of the calculated difference between the amount paid and the true amount shall be refunded in the applicable time period established in Paragraph (8) of Subsection E of 17.560.12 NMAC.

(b) The refund to an existing customer may be in cash or as credit on a bill. In the case of a previous customer who is no longer a customer of the utility, a notice of the amount due shall be mailed to such previous customer at their last known address and the utility shall, upon demand within three months thereafter, refund the amount due.

(5) Back-billing:

(a) If the recalculation of billing indicates that an amount is due the utility and such amount is in excess of any refund due the customer, the utility may bill the customer the true amount due in the applicable time period established in Paragraph (8) of Subsection E of 17.560.12 NMAC.

(b) Each utility may establish a minimum amount below which the utility will not back-bill the customer. When the amount of the back-billing is greater than the established minimum amount, the customer will be billed the true amount due the utility in the applicable time period established in Paragraph (8) of Subsection E of 17.560.12 NMAC.

(c) The customer shall be permitted to pay the amount of the back-billing in reasonable installments. A back-bill shall be accompanied by an offer of an installment agreement.

(d) The utility shall not charge the customer interest for any amount back-billed.

(6) A utility and its special contract customer may make their own agreements respecting adjustments for errors in measurement.

(7) The utility will assist the customer in selecting the rate schedule under which the customer is eligible to be billed. However, the utility will not be held responsible for refunding any overcharge caused by the customer's failure to select the appropriate rate schedule or by the customer's failure to notify the utility of a change in customer's operations. If the utility improperly applies the rate schedule selected by the customer, any billing in excess of the true amount will be refunded to the customer and any billing less than the true amount when greater than the established minimum amount will be billed to the customer in the applicable time period established in Paragraph (8) of Subsection E of 17.560.12 NMAC.

(8) Time periods for adjustment of bills:

(a) Residential customer class (metered usage): Refunding of an overbilling is limited to 12 months. Back-billing of an under billing is limited to six months. Customers responsible for the back-billed under-bill shall be given, at a minimum, the same time period to pay the under billing as the length of time period of the under billing.

(b) Residential customer class (zero usage or no bill): Back-billing is limited to six months. Customers responsible for the back-billed under-bill shall be given, at a minimum, the same time period to pay the under billing as the length of time period of the under billing.

(c) Non-residential small commercial customer class, defined by tariff: Refunding of an overbilling is limited to six months. Back-billing of an under billing is limited to six months. Customers responsible for the back-billed under-bill shall be given, at a minimum, the same time period to pay the under billing as the length of time period of the under billing.

(d) All other non-residential customer class, such as medium, large or industrial as defined by tariff: Refunding of an overbilling is limited to 12 months. Back-billing is limited to 12 months. Customers responsible for the back-billed under-bill shall be given, at a minimum, the same time period to pay the under billing as the length of time period of the under billing.

(e) Back-billing customers is limited to 72 months for under billing that was caused by tampering or fraud by the customer.

(f) Notwithstanding the above time limits, the commission may determine a different time limit for back-billing or refunding in order to achieve a reasonable, fair, and just result.

F. Reasons for denying or discontinuing service: Service may be denied or discontinued for any of the reasons listed below unless prohibited under Paragraph (3) of Subsection G of 17.9.560.12 NMAC. Unless otherwise stated the customer shall be allowed a reasonable time in which to comply with the rule before service is discontinued except as provided in Paragraphs (1), (2), (3) and (4) below:

(1) without notice in the event of a condition determined by the utility to be hazardous;

(2) without notice in the event of customer use of equipment in such manner as to adversely affect the utility's equipment or the utility's service to others;

(3) without notice in the event that a customer tampers with, damages, or deliberately

destroys the equipment furnished and owned by the utility;

- (4) without notice in the event of unauthorized use;
- (5) for violation of or noncompliance with the utility's rules on file with and approved by the

commission;

(6) for failure of the customer to fulfill their contractual obligations for service or facilities subject to the regulations of the commission;

(7) for failure of the customer to permit the utility reasonable access to its equipment;

(8) for non-payment of bill provided the utility has given the customer final notice;

(9) for failure of the customer to provide the utility with a deposit as authorized by

Subsection B of 17.9.560.12 NMAC except that a utility may not discontinue service to an existing customer solely for failure to pay deposit;

(10) for failure of the customer to furnish such service equipment, permits, certificates, or rights-of-way as shall have been specified by the utility as a condition for obtaining service or in the event such equipment or permissions are withdrawn or terminated; and

(11) for failure of the customer to pay for service of the same class at a previous metering point or points.

G. Reasons insufficient for denying or discontinuing service:

(1) The following shall not constitute sufficient cause for discontinuing service to a present customer:

(a) for failure to pay for merchandise purchased from the utility;

(b) for failure to pay for a different type or class of public utility service;

(c) for failure to pay the bill of another customer as guarantor thereof; or

(d) for failure to pay for concurrent service of whatever class at a different metering

point.

(2) The following shall not constitute sufficient cause for denying service to a prospective customer:

(a) for delinquency in payment for service by a previous occupant unless the previous occupant still resides at the premises;

(b) for failure to pay for merchandise purchased from the utility; or

(c) for failure to pay the bill of another customer as guarantor thereof.

(3) Irrespective of any conflict with 17.5.410 NMAC, the following rules regarding disconnection of residential utility service may be implemented on a temporary basis by order of the commission for a period of time, up to and including, the duration of any emergency executive order issued by the governor of New Mexico pertaining to a public health or other emergency condition under either the Public Health Emergency Response Act, Section 12-10A-1 NMSA 1978, and the All Hazards Emergency Management Act, Section 12-10-1 NMSA 1978:

(a) all utilities may be prohibited from discontinuing residential utility service for non-payment during the time period the emergency executive orders are in effect;

(b) any late fees on residential accounts that would be incurred during the time period of the effectiveness of the emergency executive orders may be required to be waived;

(c) utilities may be permitted to temporarily close in-person bill payment locations provided the utility provides notice to residential customers of such closures and identifies in such notice how payment made be made, including electronically or by mail. In the event of the closure of in-person bill payment locations, utilities shall be permitted to continue to collect credit card or bank fees in accordance with their own commission approved and filed tariffs;

(d) medical certificates set to expire shall not expire for the duration of the effectiveness of any emergency executive order and may be automatically be extended for 90 days from the end of any emergency executive order; and

(e) irrespective of this rule, public utilities are not prohibited from disconnecting service to residential customers due to:

(i) an emergency;

(ii) safety;

(iii) a request to disconnect from the residential customer.

H. Estimated demand: Upon request of the customer and provided the customer's demand is estimated for billing purposes, the utility shall measure the demand during the customer's normal operations and use the measured demand for billing.

I. Servicing utilization control equipment: Each utility shall service and maintain any equipment it owns and used on the customer's premises and shall correctly set and keep in proper adjustment any thermostats, clocks, relays, time switches, or other devices which control the customer's service in accordance with the provisions of the utility's rate schedules.

J. Customer complaints: Bona fide complaints concerning the charges, practices, or service of the utility shall be investigated promptly and thoroughly. The utility shall keep such records of customer complaints as will enable the utility to review and analyze its procedures and actions.

K. Temporary service: When the utility renders temporary service to a customer it may require that the customer bear all the cost of installation and removal of the service facilities in excess of any salvage realized.

L. Extension plan: Each utility shall develop a plan acceptable to the commission for the extension of facilities where they are in excess of those included in the regular rates for service and for which the customer shall be required to pay all or part of the cost.

[17.9.560.12 NMAC - Rp, 17.9.560.12 NMAC, 11/10/2020]

17.9.560.13 ENGINEERING:

A. Requirement for good engineering practice: The electric plant of the utility shall be constructed, installed, maintained, and operated in accordance with accepted good engineering practice in the electric industry to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.

B. Acceptable standards: Unless otherwise specified by the commission the utility shall use the applicable provisions in the latest edition of the publications listed below as standards of accepted good practice.

(1) National electric safety code as compiled by the national bureau of standards.

(2) National electrical code, NFPA No. 70, ANSI standard C-1.

(3) American standard code for electricity meters, ANSI standard C-12.

(4) American standard requirements, terminology and text code for instrument transformers, ANSI standard C-57.13.

(5) Preferred voltage ratings for A-C systems and equipment, EEI Pub. No. R-6, NEMA Pub. No. 117 ANSI standard C-84.1.

(6) Voltage levels on rural distribution system-REA bulletin 169-4.

(7) New Mexico state electrical code.

C. Adequacy of supply: The generating capacity of the utility's plant supplemented by the electric power regularly available from other sources must be sufficiently large so as to meet all normal demands for service and provide a reasonable reserve for emergencies.

D. Inspection of electric plant: Each utility must adopt a program of inspection of its electric plant in order to determine the necessity for replacement and repair. The frequency of the various inspections shall be based on the utility's experience and accepted good practice. Each utility shall keep sufficient and reasonable records to give evidence of compliance with its inspection program.

[17.9.560.13 NMAC - Rp, 17.9.560.13 NMAC, 11/10/2020]

17.9.560.14 INSPECTION AND TESTS:

A. Request tests: Upon request by a customer the utility shall test the meter serving that customer. The utility shall advise such customer that they may be present during the meter test. If the meter has been tested within the last 18 months the utility may charge the customer the applicable amount provided for in its filed rules, such charge to be refunded to the customer whenever the meter proves to be in excess of two percent in error.

(1) The customer or their representative may be present when their meter is tested if such customer's request to be present is made at the time of their request for the meter test. The utility shall give the customer reasonable advance notification as to the day, time, and place of the test.

(2) A report of the test results shall be made to the customer within a reasonable time after the completion of test, and a record of the report together with a complete record of each test shall be kept on file at the office of the utility for as long a period as prescribed in Subsection K of 17.9.560.14 NMAC.

B. Pre-installation inspections and tests:

(1) Every meter not certified by the manufacturer shall be inspected and tested in the utility's meter shop before being placed in service, and the accuracy of each of these meters shall be adjusted to be within the tolerances permitted by Subsection H of 17.9.560.14 NMAC.

(2) If a meter is physically removed from a customer's premises except for field testing and has not been tested during the preceding thirty-month period, it must be returned to the utility's meter shop and

inspected and tested as above before it is again placed in service.

C. Post-installation inspections and tests: The utility shall employ such qualified personnel and shall conduct such post-installation inspections as may be necessary to insure an overall accuracy within two percent of the condition as prescribed in Paragraph (6) of Subsection H of 17.9.560.14 NMAC in the following installations:

- (1) meters with associated instrument transformers and phase shifting transformers;
- (2) kilovar-hour meters, if associated with instrument transformers;
- (3) demand meters, if associated with instrument transformers; and
- (4) direct current watt-hour meters;
- (5) The commission may order inspections when in its opinion such inspections are

necessary.

D. As-found tests: All meters shall be tested after they are physically removed from service if they have not been tested during the preceding thirty-month period. Excepted are those meters damaged beyond testing. Such tests shall be made before the meters are adjusted, repaired, and calibrated. It will not be mandatory to test meters scheduled for retirement unless there is cause to suspect that there will be a subsequent complaint involving the accuracy of the meter.

E. In-service performance tests:

(1) General: In-service performance tests must be made in accordance with Paragraph (2) of Subsection E of 17.9.560.14 NMAC. These tests may be made on the customer's premises or in the utility's meter shop. All self-contained single-phase meters and three-wire network meters on a utility's system must be tested in accordance with Subparagraphs (a) through (e) of Paragraph (2) below.

(2) Periodic test schedule: In the test intervals specified below the word "years" means calendar years and the word "months" means calendar months. The basic periodic test interval shall not be longer than provided for in the following schedule.

(a) Alternating current watt-hour meters:

(i) meters used with instrument transformers: polyphase meters - at least once in four years, and single-phase meters - at least once in eight years;

(ii) self-contained polyphase meters - at least once in six years;

(iii) self-contained single-phase meters - at least once in eight years.

(b) All self-contained single-phase meters and three-wire meters must be tested in accordance with any one of the following listed permissive test programs referred to in 8.1.8 of the standard code for electricity metering, ANSI standard C-12-1965:

(i) periodic interval program;

(ii) variable interval program;

(iii) statistical sampling program.

(c) Variable interval and statistical sampling programs can be used only when specifically approved by the commission and when in accordance with the specific program adopted by commission.

(d) Var-hour meters: same as the schedule for associated watt-hour meters.

(e) Demand meters:

(i) block-interval non-recording demand meters and registers - same as the schedule for associated watt-hour meters;

(ii) block-interval graphic watt-hour demand meters - two years;

(iii) block-interval pulse-operated recording demand meters - two years;

(iv) lagged-demand meters - same as the schedule for associated watt-hour

meters.

(f) Secondary standards:

(i) portable rotating standard watt-hour meters - 12 months;

(ii) indicating voltmeters - 12 months;

(iii) instrument transformers - 10 years.

(g) working standards and instruments.

(i) portable rotating standard watt-hour meters - one month;

(ii) indicating voltmeters - six months;

(iii) instrument transformers - 10 years.

F. Instrument transformer tests: All instrument transformers shall be tested in accordance with the applicable procedures of American standard requirements, terminology and test code for instrument transformers, ANSI standard C-57.13:

- (1) when first received except in cases where a certificate of test is furnished by the

manufacturer;

(2) when removed from service if there is subsequently found to be visual evidence of damage;

(3) upon complaint;

(4) while still in service if there is visual evidence of damage; and

(5) whenever an approved check, such as the variable burden method in the case of current transformers, made whenever the meter was tested indicated that a quantitative test is required.

G. Generating station meter tests: Each generating utility may establish its own test procedures to insure the accuracy of its generating station output watt meter and watt-hour meters as per Subsection A of 17.9.560.13 and Subsection K of 17.9.560.14 NMAC.

H. Test procedures and accuracies: Meters shall be tested at the loads indicated below and adjusted as close as practicable to zero error when found to exceed the tolerances prescribed below. The test of any meter shall consist of a comparison of its accuracy with the accuracy of a standard. The commission will use the applicable provisions of the latest edition of the American standard code for electricity meters, ANSI standard C-12, as criteria of accepted good practice.

(1) Alternating current watt-hour meters:

(a) Shop tests:		
Test Load as Approximate Percentage of Test Current*	Power Factor	Tolerances
100	1.0	$\pm 1.0\%$
10	1.0	$\pm 1.0\%$
100	0.5	$\pm 1.5\%$
(b) Field Tests:		
100	1.0	$\pm 1.0\%$
10	1.0	$\pm 1.0\%$
*For meters used with current transformers the current at heavy load shall be approximately one hundred percent of the secondary rating of the current transformers and at light load approximately ten percent of that rating.		

(2) Direct current watt-hour meters:

Test Load as Approximate Percentage of Test Current	Power Factor	Tolerances
100		$\pm 1.5\%$
10		$\pm 1.5\%$

(3) Demand meters:

(a) Integrated (block interval) demand meters:

(i) Demand meters which are direct driven shall be tested at a load point no less than fifty percent of full scale. Tests shall be continuous for at least one demand interval and shall be started simultaneously with the demand interval of the demand meter.

(ii) Demand meters which are actuated by impulses shall be tested by transmitting enough impulses to cause the meter to register at a load point no less than fifty percent of full scale. If an impulse-actuated demand meter is equipped with a device which records the number of impulses received by the meter, and if there is frequent and accurate comparison of such record with the number of kilowatt hours registered on the associated watt-hour meter, then it is not necessary to make a periodic field test of the demand meter.

(iii) Demand meters shall be adjusted to indicate zero under no-load conditions and shall be checked to ascertain that the meter resets to zero.

(iv) Impulse devices associated with demand meters must be checked for proper operation.

(v) The demand meter shall have an accuracy of within two percent of full scale.

(vi) The time interval must be accurate within half a percent for synchronous motor timing elements and within two percent for mechanical clock timing elements.

(vii) Meters recording demand reading on a chart which provides a record of the time at which the demand occurs shall be accurate to within plus or minus four minutes in 24 hours.

(b) Lagged demand meters:

of full scale.

(i) Demand meters shall be tested at a load point no less than fifty percent of full scale.

(ii) Demand meters shall be adjusted to indicate zero under no-load conditions with potential applied.

(iii) The demand meter shall have an accuracy within three percent of full scale.

(iv) Meters recording demand readings on a chart which provides a record of the time at which the demand occurs shall be accurate to within plus or minus four minutes in 24 hours.

(4) Transformers:

(a) All current and potential transformers shall be tested in accordance with the applicable procedures prescribed in ANSI standard C-57.13.

(b) Any utility unable to perform the above tests due to a lack of proper equipment may have its instrument transformers tested by another utility or laboratory whose testing conforms to the requirements of the commission.

(c) In lieu of the utility testing of instrument transformers the commission will accept the certificate of test as furnished by the manufacturer.

(d) Current or potential transformers shall not be installed if their accuracy does not fall within the 0.6 accuracy class as described in ANSI standard C-57.13.

(5) Meters for measurement of purchased electricity: Utilities purchasing electricity from non-utilities or from utilities outside the state must see that the instruments and meters which are necessary to furnish complete and accurate information as to the energy purchased are installed and tested in accordance with the requirements of the commission.

(6) General:

(a) All meters when tested shall be adjusted as closely as practicable to the condition of zero error.

(b) All tolerances are to be interpreted as maximum permissible variations from the condition of zero error. In making adjustments no advantage of the prescribed tolerance limits shall be taken.

(c) Meters shall not "creep," i.e., there shall be no continuous rotation of the moving element of a meter at a speed in excess of one revolution in 10 minutes when the meter load wires have been removed and voltage is applied to the potential elements of the meter.

I. Facilities and equipment for meter testing: Each utility shall maintain a meter shop or shall have the services of a meter shop available to it for the purpose of inspecting, testing, and repairing meters. The shop shall be open for inspection by authorized representatives of the commission at all reasonable times, and the facilities and equipment as well as the methods of measurement and testing employed shall be subject to the approval of the commission. The meter shop used by a utility shall have adequate and sufficient testing equipment to comply with this rule and to conduct the tests and make repairs and adjustments in compliance with this rule.

(1) Each location at which the shop conducts tests of meters shall have a three-phase voltage supply, one phase of which shall be variable from zero volts to 270 volts.

(2) Standards: Extreme care shall be exercised in the handling of standards to assure that their accuracy is not disturbed. Each meter shop shall contain facilities for protected storage of the secondary standards which are accessible only to personnel specifically so assigned by the utility management.

(a) Secondary standards:

(i) Each shop shall have at least one indicating voltmeter with a stated accuracy within one-quarter percent of full scale. This instrument must be maintained within its stated accuracy.

(ii) Each shop shall have at least one portable rotating standard watt-hour meter with a correction of not more than one-half percent at commonly used loads. If the correction percentage varies between successive tests by more than one-quarter percent, a complete check must be made to determine the cause of such variation. If the cause of variation cannot be removed the use of the instrument should be discontinued.

(iii) Secondary standards shall be checked periodically (See Paragraph (2) of Subsection E of 17.9.560.14 NMAC) at the national bureau of standards or at a laboratory acceptable to the commission. Secondary standards otherwise shall be kept in the protected storage of the meter shop at all times.

(iv) Secondary standards shall be accompanied at all times by a certificate or calibration card, duly signed and dated, on which are recorded the corrections required to compensate for errors found at the customary test points at the time of the last previous test.

(b) Working standards: Each shop shall have at least one portable rotating standard

watt-hour meter with a correction of not more than one-half percent at commonly used loads. If the correction percentage varies between successive tests by more than one-quarter percent, a complete check must be made to determine the cause of such variation. If the cause of variation cannot be removed the use of the instrument should be discontinued. Working standards shall be checked periodically (See Paragraph (2) of Subsection E of 17.9.560.14 NMAC) by comparison with a secondary standard from the protected storage of the meter shop.

J. Records of meters: Each utility shall maintain records of the following data, where applicable, for each meter until retirement:

- (1) the complete identification (number, type, voltage, amperes, number of wires, disk constant (kh), demand interval, and ratio); and
- (2) the dates of installation and removal from service together with the location.

K. Meter test records: Each utility shall keep meter test records until a superseding test has been made but not less than two years or as may be necessary to comply with service rules regarding refunds on inaccurate meters. Test records shall include the following:

- (1) the date and reason for the test;
- (2) the reading of the meter before making any test;
- (3) the accuracy "as found" at light and heavy loads;
- (4) the accuracy "as left" at light and heavy loads; and
- (5) a statement of any repairs made.

[17.9.560.14 NMAC - Rp, 17.9.560.14 NMAC, 11/10/2020]

17.9.560.15 STANDARDS OF QUALITY OF SERVICES:

A. Standard frequency: The standard frequency for alternating current distribution systems shall be 60 cycles per second. The frequency shall be maintained within limits which will permit the satisfactory operation of customers' clocks connected to the system.

B. Voltage limits: Each utility shall adopt and file with the commission standard nominal service voltages and for each of the several areas into which its distribution system or systems may be divided.

(1) The variations of the voltage for the various classes of service, voltage spread, and extreme tolerable voltage limits shall be in accordance with the publication EEI No. R-6, NEMA No. 117, ANSI standard C-84.1, or voltage levels on rural distribution systems REA bulletin No. 169.4.

(2) For service rendered to public utilities and others for resale, the nominal voltage spread and extreme tolerable voltage limits shall be as mutually agreed upon by the parties concerned. These limitations do not apply to special contracts in which the customer specifically agrees to accept service with unregulated voltage.

(3) Exceptions to voltage requirements: Voltage outside the limits specified will not be considered a violation when the variations:

- (a) arise from the action of the elements;
- (b) are infrequent fluctuations not exceeding five minutes' duration;
- (c) arise from service interruptions;
- (d) arise from temporary separation of parts of the system from the main system;
- (e) are from causes beyond the control of the utility.

C. Voltage surveys and records:

(1) Each utility shall make a reasonable number of voltage measurements using recording voltmeters or minimum/maximum voltmeters to determine if voltages are in compliance with the requirements as stated in Subsection B of 17.9.560.15 NMAC.

(2) Voltage measurements shall be made at the customer's point of metering and at other pertinent locations on the utility system.

(3) All voltmeter records obtained under Paragraphs (1) and (2) above shall be retained by the utility in accordance with 17.3.310 NMAC and shall be available for inspection by the commission's representatives. Notations on each record shall indicate the following:

- (a) the location where the voltage was taken;
- (b) the time and date of the test; and
- (c) the results of the comparison with an indicating voltmeter.

D. Equipment for voltage measurements:

(1) Working instruments:

(a) Each utility shall have at least two indicating voltmeters with a stated accuracy within plus three percent of full scale.

(b) Each utility shall have at least two portable recording voltmeters with a stated

accuracy within plus three percent of full scale.

(2) Working instruments shall be checked periodically (see Paragraph (2) of Subsection E. of 17.9.560.14 NMAC) by comparison with a standard in a meter shop.

(3) Extreme care shall be exercised in the handling of instruments to assure that their accuracy is not disturbed.

E. Interruptions of service: Each utility shall make reasonable efforts to avoid interruptions of service, but when interruptions occur service shall be reestablished within the shortest time practicable consistent with safety.

(1) Each utility shall keep records of interruptions of service on its primary distribution circuits and shall make an analysis of the records for the purpose of determining steps to be taken to prevent recurrence of such interruptions. Such records should include the following information concerning the interruptions:

- (a) cause;
- (b) date and time; and
- (c) duration.

(2) The log for each unattended substation must show interruptions which require attention to restore service with the estimated time of interruption.

(3) Planned interruptions shall be made at a time that will not cause unreasonable inconvenience to customers and shall be preceded, if feasible, by adequate notice to those who will be affected.

(4) Each utility shall report the following information:

(a) A major interruption of service is defined as an unscheduled interruption of service of more than 30 minutes in duration, affecting:

- (i) more than ten percent of a utility's New Mexico jurisdictional load or more than 100 MW of its New Mexico jurisdictional load, whichever is less; or
- (ii) substantially all of a New Mexico municipality or county; or
- (iii) any of the utility's customers of at least one MW (based on the most recent demand billing information on the date of the major interruption).

(b) Within two hours of the commencement of a major interruption of service (or no later than 9:00 AM the following business day for outages occurring after 4:00 PM or on a weekend), the utility division of the commission shall be notified telephonically, by facsimile or by e-mail of the occurrence with a brief description of the occurrence.

(c) Within three business days a written report shall be filed with the records division of the commission. The written report shall contain the pertinent information on the outage including, but not limited to, time of occurrence, duration, cause, facilities affected, MW of load lost, MWH of lost sales, estimated number of consumers affected, municipalities and counties wholly or partially interrupted, and actions taken by the utility to correct and prevent recurrence of the outage.

(d) Utilities that submit reports of an interruption to any coordinating council, regional transmission group or other industry review shall concurrently submit copies to the records division of the commission, including any engineering reports associated with an interruption. Each utility shall provide to commission staff all information requested by staff that is reasonably needed to assess the situation.

(5) Each utility shall identify critical customers, including facilities that require electricity to perform essential life-health-safety services, including other utility services such as natural gas compression, to establish priority of service and to minimize curtailments to these customers.

(6) Each utility shall identify an emergency coordinator to act as a single point of contact between designated emergency personnel in each community served by the utility in the event of a system emergency.

F. Curtailment of service plan: Each utility shall have in place a plan for curtailment of service that may need to be instituted to maintain system reliability and integrity. Each plan shall be consistent with applicable NERC and other reliability standards. The plan shall identify various levels of curtailment and conditions that an electric utility must experience for each level as well as specifying the type of actions the utility must undertake to contain or reverse a potential emergency. Each plan must also prescribe the minimum documentation required at each level. The plan must also include information dissemination to customers, the public and governmental entities. Each utility will periodically review and update the plan and will submit a copy of the most current plan version to the records division of the commission as a company rule pursuant to 17.9.210 NMAC.

[17.9.560.15 NMAC - Rp, 17.9.560.15 NMAC, 11/10/2020]

17.9.560.16 SAFETY:

A. Protective measures:

(1) Each utility shall exercise reasonable care to protect its employees, its customers, and the general public from hazards to which they may be subjected.

(2) The utility shall give reasonable assistance to the commission in the investigation of the cause of accidents and in the determination of suitable means of preventing accidents.

(3) Each utility shall maintain a summary of each accident arising from its operations and make such summaries available to the commission upon request.

(4) A utility shall not connect a new electric service unless the utility has the three copies of the application for electrical inspection. This subsection is not applicable to federal installations for which a state or local inspection is not required.

B. Safety program: Each utility shall adopt and execute a safety program fitted to the size and type of its operations. As a minimum the safety program should:

(1) require employees to use suitable tools and equipment in order to perform their work in a safe manner;

(2) instruct employees in safe methods of performing their work; and

(3) instruct employees who in the course of their work are subject to the hazard of electrical shock or drowning in accepted methods of artificial respiration.

C. Grounding of secondary distribution system: Each utility shall comply with the applicable provisions in the national electrical safety code and the national electrical code for the grounding of secondary circuits and equipment.

[17.9.560.16NMAC - Rp, 17.9.560.16 NMAC, 11/10/2020]

HISTORY OF 17.9.560 NMAC:

Pre-NMAC History. The material in this part was derived from that previously filed with the commission of public records-state records center and archives.

PSC 77-1, (Case No. 1350) Amendments to Second Revised General Order No. 5 and Second Revised General Order No. 6: Applicability of Amendments to Water Utilities, filed 4/4/1977.

NMPSC Rule 560, Service Standards for Electric Utilities, filed 6/30/1988.

History of repealed material.

NMPSC Rule 560, Service Standards for Electric Utilities (filed 6/30/1988) repealed 6/15/2005.

17.9.560 NMAC - Service Standards for Electric Utilities (filed 3/8/2013) repealed 11/10/2020.

Other History:

NMPSC Rule 560, Service Standards for Electric Utilities (filed 6/30/1988) replaced by 17.9.560 NMAC, Service Standards for Electric Utilities, effective 6/15/2005.

17.9.560 NMAC - Service Standards for Electric Utilities (filed 3/8/2013) replaced by 17.9.560 NMAC - Service Standards for Electric Utilities, effective 11/10/2020.