

**TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES**  
**CHAPTER 12 WATER SERVICES**  
**PART 760 CUSTOMER SERVICE RULES AND REGULATIONS FOR WATER UTILITIES**

**17.12.760.1 ISSUING AGENCY:** New Mexico Public Public Regulation Commission.  
[17.12.760.1 NMAC - Rp, 17.12.760.1 NMAC, 11/10/2020]

**17.12.760.2 SCOPE:** 17.12.760 NMAC shall apply to any water utility operating within the state of New Mexico under the jurisdiction of the new mexico public regulation commission.  
[17.12.760.2 NMAC - Rp, 17.12.760.2 NMAC, 11/10/2020]

**17.12.760.3 STATUTORY AUTHORITY:** Section 8-8-15 NMSA 1978; Sections 62-3-1 NMSA 1978, 62-3-3(F)(3) NMSA 1978, 62-3-4 NMSA 1978, 62-6-1 NMSA 1978, 62-6-4 NMSA 1978, 62-6-16 NMSA 1978, 62-6-18 NMSA 1978, 62-6-19 NMSA 1978, 62-6-20 NMSA 1978, 62-6-21 NMSA 1978, 62-6-22 NMSA 1978, 62-8-3 NMSA 1978, 62-8-10 NMSA 1978, and 62-9-1 NMSA 1978.  
[17.12.760.3 NMAC - Rp, 17.12.760.3 NMAC, 11/10/2020]

**17.12.760.4 DURATION:** Permanent.  
[17.12.760.4 NMAC - Rp, 17.12.760.4 NMAC, 11/10/2020]

**17.12.760.5 EFFECTIVE DATE:** November 10, 2020.  
[17.12.760.5 NMAC - Rp, 17.12.760.5 NMAC, 11/10/2020]

**17.12.760.6 OBJECTIVE** 17.12.760 NMAC is intended to promote safe and adequate service to the public, to provide standards for uniform and reasonable practices by water utilities under the jurisdiction of the public regulation commission, and to establish a basis for determining the reasonableness of such demands as may be made by the public upon such water utilities. If unreasonable hardship to such a water utility or to a customer of such a water utility 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. The public regulation commission is not precluded from altering or amending 17.12.760 NMAC or from making such modifications with respect to its application as may be found necessary to meet exceptional conditions. These regulations shall not relieve any water utility operating within the state of new mexico subject to the jurisdiction of the public regulation commission from its duties under the laws of this state.  
[17.12.760.6 NMAC - Rp, 17.12.760.6 NMAC, xx/xx/2020]

**17.12.760.7 DEFINITIONS: [RESERVED]**  
[17.12.760.7 NMAC - Rp, 17.12.760.7 NMAC, 11/10/2020]

**17.12.760.8 [RESERVED]**  
[17.12.760.8 NMAC - Rp, 17.12.760.8 NMAC, 11/10/2020]

**17.12.760.9 CUSTOMER SERVICE RULES AND REGULATIONS:** The customer service rules and regulations set forth in 17.12.760 NMAC establish the responsibilities and rights of jurisdictional water utilities and their residential customers in their water service relationship. Nothing herein shall prevent any utility from adopting customer service rules and regulations which do not conflict with but which are additional to those set forth herein to cover special circumstances.  
[17.12.760.9 NMAC - Rp, 17.12.760.9 NMAC, 11/10/2020]

**17.12.760.10 FORMAT FOR CUSTOMER SERVICE RULES AND REGULATIONS:**

**A.** For the convenience of the utilities the customer service rules and regulations herein are set forth in the appropriate format. (See 17.12.760.10 NMAC.pdf)

**B.** The following additional rules regarding disconnection of residential water service by all water utilities subject to the jurisdiction of the commission shall be effective for the duration of time that governor's executive orders pertaining to the COVID-19 pandemic ("emergency executive orders") remain in effect:

**(1)** all water utilities are prohibited from discontinuing residential water service for non-payment during the time period the emergency executive orders are in effect;

(2) disconnections of residential water service for non-payment issued on or after March 11, 2020 (the effective date of the governor's first emergency executive orders pertaining to the COVID-19 pandemic) are suspended for the duration of the effectiveness of all COVID-19 related emergency executive orders;

(3) any late fees on residential accounts that would be incurred during the time period of the effectiveness of the emergency executive orders shall be waived;

(4) water utilities are permitted to temporarily and immediately close in-person bill payment locations as long as they provide notice to residential customers regarding the same and notice how to pay electronically or by mail. In the event of closure of in-person bill payment locations, water utilities shall be permitted to continue to collect credit card or bank fees in accordance with their own commission approved and filed tariffs;

(5) medical certificates set to expire shall not expire for the duration of the effectiveness of all COVID-19 related emergency executive orders and shall automatically be extended for 90 days from the end of all COVID-19 related emergency executive orders.

[17.12.760.10 NMAC - Rp, 17.12.760.10 NMAC, 11/10/2020]

**17.12.760.11 [RESERVED]**

[17.12.760.11 NMAC - Rp, 17.12.760.11 NMAC, 11/10/2020]

**HISTORY OF 17.12.760 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.

General Order No. 42, Regulations Governing Water Utilities, filed 5/2/1984.

NMPSC Rule 760, Customer Service Rules and Regulations for Water Utilities, filed 6/30/1988.

**History of Repealed Material:**

17 NMAC 12.760 - Customer Service Rules And Regulations For Water Utilities (filed 6/30/1988), repealed effective 11/10/2020.

**Other:**

17 NMAC 12.760 - Customer Service Rules And Regulations For Water Utilities filed (6/30/1988) replaced by 17.12.760 NMAC - Customer Service Rules And Regulations For Water Utilities filed 11/10/2020 effective, 11/10/2020.