

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPROVAL OF)
PIPELINE SAFETY FEES FOR FISCAL YEAR)
2017) Case No. 16-00132-PL
_____)
)

FINAL ORDER ASSESSING FEES UNDER THE PIPELINE SAFETY ACT

THIS MATTER comes before the New Mexico Public Regulation Commission ("Commission") through Staff's Request for Review of Staff's Pipeline Safety Fee Calculation for Fiscal Year 2017 and Review of 2016 Fees (the "FY17 Request"), filed on May 19, 2016 by the Commission's Pipeline Safety Bureau Staff of the Transportation Division ("Staff"); whereupon, being duly informed,

THE COMMISSION FINDS AND CONCLUDES:

1. The Commission has jurisdiction over this matter pursuant to NMSA 1978, §70-3-13 (as amended through 2011) and other applicable law.
2. Pursuant to NMSA 1978, §70-3-21 (E) (Cum. Supp. 2004) and 18.60.3.11 (A) and (B) 18.60.3.11 (A) NMAC, the Pipeline Safety Bureau is required to present to the Commission annually its proposed rates for pipeline safety fees for the forthcoming fiscal year.
3. The FY17 Request is unopposed. Due and proper notice has been provided.
4. On July 18, 2016, the Commission's Office of General Counsel filed a Notice of Filing in this Docket filing Staff's Revised Exhibit A to the FY Request, reflecting Staff revisions to the original estimates contained in Exhibit A that was attached to the FY17 Request. The Commission bases its decision in this matter on both the FY17 Request and the revisions shown on in the July 18, 2016 Revised Exhibit A.

5. Based on the Pipeline Safety Fee Calculation, Staff estimates a fiscal year 2017 fee collection of \$1,187,130.00, and Staff proposes a total fee in the same amount to fund the pipeline safety fund for the 2017 fiscal year estimated to be necessary to carry out the provisions of the Pipeline Safety Act and Chapter 62, Article 14, NMSA 1978.

6. Based on its Pipeline Safety Fee Calculation, and as shown in the attached Revised Exhibit A, Staff proposes rates for pipeline safety fees for the 2017 fiscal year as follows:

- a. \$35.00 per mile for gathering and transmission;
- b. \$0.89 per residential service line; and
- c. \$8.90 per commercial service line

7. For the reasons explained in the FY17 Request, as modified by the Revised Exhibit A revisions in the July 18, 2016 Notice of Filing document, it is in the public interest for the Commission to adopt Staff's recommended Pipeline Safety Fees for Fiscal Year 2017, to issue an order notifying pipeline operators of the Pipeline Safety Fee for FY17, to post a copy of this Order on the Commission's website, and to provide a copy of this Order to the Legislative Finance Committee and the Department of Finance and Administration as required by the notice requirements of NMSA 1978, § 70-3-21 (E).

IT IS THEREFORE ORDERED:

A. Staff's Request for Review of Staff's Pipeline Safety Fee Calculation for Fiscal Year 2017 and Review of 2016 Fees, as modified by the revisions reflected in the Notice of Filing referenced at paragraph 4 of this Order, is hereby adopted and approved.

B. Until further order by the Commission, managers from the Commission's Pipeline Safety Bureau Staff of the Transportation Division and from the Commission's Administrative Services Division are ordered to meet in December of each calendar year but no later than

December 31st to discuss and to reconcile the actual accounting data for the Pipeline Safety Fund account number 37700, including but not limited to unearned revenues, prior year fund balances, audit reversions, current year revenues, and legislative appropriations targets.

C. This Order is effective immediately.

D. Copies of this Order shall be served upon all parties listed on the attached Certificate of Service, which shall consist of Staff's most current list of pipeline operators. Copies shall be served via email, if the email address is known, and otherwise shall be served via regular mail.

E. Copies of this Order shall be served upon the Legislative Finance Committee and the Department of Finance and Administration immediately.

F. This Docket is closed.

ISSUED under the seal of the Commission at Santa Fe, New Mexico this 20th day of

July, 2016.

NEW MEXICO PUBLIC REGULATION COMMISSION


VALERIE ESPINOZA, CHAIRWOMAN

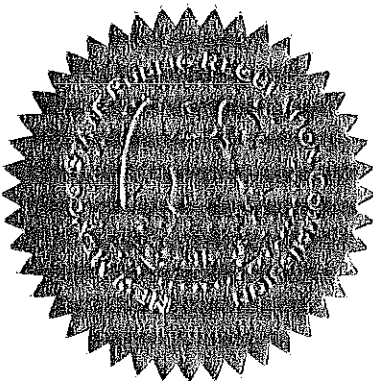

KAREN MONTOYA, VICE CHAIR

VOTED NO

PATRICK H. LYONS, COMMISSIONER


LYNDA LOVEJOY, COMMISSIONER


SANDY JONES, COMMISSIONER



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2017) Docket No. 16-00132-PL
_____)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order Assessing Fees Under the Pipeline Safety Act issued on July 20, 2016 was served on July 21, 2016, by email and first-class mail to the parties indicated below:

Via Email

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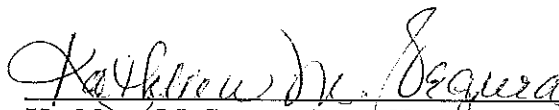
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DATED this 18th day of July, 2016.

NEW MEXICO PUBLIC REGULATION COMMISSION



Kathleen M. Segura, Law Clerk