

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE COMMISSION'S)
ADOPTION OF RULES PURSUANT TO THE)
COMMUNITY SOLAR ACT)**

Docket No. 21-00112-UT

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN to current, future, and likely community solar interconnection applicants, as required by Decretal Paragraph A of the New Mexico Public Utility Commission's ("NMPRC") June 15, 2021 *Order Issuing Notice to Electric Utilities and Applicants Regarding Pending Applications for Community Solar Interconnections during Rulemaking Proceeding*, which was issued in this Docket (the "June 15, 2021 Order"). On June 18, 2021, the Community Solar Act, Sections 62-16B-1 to 62-16B-8 NMSA 1978, became effective law in New Mexico. Pursuant to Subsection 62-16B-7 (B) of the Community Solar Act, the NMPRC is required to adopt rules to establish a community solar program no later than April 1, 2022, which is approximately nine months from the date of this Public Notice.

As required by the June 15, 2021 Order, [[El Paso Electric Company ("EPE") / Public Service Company of New Mexico ("PNM") / Southwestern Public Service Company ("SPS")]] hereby provides notice to current, future, and likely community solar interconnection applicants that:

1. The NMPRC's existing interconnection rules, found in the New Mexico Administrative Code at 17.9.568 NMAC, and manual remain in place until amended or replaced by the NMPRC; and
2. A place in a utility's applicant queue for interconnection does not and will not provide any advantage for selection as a community solar project, as the NMPRC's rules will be in place on or before April 1, 2022.

No NMPRC community solar rules are currently in place. For this reason, utilities will not accept or record applications to become a community solar facility whose output the utility is legally obligated to acquire. It is also not known whether there will be NMPRC interconnection rules specific to community solar facilities. However, EPE/PNM/SPS will process valid interconnection customer applications as they would irrespective of any community solar program. Acceptance, processing, or approval of an interconnection customer application by PNM is in no way indicative of subsequent interconnection customer eligibility for any future community solar program under the rules that are yet to be promulgated by the NMPRC. Customers applying for interconnection application prior to the promulgation of such rules bear the risk that the NMPRC's rules could render the facility ineligible for the community solar program; or require filing of a new interconnection application under the community solar rules to participate in the program.

This Public Notice is being posted on PNM's website and PNM's Open Access Same-Time Information System ("OASIS"). If you have any questions, please contact communitysolar@pnm.com.