

**THE NEW MEXICO PUBLIC REGULATION
COMMISSION TRANSPORTATION DIVISION**

**TARIFF CHANGE
APPLICATION**

COVER SHEET

FOR OFFICIAL USE ONLY	
IF UNCONTESTED	IF CONTESTED
DOCKET NUMBER _____	DOCKET NUMBER _____
DATE FILED _____	DATE FILED _____
DATE OF CERTIFICATE OF MAILING _____	DATE SUBMITTED TO GC _____
DATE OF NOTICE TO PUBLIC _____	HEARING OFFICER ASSIGNED _____
DATE OF DIRECTOR APPROVAL _____	DATE OF PREHEARING CONFERENCE _____
DATE CERTIFIED BY HEARING OFFICER _____	DATE OF CERTIFICATE OF MAILING _____
	DATE OF NOTICE OF PUBLICATION _____
	DATE OF HEARING _____
	DATE OF RECOMMENDED DECISION _____
	FINAL ORDER DATE _____
NOTES:	

**THE NEW MEXICO PUBLIC REGULATION COMMISSION
TRANSPORTATION DIVISION**

**TARIFF CHANGE APPLICATION
(EFFECTIVE MARCH 03, 2015)**

TARIFF APPLICATION PROCEDURES

1. Filing:

- A. **Pre-filing Review:** An applicant shall present a single copy of its proposed application for a change in tariff to the director for pre-filing review. Within 7 days of receipt of such application, the director will review the application to determine if it is complete.
- B. **Complete Applications:** if the application contains all of the information and documents required by the Motor Carrier Rules, and is in compliance with all other statutory requirements and these rules, the director shall certify in writing that the application satisfies the sixty (60) day completeness requirement of Subsection E of Section 65-2A-36 NMSA 1978, and notify the applicant that the application is complete. If the director determines that the application is incomplete, the director shall promptly return the application to the applicant along with a letter outlining the deficiencies in the application. Any comments by the director shall not constitute approval by the commission as to the reasonableness or lawfulness of any proposed tariff.
- C. **Docketing and notice:** The transportation division shall issue a docket number upon receipt of the complete application and all required documents. The applicant shall file the complete application and the filing fee with the transportation division of the commission. The director shall promptly post notice of the filed complete application on the commission's website and shall promptly file a recommendation regarding the application in the docket. The notice shall remain on the transportation legal notice web page for twenty days
- D. **Publication:** If the applicant for a tariff change is a full service motor carrier that is applying to increase any tariff rate, the commission or hearing examiner may require that the motor carrier publish the notice prepared by the director in a newspaper or journal circulated in the motor carrier's service territory, and the applicant must file proof of the publication in the docket.

2. Application Requirements:

A. For a Full-service carrier or towing service:

- 1. A proposed tariff including the proposed changes in rates (Attachment #1)
- 2. A balance sheet for the preceding fiscal year (Attachment #2)
- 3. An income statement for the preceding fiscal year (Attachment #3)
- 4. All documentary evidence which the applicant believes supports its proposed change in rates (Attachment #4)

5. Pre-filed direct testimony explaining why a change in rates is required for the motor carrier to achieve revenue levels that will provide a flow of net income adequate to support reasonable expense levels, including reasonable depreciation expense and repayment of a reasonable level of debt, and the raising of needed equity capital. (Attachment #5)

B. For a household goods service carrier:

1. A proposed tariff including the proposed changes in rates; and (Attachment #1)
2. A side-by-side comparison of the household goods service carrier's proposed increased rates and the rates contained in the household goods service carrier's maximum tariff. (Attachment #6)

C. For any carrier not listed previous in A & B; application shall include a proposed tariff. (Attachment #1)

D. An application for a change in terms of service or a change in a daily time schedule for a scheduled shuttle service shall include:

1. A proposed tariff including the proposed changes in terms of service or daily time schedule. (Attachment #1)
2. A description of the proposed changes and an explanation as to why they are needed (Attachment #7)
3. Evidence upon which the applicant intends to rely in support of its proposed changes in terms of service or general schedule. (Attachment #7)

DIRECTIONS

This application is organized into a series of attachments, the attachment cover sheet will identify the required information that must be attached to that particular attachment.

Ensure that all signatures are notarized.

If you have any questions please call the Transportation Division at 505-827-4519 or 505-827-4640.

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TRANSPORTATION DIVISION**

**TARIFF CHANGE APPLICATION
(EFFECTIVE MARCH 03, 2015)**

SECTION I: APPLICANT INFORMATION

Applicant's Name _____
(If corporation you must use the same name as stated on your Articles of Incorporation).

d/b/a/ Name _____

d/b/a/ Address _____

Mailing Address (if different from above) _____

Email Address _____

New Mexico Taxpayer ID No. _____ Telephone No. () _____

Social Security Number _____ Fax No. () _____

NMPRC# _____

SECTION II: NEW MEXICO AGENT FOR SERVICE OF PROCESS

Each Applicant must provide the following information identifying an individual available to receive legal service and other correspondence on behalf of the Applicant. (Must be a New Mexico Resident)

Name _____ Title (If Any): _____

Address _____ State: **New Mexico** Zip Code: _____

Agent's Phone Number: _____ (Optional) Fax: _____

SECTION III: DESIGNATION OF AN ATTORNEY LICENSED IN NEW MEXICO

If an attorney has assisted you in preparing this Application or will be representing you before the Commission or if your business is not a sole proprietorship you *must* designate an attorney (see Rules of Procedure Rule 10).

Name of Attorney _____

Name of Law Firm _____

Address _____

Telephone No. _____ Fax No. _____

SECTION IV: IMPROPRIETIES - Has the Applicant (if a sole proprietor), or any officer or board member of a corporate Applicant, or any partner of a partnership Applicant, ever been indicted for, or convicted of, fraud, fraudulent misrepresentation, or embezzlement?

No _____ *Yes, indicted _____ *Yes, convicted _____

Name of Person _____

Offense _____

NOTE * If the answer above is "yes," the Applicant must be prepared to explain how this would not affect its ability to serve the public fairly,

SECTION V: OATH OF APPLICANT

Applicant's Name _____

(If corporation you must use the same name as stated on your Articles of Incorporation).

Title _____ of d/b/a Name _____ hereby swear that I have read the Application and all its attachments submitted and either know or believe that the matters stated herein are true.

Dated this _____ day of _____, 20_____

TITLE AND SIGNATURE OF APPLICANT

(Printed Name)

If an Attorney has assisted in preparing this Application or will be representing the Applicant before the State Corporation Commission.

SIGNATURE OF ATTORNEY

(Printed Name of Attorney)

NOTARIZED STATEMENT

STATE OF _____

COUNTY OF _____

Subscribed and sworn to before me this _____ day of _____ 20_____

(Signature of Notary)

My Commission Expires

ATTACHMENT #1

PROPOSED RATE INFORMATION

PROPOSED RATES

Rates are increased _____ or decreased _____ by _____ %

Annual Revenue the proposed increases are expected to generate:
\$ _____

Percentage of increase in annual revenue that is expected to be generated: _____ %

ATTACHMENT #2

BALANCE SHEET (YOU MAY ATTACH YOUR OWN)

FINANCIAL STATEMENT AS OF _____, 20____

REVENUE

Cash on hand in Bank	\$ _____
Notes Receivable	\$ _____
Accounts Receivable	\$ _____
Investments, Bonds and Stocks, etc.	\$ _____
Equipment	\$ _____
Real Estate	\$ _____
Other Assets	\$ _____
	\$ _____
	\$ _____
	\$ _____
	\$ _____
TOTAL ASSETS	\$ _____

LIABILITIES

Notes Payable	\$ _____
Accounts Payable	\$ _____
Liens, Encumbrances or Chattel on Equipment	\$ _____
	\$ _____
	\$ _____
	\$ _____
	\$ _____
Liens on Real Estate	\$ _____
Other Liabilities	\$ _____
	\$ _____
	\$ _____
	\$ _____
TOTAL LIABILITIES	\$ _____

ASSETS – LIABILITIES = NET WORTH \$ _____

ATTACHMENT #3

INCOME STATEMENT (YOU MAY ATTACH YOUR OWN)

PROFIT AND LOSS STATEMENT AS OF _____, 20_____

REVENUE

\$ _____
\$ _____
\$ _____

TOTAL REVENUE

\$ _____

OPERATING EXPENSES

Fixed Expenses

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

Variable Costs & Expenses

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

TOTAL EXPENDITURES

\$ _____

REVENUE – EXPENDITURES = PROFIT OR LOSS

\$ _____

ATTACHMENT #4

SUPPORT INFORMATION

(FOR FULL SERVICE CARRIERS OR TOWING SERVICE CARRIERS)

ATTACH ADDITIONAL SUPPORT INFORMATION THAT SHOWS THE FOLLOWING (this is for full services):

1. Increase/decrease in the cost of labor
2. Increase/decrease in the cost of equipment
3. Increase/decrease in the cost of replacement parts
4. Increase/decrease in the cost of insurance.
5. Increase/decrease in the cost of worker compensation (if applicable).
6. Increase/decrease in the cost of fuel.
7. Increase/decrease in the cost of supplies
8. Any other data that supports the request for an increase/decrease.

ATTACHMENT #5

(FOR FULL SERVICE CARRIERS OR TOWING SERVICE CARRIER)

PRE-FILED DIRECT TESTIMONY: By 18.3.5 A (1)(e), must include pre-filed testimony explaining why a change in rates is required for the motor carrier to achieve revenue levels that will provide a flow of net income adequate to support reasonable expense levels, including reasonable depreciation expense and repayment of a reasonable level of debt, and permit the raising of needed equity capital.

ATTACHMENT #6

(FOR HOUSEHOLD GOODS SERVICE CARRIERS)

A side-by-side comparison of the household goods service carrier's proposed increased rates and the rates contained in the household goods service carrier's maximum tariff.

ATTACHMENT #7

(FOR A CHANGE IN TERMS OF SERVICE / CHANGE IN SCHEDULE FOR A SCHEDULED SHUTTLE)

- A description of the proposed changes and an explanation as to why they are needed
- Evidence upon which the applicant intends to rely in support of its proposed changes in terms of service or general schedule.