

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE AMENDED AND)	
RESTATED APPLICATION BY AV WATER CO.,)	
LLC TO TRANSFER AND ABANDON THE)	
HARVEST GOLD PORTION OF ITS REGULATED)	Case No. 16-00295-UT
UTILITY SERVICE AND TO TRANSFER)	
OWNERSHIP AND OPERATION OF THE)	
HARVEST GOLD WATER SYSTEM TO THE)	
APPLE ORCHARD MUTUAL DOMESTIC WATER)	
CONSUMERS ASSOCIATION)	

**NOTICE OF HEARING ON AMENDED APPLICATION TO TRANSFER AND
ABANDON HARVEST GOLD UTILITY SERVICE TO APPLE ORCHARD MUTUAL
DOMESTIC WATER USERS ASSOCIATION**

NOTICE is hereby given of the following matters pertaining to the above-captioned case pending before the New Mexico Public Regulation Commission (the “Commission”):

On June 7, 2017, AV Water Co., LLC (“AVW”) filed with the Commission an Amended and Restated Application (the “Amended Application”) to abandon assets and water service with respect to the Harvest Gold water system and to transfer ownership and operation to the Apple Orchard Mutual Domestic Water Association (“AOMD”). This case docket was originally set up for the purpose of considering AVW’s application to abandon and transfer the service and facilities to the Blanco Mutual Domestic Water Users Association (“Blanco”), but the Amended Application has replaced the defunct Blanco application.

In the Amended Application, AVW requests, in pertinent part, the following authorizations and approvals: (1) that, pursuant to NMSA 1978, § 62-9-5, the Commission approve the abandonment of certain assets and water service by AVW and that the Commission permanently relinquish all regulatory jurisdiction, and authority, with respect to the Harvest Gold water system; (2) that, pursuant to NMSA 1978, § 62-6-12, the Commission authorize the

transfer by AVW to AOMD of ownership and operation of the Harvest Gold water system; (3) that such transfer be contingent on all encumbrances of the Harvest Gold transfer assets being removed in a manner and on terms mutually satisfactory to and agreed upon by AVW and Stonetown Animas Lender LLC; and (4) that the Commission grant such other authorizations and approvals as may be required by the Commission in order to permit the completion of the transactions provided for in the transfer agreement and as set forth in the Amended Application.

A public hearing regarding the Amended Application will be held beginning on **June 14, 2017, at the Commission's 4th Floor Hearing Room, 1120 Paseo de Peralta, Santa Fe, New Mexico 87501. The hearing will begin immediately after the Commission's conclusion of other matters on the agenda for the open meeting on that date. The open meeting is scheduled to begin at 9:30 A.M.**

The hearing will be for the purpose of receiving evidence, arguments and any other appropriate matters related to the Application.

AVW and Staff are parties to this proceeding and must participate in the above hearing in this matter. The parties are not required to file pre-filed testimony with regard to the above hearing.

Any person who desires to intervene to become a party to this case must move the Commission for leave to intervene, either by written motion prior to the beginning of the hearing on this matter or by appearing at the hearing and making an oral motion at the beginning of the hearing. Interested persons wishing to file written motions to intervene should include a reference to Case No. 16-00295-UT in their motion, and a statement of whether they are customers of AVW, and in particular, whether they are customers of the Harvest Gold water system. If the person is not a customer, then he or she should state what interest he or she has in

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this case. Interested persons may file their motions to intervene with the Commission by emailing a copy of their motions to Melanie.Sandoval@state.nm.us and Kathleen.Segural@state.nm.us.

The Commission's Rules of Procedure, 1.2.2 NMAC, shall apply to this case except as modified by order of the Commission. A copy of such rules may be obtained from the offices of the Commission, which address is stated below, and are also available at the official site of the New Mexico Administrative Code, <http://www.nmcpr.state.nm.us/nmac/>.

Any person may examine the documents filed in the public record for this case at the Commission's offices at 1120 Paseo de Peralta, Santa Fe, NM 87501 (telephone: (505) 827-4501), or through the Commission's website, <http://www.nmprc.state.nm.us>, using the Commission Case No. 16-00295-UT.

Any interested person may appear at the time and place of hearing and make an oral comment pursuant to 1.2.2.32(A)(2) NMAC without becoming an intervenor. Interested persons may also send written comments, which shall reference Case No. 16-00295-UT, to the Commission at the address set out below. Comments shall not be considered as evidence in this case.

New Mexico Public Regulation Commission

P.O. Box 1269

Santa Fe, NM 87504-1269

Persons interested in attending the hearing should contact the Commission for confirmation of the hearing date, time and place, since hearings are occasionally rescheduled.

The procedures, dates and requirements provided herein are subject to modification by further order of the Commission or any hearing examiner designated by the Commission in this matter.

Any person with a disability requiring special assistance in order to participate in the hearing should contact Ms. Kathleen Segura at (505) 827-4501 at least 48 hours prior to the commencement of the hearing.