

**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**IN THE MATTER OF THE INVESTIGATION OF THE )**  
**IMPACT OF THE FEDERAL TAX CUTS AND JOBS )**  
**ACT OF 2017 ON ALL UTILITIES IN THE ) Case No. 18-00016-UT**  
**JURISDICTION OF THE NEW MEXICO PUBLIC )**  
**REGULATION COMMISSION )**  

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**NOTICE OF FILING**

**NOTICE IS HEREBY GIVEN** that the attached documents were received by the Commission's Office of General Counsel from the Commission's Utilities Division ("Staff"). These documents are from regulated investor owned Zia Natural Gas Company in reply to Staff's February 2, 2018 letter that requested responses to certain questions regarding the federal Tax Cuts and Jobs Act of 2017 in this Docket.

**DATED** this 20th day of March 2018.

**NEW MEXICO PUBLIC REGULATION COMMISSION**

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**David Black, Associate General Counsel**



MODRALL SPERLING

L A W Y E E R S

February 23, 2018

BY HAND DELIVERY

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Acting Utility Division Director  
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RE: Zia Natural Gas Company's Response Regarding TCJA Impact  
NMPRC Case No. 18-00016-UT

Dear Mr. Chavez:

Zia Natural Gas Company, a division of Natural Gas Processing Company ("ZIA" or the "Company"), by and through its undersigned attorneys, hereby responds to the New Mexico Public Regulation Commission's ("NMPRC" or "Commission") Order Commencing Review of the Effects of the Federal Tax Cuts and Jobs Act of 2017 on Regulated New Mexico Utilities ("Order"), issued January 24, 2018, and Commission's Staff's Letter to utility companies, issued February 2, 2018, requesting responses to Staff. The Order orders utilities to respond to three questions regarding the impact of the Federal Tax Cuts and Jobs Act of 2017 ("TCJA"). Staff's Letter requests utilities provide a letter response to Staff. ZIA provides its responses below.

1. **Based on the current calendar year of January 1, 2018 through December 31, 2018, what impact does the Utility expect to realize on its New Mexico financial operations because of the TCJA federal corporate tax rate changes? In your response please address, at a minimum, the impacts on tax expense, accumulated deferred income tax ("ADIT"), and excess ADIT.**

On January 26, 2018, ZIA filed NMPRC Case No. 18-00018-UT, an Application for Revision of its Rates, Rules, and forms under Advice Notice No. 57 ("Application"); supporting schedules, direct testimonies and exhibits; and the Certificate of Service. In summary, ZIA is requesting a general rate increase of \$2,597,203. As part of its Application, the Company incorporated the change in federal tax rate as a result of the passage of TCJA. The tax rate change impacted both the income tax expense and ADIT line items used to calculated the proposed customer rates.

It is important to note that Natural Gas Processing Co. ("NGP"), is an S-corporation and the taxpayer is the shareholder of NGP. The shareholder falls under the married filing jointly tax bracket and so the tax changes of TCJA are different than the corporate tax rate. Please see the Application and the Direct testimony of Anne G. Wheatcroft filed in Case No. 18-00018-UT for further detail regarding the calculation of tax expense. For the 2018 calendar year or until the Rate Application is approved, the

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Company will recognize a tax expense decrease of approximately 8.06% as the prior actual tax expense of the Company was 42.56% and the tax rate as a result of TCJA will be 34.5%. The Company used the tax rate of 34.5% to calculate the ADIT balance within the Rate Application.

**2. What does the Utility propose to do with the realized tax rate reduction savings, if any?**

The realized tax rate reduction is reflected within the Rate Application filed January 26, 2018, and the savings is reflected within the proposed rates. As shown in the Rate Application, since ZIA is already under-earning, the net effect of the tax rate change is a lower proposed rate increase.

**3. Are there any other impacts of the TCJA on the Utility's financial operations that the Utility would like to bring to the Commission's attention?**

There are no other material impacts of TCJA on the Company.

Respectfully submitted,

MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.

By: 

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*Attorneys for Zia Natural Gas Company*

cc: PRC Records Bureau  
Russell Fisk, PRC Office of General Counsel

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**Case No. 18-00016-UT**

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing **Notice of Filing**

was served via email and first-class mail on March 20, 2018, to the parties listed below:

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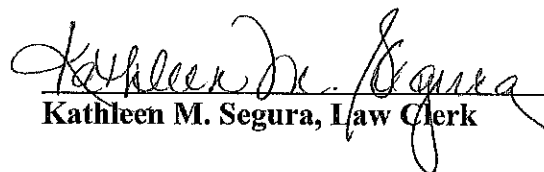
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**VIA FIRST-CLASS MAIL**

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Boles Water System 43 Thistle Street Alamogordo, NM 88311	Homestead Water Company P. O. Box 1128 Moriarty, NM 87035
Quemado Waterworks P. O. Box 97 Quemado, NM 87829	River Valley View Water System 1006 Cedardale Las Cruces, NM 88005
Sunlit Hills of Santa Fe 86 Camino Pacifico Santa Fe, NM 87508	Sunset Acres Water 134 Yucca Drive Portales, NM 88130

**DATED** this 19<sup>th</sup> day of March, 2018.

**NEW MEXICO PUBLIC REGULATION COMMISSION**

  
 Kathleen M. Segura, Law Clerk