

**SOUTHWESTERN PUBLIC SERVICE COMPANY
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Revised 5-28-20

NEW MEXICO PUBLIC REGULATION COMMISSION

RULES AND REGULATIONS

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Effective Date: May 28, 2020

EFFECTIVE

May 28, 2020

Replaced by NMPRC

By: Commission Final Order
Case No. 19-00170-UT

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Advice Notice No.	
/s/ Evan D. Evans	
DIRECTOR – REGULATORY AND PRICING ANALYSIS	

SOUTHWESTERN PUBLIC SERVICE COMPANY

**FIRST REVISED RULE NO. 1
CANCELING ORIGINAL RULE NO. 1**

RULES AND REGULATIONS - ELECTRIC

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1. GENERAL STATEMENT OF PURPOSE

These Rules and Regulations are designed to govern the supplying and taking of electric service in such manner as will secure to each Customer the greatest practicable latitude in the enjoyment of service consistent with good service and safety to himself and other customers.

These Rules and Regulations, subject to revision from time to time, supersede and annul all regulations by whatever term designated which may heretofore have governed the supplying and taking of the Company's electric service.

These Rules and Regulations, and all Rate Schedules are accessible to X customers on the company web site at www.xcelenergy.com

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Effective
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BY: F10 070031921

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David L. Eves dh
President & CEO

NEW MEXICO PUBLIC REGULATION
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SOUTHWESTERN PUBLIC SERVICE COMPANY

SECOND REVISED RULE NO. 2
CANCELING FIRST REVISED RULE NO. 2
RULES AND REGULATIONS - ELECTRIC

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2. DEFINITIONS

The following expressions when used in these Rules and Regulations, in Rate Schedules and in Service Agreements, shall, unless otherwise indicated, have the meanings given below:

Customer: Any individual, partnership, association, firm, public or private corporation or governmental agency receiving electric service from Company. X

Commission: New Mexico Public Regulation Commission.

Company: Southwestern Public Service Company

Electric Service: The maintenance by Company of an established voltage and frequency at the Point of Delivery to the Customer constitutes the supplying of electric service, irrespective of whether or not any electric power and energy is actually used by the customer. X X

Premises: Piece of land or real estate, including buildings and other appurtenances thereon.

Point of Delivery: The end of Company's service connection, or the point where Company's wires are joined to customer's wires or apparatus, unless otherwise specified in Service Agreement.

Customer's Installation: All wires, cut-outs, switches, appliances and apparatus of every kind and nature used in connection with or forming a part of any installation for utilizing electricity for any purpose, ordinarily located on Customer's side of Point of Delivery, whether such installation is owned outright by Customer or used by Customer under lease or otherwise. X X

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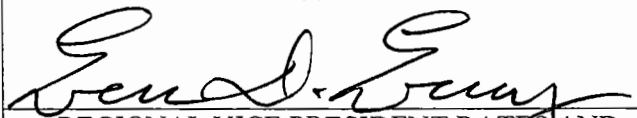
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BY Final Order Case No. 12-00350-UT

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Advice Notice No.



REGIONAL VICE PRESIDENT RATES AND REGULATORY AFFAIRS

SOUTHWESTERN PUBLIC SERVICE COMPANY

SECOND REVISED RULE NO. 2
CANCELING FIRST REVISED RULE NO. 2

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2. DEFINITIONS (cont.)

Service Facilities:

Service Connection: Wires from Company's distribution system to the customer's service entrance. X

Service Entrance: The terminal of Customer's wiring to which Company connects its electric service. X

Billing Month: An interval of approximately thirty days between successive meter reading dates, except when the calendar month is specified.

Service Agreement: A written agreement or contract between Company and Customer pursuant to which service is supplied and taken in the manner established for the applicable class of service. X

Special Contract: A written agreement or contract between Company and Customer to establish a rate and/or condition of electric service that due to size or load characteristics or both, differs from those established for general classes of service. X

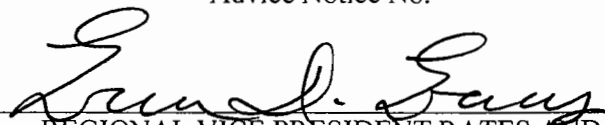
Rate Schedule: Schedule of charges for electric service containing the schedule number, class of service, applicability, territory, rate, minimum charge and conditions under which service is to be furnished, as approved by the Commission.

Notice: Unless otherwise specified, a written notification delivered personally or mailed by one party to the other at such other party's last known address.

Meter: Any metering equipment, including auxiliary devices, if any, constituting the complete installation required to measure the power and energy supplied to any Customer at a single Point of Delivery. X

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SECOND REVISED RULE NO. 2
CANCELING FIRST REVISED RULE NO. 2

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RULES AND REGULATIONS - ELECTRIC

2. **DEFINITIONS (cont.)**

Extension: Any branch from, or continuation of, Company's existing facilities to the Point of Delivery to Customer, including increases in capacity of any existing facilities, or the changing of any line to meet Customer's requirements, and including all transformers, service connections and meters.

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Temporary Service: Service to any electrical installation for a period of less than five years shall be considered temporary. Examples may include well drilling loads, construction power loads, carnivals, street decorations for celebrations and other similar loads of short duration.

Ancillary Meter: A meter that records the energy usage and demand of a Customer (Customer B) whose electrical service is provided by Company but delivered by distribution facilities owned by another Customer (Customer A) rather than facilities owned by Company. Company will utilize an Ancillary Meter for Customer B only when Company measures Customer A's energy usage and demand on the secondary distribution system side of Customer A's facilities instead of using a meter that is located on the primary distribution side of Customer A's facilities.

X

Deduct Meter: A meter that measures the energy usage and demand of a Customer (Customer B) whose electrical service is provided by Company but delivered by distribution facilities owned by another Customer (Customer A) rather than facilities owned by Company. Company will utilize a Deduct Meter for Customer B only when Company measures Customer A's energy usage and demand with a meter located at Customer A's Point of Delivery that is on Company's primary distribution system (Primary Meter). The Primary Meter at Customer A's Point of Delivery will measure all energy usage and electrical demand past Customer A's Point of Delivery regardless of which Customer's facility is consuming the electricity.

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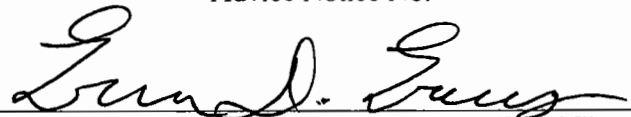
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REGIONAL VICE PRESIDENT RATES AND
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SOUTHWESTERN PUBLIC SERVICE COMPANY

FIRST REVISED RULE NO. 3
CANCELING ORIGINAL RULE NO. 3

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3. APPLICATION FOR SERVICE

Any applicant for service may be required to sign:

- (a) The Company's Electric Service Agreement, or
- (b) Such special contract as shall be required to cover the particular service desired.

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David L. Eves Jr

President & CEO

SOUTHWESTERN PUBLIC SERVICE COMPANY

**FIRST REVISED RULE NO. 4
CANCELING ORIGINAL RULE NO. 4**

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4. SUPPLYING OF SERVICE

Service shall be supplied only under and pursuant to these Rules and Regulations and any modifications or additions thereto lawfully made, and such applicable Rate Schedules as may from time to time be lawfully fixed. Service shall be supplied under a given Rate Schedule only at such points of delivery located adjacent to facilities of Company which, in the Company's opinion, are adequate and suitable, as to capacity and voltage, for the service desired. Otherwise, special agreements between Customer and Company may be required.

The Company shall not be required to supply service until a reasonable time after necessary permits have been obtained. However, if, due to circumstances beyond the control of the Company, service cannot be furnished within a reasonable length of time, Customer shall be advised promptly regarding the delay.

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David L. Eves

President & CEO

SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 5
CANCELLING NMPSC SHEET NO. 185

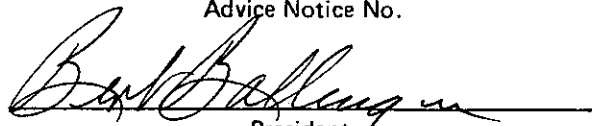
RULES AND REGULATIONS - ELECTRIC

5. CHARACTER OF SERVICE

Electric service furnished shall be of the character known as 60 cycle alternating current. Voltage supplied and the choice of single or three phase service shall be at the Company's option.

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Advice Notice No.


President

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NEW MEXICO PUBLIC SERVICE COMMISSION

6. CONTINUITY OF SERVICE

Company will use reasonable diligence to supply steady and continuous service. Company will be liable to Customers for any damages occasioned by irregularities or interruptions only when such damages are the result of negligence on the part of Company.

X

X

Company shall not be liable to the Customer nor shall the Customer be liable to Company by reason of failure of Company to deliver or the customer to receive electrical energy as the result of fire, strike, riot, explosion, flood, accident, breakdown, acts of God, the public enemy, or other conditions beyond the control of the party affected; it being the intention of each party to relieve the other of the obligation to supply or to receive energy when, as a result of any of the above mentioned causes, either party may be unable to deliver or use, in whole or in part, electrical energy to be delivered or received.

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Sam D. Gray

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SEVENTH REVISED RULE NO. 7
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7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE

a. **NONRESIDENTIAL**

(1) Refusal or Discontinuance of Service: Service may be refused or discontinued for any of the reasons listed below. Unless otherwise stated, the Customer shall be allowed a reasonable time in which to comply with the rule before Customer is subject to discontinuance except as provided in (a), (b), (c) and (d) below:

- (a) Without notice in the event of a condition determined by Company to be hazardous.
- (b) Without notice in the event of Customer use of equipment in such manner as to adversely affect Company's equipment or Company's service to others.
- (c) Without notice in the event of Customer's bypassing Company's meter, or otherwise interfering, tampering with, damaging, or deliberately destroying the equipment furnished and owned by Company.

Company shall discontinue service until the bypass has been removed, payment of an estimated bill for the period of the interference has been made, and Company has been reimbursed for any expenses incurred in checking for and repairing damages to the metering equipment resulting from the interference.

- (d) Without notice in the event of unauthorized use, such as remetering, sale, extension or other disposition of service as set forth in Rule 8.

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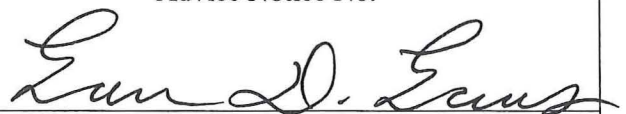
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BY Commission Order
Case No. 17-00255-UT

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DIRECTOR - REGULATORY AND PRICING
ANALYSIS

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7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)

Company may discontinue service to Customer until such unauthorized use is discontinued and full payment is made for all service supplied or used, billed on the proper Rate Schedule or Service Agreement, and reimbursement in full made to the Company for all extra expenses incurred, including expenses for clerical work, testing and inspections.

- (e) For violation of and/or noncompliance with Company's rules on file with and approved by the Commission.
- (f) For failure of Customer to fulfill his contractual obligations for service and/or facilities subject to the regulation by the Commission.
- (g) For failure of Customer to permit Company reasonable access to its equipment.
- (h) Bills are due and payable when rendered. Company may discontinue service for failure to pay any bill or charge authorized by these rules or Company's approved rate schedules (provided Company has given Customer written notice that he or she has at least two days after hand delivery or four days after mailing of the notice, excluding Saturdays, Sundays and holidays observed by Company, in which to make settlement on the account or have the service denied).
- (i) For failure of Customer to provide Company with a deposit as authorized by Rule 20.

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BY Commission Order
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7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)

- (j) For failure of Customer to furnish such service equipment, permits, certificates, and/or rights of way, as shall have been specified by Company as a condition to obtaining service, or in the event such equipment or permissions are withdrawn or terminated.
- (k) Failure to pay for the continuance of service of the same class at a different metering point.

In the event service is discontinued under any of the conditions above, Company may require a payment sufficient to cover the cost of reconnecting service.

- (2) Suspension of Service for Repairs and Changes: When necessary to make repairs to or changes in Company's plant, generating equipment, transmission or distribution system, or other property, Company may suspend service for such periods as may be reasonably necessary, and in such manner as not to inconvenience Customer unnecessarily. Company shall be liable to Customer for any damages occasioned by such suspension only when the damages are the result of negligence on the part of Company. Company will endeavor to give reasonable notice to Customer of Company's intention to suspend service.

b. **RESIDENTIAL**

- (1) Refusal or Discontinuance of Service: Service may be refused or discontinued for any of the reasons listed below. Unless otherwise stated, Customer shall be allowed 3 days in which to comply with the rule before Customer is subject to discontinuance except as provided in (a), (b), (c) and (d) below:

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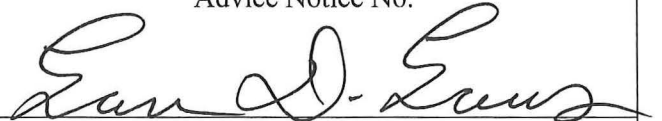
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7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)

- (a) Without notice in the event of a condition determined by Company to be hazardous.
- (b) Without notice in the event of Customer use of equipment in such manner as to adversely affect Company's equipment or Company's service to others.
- (c) Without notice in the event of Customer's bypassing Company's meter, or otherwise interfering, tampering with, damaging, or deliberately destroying the equipment furnished and owned by Company.

Company shall discontinue service until the bypass has been removed, payment of an estimated bill for the period of the interference has been made, and Company has been reimbursed for any expenses incurred in checking for and repairing damages to the metering equipment resulting from the interference.

- (d) Without notice in the event of unauthorized use, such as remetering, sale, extension or other disposition of service as set forth in Rule 8.

Company may discontinue service to Customer until such unauthorized use is discontinued and full payment is made for all service supplied or used, billed on the proper Rate Schedule or Service Agreement, and reimbursement in full made to Company for all extra expenses incurred, including expenses for clerical work, testing and inspections.

- (e) For violation of and/or noncompliance with Company's rules on file with and approved by the Commission.

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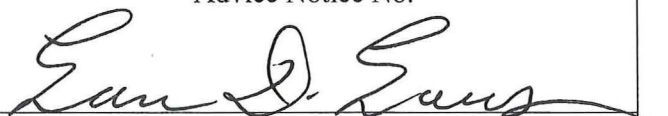
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7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)

- (f) For failure of Customer to permit Company reasonable access to its equipment.
- (g) Bills are due and payable when rendered. Company may discontinue service for failure to pay any bill or charge authorized by these rules or Company's approved rate schedules (provided Company has given Customer written notice pursuant to (j) below). X
X
X
- (h) Failure to furnish such service, equipment, permits, certificates, and/or rights-of-way as shall have been specified by the utility as a condition to obtaining service in the event such equipment or permissions are withdrawn or terminated.
- (i) After a reasonable time, for failure of Customer to provide Company with a deposit as authorized by Rule 20. X
X
- (j) The following special rules shall apply to discontinuance of service to residential Customers for nonpayment of bills. X
- (k) Company shall deliver to the affected residential Customer notice of termination of service for non-payment of utility charges at least fifteen (15) calendar days prior to discontinuance of service. The notice shall be in both English and Spanish and shall include the following information. X

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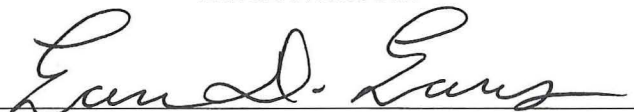
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DIRECTOR - REGULATORY AND PRICING
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SOUTHWESTERN PUBLIC SERVICE COMPANY

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CANCELING SIXTH REVISED RULE NO. 7

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RULES AND REGULATIONS - ELECTRIC

7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)

[a] The title, address, telephone number and working hours of Company personnel to contact regarding the billing account;

[b] The amount owed and the date by which Customer must either pay the amount due, make other arrangements for payment or have service discontinued;

[c] A statement that "if the past due balance on your account has been paid, please disregard this notice."

X

[d] A statement that to avoid disconnection we must receive your past due balance of (\$_._) no later than (month/day/year), or payment arrangements must be made; please see the enclosed notice for more information"

[e] A statement in both English and Spanish of "customers' rights and responsibilities" set forth in 17.5.410.42 NMAC.

X

[f] Blank copies of the medical certification form prescribed by the Commission in 17.5.410.43 NMAC and the financial certification form prescribed by the Commission in 17.5.410.44 NMAC, or substantially similar forms:

X

[1] At least two days prior to the actual date of discontinuation of service, Company will make reasonable efforts to communicate with a residential Customer by telephone or personal contact.

X

If contact by telephone or personal visit is unsuccessful, notice of discontinuation of service will be posted on the residence in a conspicuous location.

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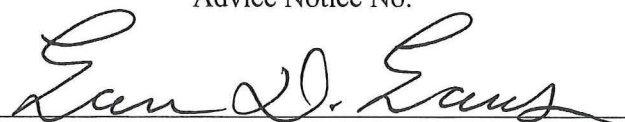
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DIRECTOR - REGULATORY AND PRICING
ANALYSIS

SOUTHWESTERN PUBLIC SERVICE COMPANY

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7. **REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)**

[2] The employee sent to discontinue service shall write down any information made known to the employee by the residential Customer regarding any resident's seriously ill or life endangering health condition, and shall immediately report this information in writing to utility personnel authorized to prevent discontinuance. The utility personnel authorized to prevent discontinuance shall either delay discontinuance if it is apparent that the forms described in b.(1)(h) [1][e] above will be received, or shall state in writing the reasons why the discontinuance was not delayed.

X

[3] Company shall notify its current residential Customers periodically by newspaper of general circulation or by bill stuffer of Company's program of third party notification. The program shall be available to all residential Customers who notify the utility in writing of their desire to participate in the program.

Such notice shall include designation of a specific person, organization, or governmental agency that has indicated their or its willingness to assist Customer in the payment of utility bills and to receive third party notification. Company shall not discontinue service to a Customer for nonpayment of past due charges without: (a) contacting the designated person, organization or governmental agency by phone or in writing at least fifteen (15) days prior to the proposed discontinuance of service; (b) determining that the designated person, organization or governmental agency has not made a commitment to assist with payment of the residential Customer's past due charge within a reasonable period of time.

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[4] Company will offer an installment payment plan for the payment of past due utility charges to every residential Customer who has indicated that he or she is unable to pay his or her utility charges and who has not been chronically delinquent.

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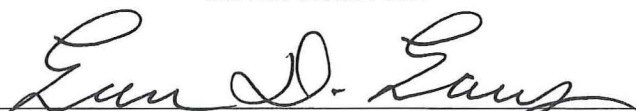
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DIRECTOR - REGULATORY AND PRICING
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7. REFUSAL, DISCONTINUANCE AND SUSPENSION OF SERVICE (cont.)

- (a) For purposes of this subparagraph, "chronically delinquent" is the status of a residential Customer who during the prior twelve months has been disconnected by Company for nonpayment, or who on three or more occasions during the prior twelve months has not paid a bill by the date that a subsequent bill is rendered.
- (b) Company will not discontinue service to a residence eligible for an installment payment plan while such a plan is being negotiated.
- (c) If Customer, who has agreed to such an installment plan, violates the plan, Company will have the right to discontinue service to a Customer upon giving notice of discontinuance of service as required by 17.5.410.41 NMAC. X
X
- (d) Company will provide, after due notice from Customer, a review for any Customer that alleges the proposed installment payment plan is unreasonable, or that utility charges are not due and owing or that Customer has not violated the installment payment plan. Such review shall not be conducted by the credit department of Company, and the reviewing employee shall have the authority to order appropriate corrective action. Utility service will not be disconnected until the review is completed.

[5] The installment payment plan shall be a written agreement negotiated by Customer and Company person who has management responsibility over the area in which the service at issue is located. The terms of the agreement shall be mutually acceptable and shall take the form of payment of a portion of the outstanding past due charges at time of agreement with specific deferred amounts to be paid at specified intervals until the total charges past due are paid. The maximum period of deferment shall be in Company's discretion.

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SOUTHWESTERN PUBLIC SERVICE COMPANY

**SEVENTH REVISED RULE NO. 7
CANCELING SIXTH REVISED RULE NO. 7**

X
X

RULES AND REGULATIONS - ELECTRIC

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Customer shall pay by past due date for subsequent billings for utility service while operating under an installment payment agreement.

- [6] Company may disconnect utility service to a residential Customer only during the hours from 7:30 A.M. to 4:00 P.M., on Monday through Thursday and may not disconnect utility service to a residential Customer within the twenty-four hour period prior to a holiday or week-end unless Company's business office is open for receipt of payment of past due charges and Company personnel are available to restore such service during the holiday or weekend upon payment. X
- [7] Nothing contained herein which permits a residential Customer to defer payment of current or past due charges for utility service shall be construed in any respect to relieve any such Customer from liability for all proper utility service charges. X
- (a) For failure of the Customer to furnish such service equipment, permits, certificates, and/or rights of way, as shall have been specified by Company as a condition to obtaining service, or in the event such equipment or permissions are withdrawn or terminated.
- (b) After a reasonable time, for failure of Customer to provide Company with a deposit as authorized by Rule 20.
- (c) After a reasonable time, for failure to pay for the continuance of service of the same class at a different metering point, except that upon discontinuance of service at a separate residential metering point, residence or location, Company may transfer any unpaid balance due to any other residential service account of the residential Customer and proceed in accordance with Rule 9(g) and (h).

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In the event service is discontinued under any of the conditions above, Company may require a payment sufficient to cover the cost of reconnecting service.

- (2) Suspension of Service for Repairs and Changes: When necessary to make repairs to or changes in Company's plant, generating equipment, transmission or distribution system, or other property, Company may suspend service for such periods as may be reasonably necessary, and in such manner as not to inconvenience the Customer unnecessarily.

X

Company shall be liable to the Customer for any damages occasioned by such suspension only when the damages are the result of negligence on the part of Company. Company will endeavor to give reasonable notice to Customer of Company's intention to suspend service.

- (3) Discontinuance of Service During Cold Weather Period: Unless requested by Customer, Company shall not discontinue service to any residential Customer for nonpayment during the period November 15 to March 15 who qualifies for the Low Income Home Energy Assistance Program (LIHEAP) and Customer makes any payments Customer owes under a payment plan or as of November 15 Customer had no past due amounts on Customer's utility bill.

X
X


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8. USE OF SERVICE

Service shall be supplied directly to Customer through Company's meter and is to be used by Customer only for the purposes specified in and in accordance with the provisions of the applicable Rate Schedule Service Agreement, these Rules and Regulations, and the Rules and Regulations of the Commission. Service shall be for Customer's use only and under no circumstances may Customer or Customer's agent or any other individual, association or corporation install meters for the purpose of re-metering or reselling or otherwise disposing of service supplied Customer to lessees, tenants or others, except in accordance with a Rate Schedule or Service Agreement which authorizes such use of the service. In no case may Customer, except with the written consent of Company, city, and owner or entity having jurisdiction, extend or connect his installation to lines across or under a street, alley, lane, court or avenue or other public or private space in order to obtain service for adjacent property through one meter even though such adjacent property be owned by Customer.

X
X

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X

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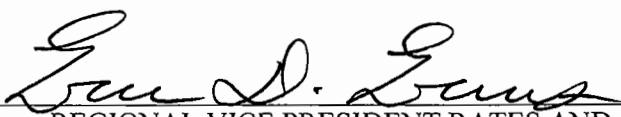
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REGIONAL VICE PRESIDENT RATES AND REGULATORY AFFAIRS

SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 9
CANCELLING NMPS SC SHEET NO. 448

RULES AND REGULATIONS - ELECTRIC

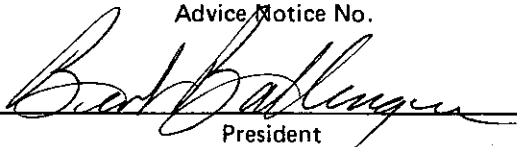
9. RIGHT-OF-WAY

Without reimbursement by the Company, the customer will furnish to the Company permits, certificates and/or rights-of-way satisfactory to it across the property owned or controlled by the customer for the Company's overhead or underground lines or extensions thereof necessary or incidental to the supplying of service to the customer. (X)

The Company will use reasonable diligence in protecting the property owner when providing or maintaining overhead or underground Service Connections. The Company shall have the right to clear its Service Connection of any such interfering tree, shrub or other obstruction; except when the property owner objects to such clearance, the Company may change or relocate the Service Connection to meet its requirements, and the full cost of the change or relocation will be borne by the customer or property owner. (X)

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FOR SERVICE ON

AUG 30 1985

BY 
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NEW MEXICO PUBLIC SERVICE COMMISSION

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ORIGINAL RULE NO. 10
CANCELLING NMPSC SHEET NO. 190

RULES AND REGULATIONS - ELECTRIC

10. ACCESS TO PREMISES

Company's authorized agents shall have access at all reasonable hours to premises of Customer, for the purpose of inspecting wiring and apparatus, removing or replacing Company's property, reading of meters and all other purposes incident to supplying of service.

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Bert Ballinger
President

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FOR SERVICE ON

AUG 30 1985

BY *Operations of Law*
APPROVED *ARC*
NEW MEXICO PUBLIC SERVICE COMMISSION

SOUTHWESTERN PUBLIC SERVICE COMPANY

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CANCELLING NMPSC SHEET NO. 431

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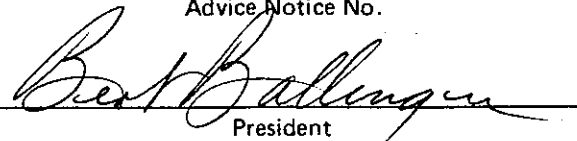
11. CHANGE OF PREMISES OF CUSTOMER

When a customer plans to vacate the premises at which he is receiving service, he shall notify the Company prior to moving from the premises. The Customer shall be responsible for all service supplied to the original premises until such notice has been received and the Company has had not more than three working days to discontinue service.

If the customer moves and desires service at his new location, the Company, at its option, may require the customer to make a deposit and, when applicable, sign new Service Agreement. (X)

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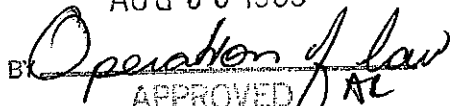

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12. TEMPORARY SERVICE

Temporary service will be furnished under the Company's established rules, regulations and rates for the type of service required; provided, the Customer pay, in addition to the cost of service rendered under the applicable rate, all the associated cost of installing, connecting and removing the facilities required to provide such service, in excess of any salvage realized.

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President & CEO

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CANCELING FIRST REVISED RULE NO. 13

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RULES AND REGULATIONS - ELECTRIC

13. CUSTOMER'S INSTALLATION

Customer's Responsibility: Customer shall assume all responsibility on Customer's side of Point of Delivery for service supplied or taken, as well as for the electrical installation, appliances and apparatus used in connection therewith, except for injury or damage to persons or property occasioned by negligence on the part of the Company. X
X

Customer's Facilities: Customer's facilities shall comply with specifications at least equal to those prescribed by the National Electric Safety Code of the United States Bureau of Standards, any other legally applicable codes, and the rules of the Company. Customer shall operate said facilities and other electrical equipment in such a manner as not to interfere with the service of Company to other Customers. X
X
X

The service entrance shall be so located that one set of attachments will provide the necessary support for the Service Connection.

Customer's service terminals are to be located at a point readily accessible to Company's service lines, such point to be determined by Company. X
X

When construction or remodeling of a building preclude the use of Company's standard service attachment, Customer shall install a suitable attachment for the overhead service wires to the building. The location of such attachment shall be determined by Company, and at the cost of Customer. X
X

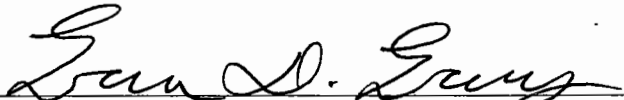
Company shall be responsible for any and all damages to persons or property resulting from insecure or weak or inadequate attachments on or to Customer's property only when such damages are the result of negligence on the part of the Company. X
X
X

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13. CUSTOMER'S INSTALLATION

Power Factor: Customer shall furnish, install and maintain, at his own expense, any and all corrective apparatus necessary to maintain a power factor of not less than 90% lagging on installations of any nature whatsoever.

X

Changes in Customer's Installation: As Company's service connections, transformers, meters and other facilities used in supplying service to Customer have a definite limited capacity, Customer shall give notice to Company, and obtain Company's consent, before making any material changes or increases in Customer's installation. After receipt of such notice Company will, as promptly as practicable, give its approval to the proposed change or increase, or will advise Customer upon what conditions service can be supplied for such change or increase.

X
X
X
X
X
X

In the event of damage to Company's facilities resulting from Customer's negligence in reporting changes or increases in Customer's installation, Customer shall be liable to Company for all expenses incurred in repairing such damages and restoring service.

X
X
X

Inspection by Company: Company retains the right, but does not assume the duty, to inspect Customer's installation at any reasonable time, and from time to time, and to refuse to commence or to continue service whenever it considers such installation to be defective, hazardous or for any other reason not in good operating condition.

X
X

Company reserves the right to check Customer's connected load and service requirements from time to time and to apply the proper rate schedule and basis of billing to conform to the findings of such investigations of connected load and service requirements.

X

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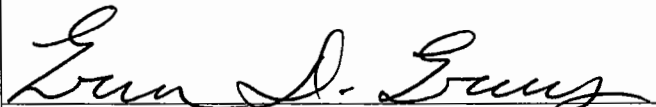
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14. TRANSFORMER VAULTS

Transformer vaults should not be used for new service. When a transformer vault is installed for service to a Customer, all details and expenses thereto shall be borne solely by the Customer. A Service Agreement or a Special contract shall be established to define ownership and liability.

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15. COMPANY'S INSTALLATION

Installation and Maintenance: Company will install and maintain its line and equipment on its side of Point of Delivery, but shall not install or maintain any equipment or lines on Customer's side of Point of Delivery, excepting meters and meter enclosures.

X
—
X

Service Connection to Customer Overhead: Employees of the Company shall install an overhead service connection from the Company's lines to point of attachment on Customer's building; connect to the Customer's service entrance and install the meter, all at the expense of the Company.

Underground: Employees of the Company shall install an underground service connection from the Company's lines to a point of delivery, all in accordance with the provisions of the Company's standards

X
—
X

Protection by Customer: Customer or property owner will exercise due care for the protection of the property of the Company on the Customer's premises.

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16. EXTENSION TO CUSTOMERS

General Policy:

This policy is only applicable for Extensions to Customers taking service at distribution voltages below 60 kV.

**X
X**

If a line Extension is required by a Customer other than a large industrial or commercial Customer or if facilities are not available, Company will inform Customer within 10 working days of receipt of the application, and will give Customer an estimated completion date.

Following assessment of necessary line work, Company will explain to Customer any construction cost options such as sharing of construction costs between Company and Customer, or sharing of costs between Customer and other Applicants.

Company will make an Extension to provide service to a new Customer when the revenue to be derived from such Extension will provide a suitable return. Extensions requiring an excessive expenditure in relation to revenues shall be made only when Customer makes a nonrefundable contribution as an aid to construction. Such nonrefundable contribution will reduce Company's net Extension expenditure to a value which will provide a suitable return from expected revenues, thereby preventing undue hardship on the other Customers of Company. Construction shall not commence until the contribution is paid in full.

Requested alterations or relocations of Company facilities without a contribution in aid to construction impose an unfair burden on other Customers. Customer making such request shall make a nonrefundable contribution as an aid to construction for the full cost of the alterations or relocations except where prohibited by law, franchise or the authority having jurisdiction.

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16. EXTENSION TO CUSTOMERS (cont.)

The cost of a line Extension is based on an estimate of the cost of material for the specific line Extension. The cost includes the cost of material, labor, necessary transportation and equipment, necessary right of way and easement and appropriate overheads applied in a uniform manner throughout Company's New Mexico service territory. ~~The Customer~~At the option of the Customer, the Company or the Customer will be responsible for ~~providing the Company all~~ negotiating and acquiring any necessary right of way required for the line Extension.

**X
X**

The Company shall have the option of performing all ditching and backfilling required for the installation of all underground wires and cables at the Customer's expense. If Company is unable or unwilling to do ditching and backfilling, the Customer shall do it at Customer's expense in accordance with Company specifications.

Expected annual revenue, which excludes the base fuel factor, is to be estimated by applying current rates to Customer's estimated load data. Average-use data may be used to calculate annual revenue when appropriate, for example, if Customer's load is highly weather sensitive.

A suitable return, as used in this rule, is provided when an economic analysis results in a return on the investment in plant and equipment related to the line Extension equal to or greater than the allowed return granted in Company's most recent rate case. Such economic analysis will incorporate estimated annual revenue, operating and maintenance expenses, line Extension cost, other costs as appropriate, and expected duration of service to the new Customer.

Extensions to Customers will be made in compliance with Company's distribution standards. Each Extension shall be considered upon its individual merits and will be governed where applicable, by the following Extension policy statements and exhibits:

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RULES AND REGULATIONS - ELECTRIC

16. EXTENSION TO CUSTOMERS (cont.)

A Except for service to Customers specifically addressed in paragraphs B., C., and D. below, Company will make an Extension at its cost to Customers who qualify for service under its applicable tariffs, when the cost of the Extension does not exceed 3.0 times the expected annual revenue to be derived from such Extension, excluding any fuel and purchased power cost revenue. Customer shall pay to Company a nonrefundable contribution as an aid to construction, all costs of such extension which exceed 3.0 times the expected annual revenue figure described in the preceding sentence. In addition, Company shall gross up the non-refundable contribution amount to account for taxes associated with the non-refundable contribution. ~~When a new home is constructed and is certified as an Energy Star Home, the construction allowance will be increased by 15%.~~

**X
X
X**

B Primary and Secondary General Service: Due to the complexities and substantial costs often involved in this type of service Extension, each request for service will be evaluated on its individual costs and benefits. For Customers requesting service for oil or natural gas production, the Company will extend a primary voltage above 2.4 kV but less than 69 kV to the Customer's lease line.

Company will extend its facilities to serve Customers qualifying for service under its Primary and Secondary General Service Tariff based upon the following guidelines:

1. For extensions costing \$300,000 or less and not being made under paragraph 2 below, the Company will extend service at its cost when the total cost of service does not exceed the expected annual revenue multiplied by a factor of 3.0, excluding any fuel and purchased power cost revenue. Customer shall pay to Company a nonrefundable contribution as an aid to construction, all costs for

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16. EXTENSION TO CUSTOMERS (cont.)

such Extension that exceed 3.0 times the expected annual revenue figure described in the preceding sentence. In addition, Company shall gross up the non-refundable contribution amount to account for taxes associated with the non-refundable contribution.

2. For Extensions costing more than \$300,000, the following shall apply:

a. For distribution facility Extensions Company will

(i) make the distribution facility Extension at its cost if the expected revenue from the electric service provides a suitable return;

or

(ii) require Customer to make a nonrefundable Contribution in Aid to Construction (CIAC) if Company determines that the distribution facility extension will require an excessive expenditure in relation to Company's expected return, thereby lowering Company's investment in the service to an amount on which a suitable return can be realized.

b. For Extensions requiring significant transmission and substation construction (Transmission Facilities) to provide distribution service where the total cost of the facilities other than the Transmission Facilities exceeds the expected annual revenue multiplied by a factor of 3.0 (excluding fuel and purchased power cost revenue), Company will:

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16. EXTENSION TO CUSTOMERS (cont.)

- (i) require Customer[s] requesting service to pay a Contribution in Aid to Construction for the costs of the Transmission Facilities (T&S CIAC); and
- (ii) enter into a special contract with Customer[s] requesting service that
 - (a) describes the requirements for Customer’s payment of T&S CIAC, and, if more than one Customer is being furnished service by the Transmission Facilities, the contracts will prorate the T&S CIAC among all Customers requesting service based on each Customer’s percentage of the overall load connection request,
 - (b) requires each Customer subsequently requesting new or expanded service from distribution facilities served by the Transmission Facilities to enter into a special contract that establishes the new or expanding Customer’s obligation to pay a pro rata share of the original T&S CIAC based on the new Customer’s, or expanding Customer’s, additional the Transmission Facilities including the new loads, and load as a percentage of the overall load to be served by the Transmission Facilities including the new loads, and
 - (c) authorizes Company to collect a T&S CIAC payment from each new or expanding Customer for the purpose of refunding to the prior contributing Customers, on a pro rata basis, the amounts of T&S CIAC paid by new or expanding Customers, for a

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16. EXTENSION TO CUSTOMERS (cont.)

period of five years following the date of commercial operation of the Transmission Facilities; and

(d) includes other appropriate provisions regarding Company's rates, tariffs, and rules that relate to the proposed service from the Transmission Facilities; and

(iii) for distribution construction beyond the Transmission Facilities required to provide distribution services to Customers, the Extension policy in subsections 16(€B)(1) and 16(€B)(2)(a) above will apply.

X

In addition, Company shall gross up the non-refundable contribution amount to account for taxes associated with the non-refundable contribution.

3. A Service Agreement or Special Contract may be required by Company to be executed prior to extending service. The contract term shall contain a minimum contract period with an automatic renewable provision from year to year thereafter.

C. Extension policies defining other specific service conditions are included in the following exhibits:

1. Underground Distribution Extension – Exhibit “A”
2. Suburban Development Extension – Exhibit “B”.
3. Municipal Requested Streetlight Extension – Exhibit “C”

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16. EXTENSION TO CUSTOMERS (cont.)

Any request for an Extension that cannot be agreeably resolved between Company and Customer shall be referred to the regulatory body having jurisdiction.

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16. EXTENSION TO CUSTOMERS (cont.)

EXHIBIT A

Extension Policy

TITLE: Underground Distribution Extension.

PURPOSE: To establish a policy under which Company can extend its electric facilities for the above titled service. Company's tariffs covering electricity consumption are all based on service being supplied by normal overhead facilities. Requirements imposed on the owner or developer, herein called owner, under this policy are designed so that the Company may provide underground service when requested by the owner without causing undue hardship on other Customers of the Company. Undue hardship is placed on other Customers of the Company when Company's cost of making the requested extension is such that the revenues to be derived from the extension will not provide a suitable return as described in Company's Rules, Regulations and Conditions of Service-Extensions to Customers.

POLICY DEFINITION: Company will provide a distribution system placed underground utilizing pad mounted type transformers and enclosures. The distribution system may provide single or three phase, three or four wire service at a nominal 120/240 Volts, 120/208 Volts or 277/480 Volts at a Point of Delivery acceptable to the Company. Metering will be provided and installed by the Company.

REQUIREMENTS FOR OWNER: The owner shall provide, at no expense to Company, the following:

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RULES AND REGULATIONS - ELECTRIC

16. EXTENSION TO CUSTOMERS (cont.)

- A. **Survey and Plats:** Certified plats identifying property corners that have been located on the ground by a qualified surveyor in a Company approved format.
- B. **Easements and Rights-of-Way:** Valid easements and rights-of-way, as required by Company, to cover the distribution system.
- C. **Ditching and Backfilling:** All ditching and backfilling required for the installation of all underground wires and cables, in accordance with Company specifications.
- D. **Compliance with Company Standards:** All aspects of interconnection shall comply with Company standards, electrical codes and the rules of the jurisdiction having authority.
- E. **Contribution as an Aid to Construction:** Company will make an Extension at its cost to Customers who qualify for service under its applicable tariffs, when the cost of the Extension does not exceed 3.0 times the expected annual revenue to be derived from such Extension, excluding any fuel and purchased power cost revenue. Customer shall pay to Company a nonrefundable contribution as an aid to construction, all costs of such Extension which exceed 3.0 times the expected annual revenue figure described in the preceding sentence. In addition, Company shall gross up the non-refundable contribution amount to account for taxes associated with the non-refundable contribution.
- F. **Overhead to Underground Conversion:** Company will agree to place existing or future feeder circuits and distribution lines underground only when the cost is borne by the owner or others. Costs associated with such underground feeder circuits and distribution lines shall be determined by Company.

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May 28, 2020

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By: Commission Final Order

Case No. 19-00170-UT

287	X
Advice Notice No.	
<i>/s/ Evan D. Evans</i>	
DIRECTOR – REGULATORY AND PRICING ANALYSIS	

SOUTHWESTERN PUBLIC SERVICE COMPANY

**TENTH REVISED RULE NO. 16
CANCELING NINTH REVISED RULE NO. 16**

**X
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RULES AND REGULATIONS - ELECTRIC

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16. EXTENSION TO CUSTOMERS (cont.)

EXHIBIT B

Extension Policy

TITLE: Suburban Development Extension.

PURPOSE: The purpose of this Extension policy is to establish a means by which Company can provide requested extensions of electric distribution facilities into a specific residential development area for service to future Company Customers within that area without causing an undue hardship on other Company Customers. Undue hardship is placed on other Customers when Company's cost of making a requested extension is such that the revenue to be derived from the extension will not provide a suitable return to Company.

AVAILABILITY: Extension of electric distribution facilities is available to any developer engaged in subdividing a contiguous parcel of land, located within Company's New Mexico service area, into specified lots or tracts intended for sale or lease and utilization as lots for residential occupancy. However, the development must be under the control of a responsible developer who shall comply with the terms and conditions of this policy.

STATEMENT OF POLICY:

1. Company will extend a primary voltage line to serve the development, including a secondary voltage line as needed by developer ("Extension").
2. Developer will provide a non-refundable contribution as an aid to construction in the amount of Company's estimated total cost of the Extension. In addition, Company shall gross up the non-refundable contribution amount to account for taxes associated with the non-refundable contribution.

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RULES AND REGULATIONS - ELECTRIC

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16. EXTENSION TO CUSTOMERS (cont.)

3. Company may make other extensions, alterations, or additions to the Extension for service to Customers outside of the development.
4. Upon the request of any owner of a lot within the development, Company will extend service from the Extension to the Point of Delivery in accordance with Company's Rules, Regulations and Conditions of Service.
5. The subdivided parcel of land shall be defined by a recorded plat, a copy of which shall be provided to Company in Company approved format.
6. The developer shall provide at no expense to Company, valid easements and rights-of way as required by Company covering all Company's facilities.

STREET LIGHTING: Company will provide street lighting requested by a municipal authority having jurisdiction within the specified area being developed under this policy, provided that the type of lighting requested is compatible with the distribution system and the municipal authority agrees to the monthly service charges specified on the applicable tariffs.

Installed costs of all street lighting facilities for the requested type of service will be included with any required distribution extension costs for extension cost calculation purposes.

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CANCELING NINTH REVISED RULE NO. 16**

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RULES AND REGULATIONS - ELECTRIC

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16. EXTENSION TO CUSTOMERS (cont.)

EXHIBIT C

Extension Policy

TITLE: Municipal Requested Streetlight Extension.

PURPOSE: The purpose of this Extension policy is to establish a means by which Company can provide Municipal Requested Streetlights in any developed area that the requesting Municipal Authority has jurisdiction without causing an undue hardship on other Company Customers. Undue hardship is placed on other Customers when Company's cost of making a requested extension is such that the revenue to be derived from the extension will not provide a suitable return to Company.

AVAILABILITY: Extension of electric distribution facilities is available in any previously developed area being under the jurisdiction of the requesting Municipal Authority located within Company's New Mexico service area.

STATEMENT OF POLICY:

1. Company will install and maintain all necessary facilities as determined by Company to fulfill the Municipal Authorities request.
2. Municipal Authority will provide Company with a letter including, but not limited to, the following information:
 - a. Location of Streetlight(s)
 - b. Number of Streetlights desired at each location
 - c. Type of Streetlight(s) desired at each location

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/s/ Evan D. Evans

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RULES AND REGULATIONS - ELECTRIC

Page 13 of 13

16. EXTENSION TO CUSTOMERS (cont.)

3. Company will make the Extension at its cost when the total cost of service does not exceed the total streetlight credit. The streetlight allowance will be the expected annual revenue for the requested streetlight type multiplied by a factor of 3.0, excluding any fuel and purchased power cost revenue. The Municipal Authority shall pay to Company a nonrefundable Contribution In Aid to Construction, all costs which exceed the total streetlight allowance. In addition, Company shall gross up the non-refundable contribution amount to account for taxes associated with the non-refundable contribution.
4. A streetlight will be provided that is compatible with the distribution system given that the requesting Municipal Authority agrees to the monthly service charges specified on the applicable tariffs.

Effective Date: May 28, 2020

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SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 17
CANCELLING NMPSC SHEET NO. 434

RULES AND REGULATIONS - ELECTRIC

17. METERING

Installation: Company will furnish and install the necessary metering equipment, and Customer will provide and maintain a location, free of expense and satisfactory to Company, for installation thereof.

Evidence of Consumption: The registration of Company's meter shall be accepted and received at all times and places as prima facie evidence of the amount of power and energy taken by Customer.

Meter Testing: Company will test meters with standard electrical meter testing equipment at such times as may be determined by Company or specified by applicable rules and regulations of any legally constituted regulatory body. (X)

Upon request by a customer the Company shall make a test of the meter serving him. The Company shall advise the customer that he may be present during the meter test. If the meter has been tested within the last 18 months, or within a shorter applicable periodic testing interval specified by regulatory body rules and regulations, the Company may charge the customer an amount necessary to recover the cost of the test, such charge to be refunded to the customer whenever the meter proves to be in excess of two percent in error.

- a. The customer, or his representative, may be present when his meter is tested, if the customer's request to be present is made at the time of his request for the meter test. The Company shall give the customer reasonable advance notification as to the day, time and place of test.
- b. A report of the results of the test shall be made to the customer with a reasonable time after the completion of test.

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Advice Notice No.

Barth Ballenger

President

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FOR SERVICE ON

AUG 30 1985

BY *Operation Law*

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SOUTHWESTERN PUBLIC SERVICE COMPANY

FIFTH REVISED RULE NO. 18
CANCELING FOURTH REVISED RULE NO. 18

RULES AND REGULATIONS - ELECTRIC

NEW MEXICO
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Page 1 of 5

18. BILLING

APPLICABILITY: All classes of Customers

TERRITORY: All towns served by the Company in New Mexico

Billing Period: Normally, bills will be rendered regularly each billing month; however, other billing periods may be designated by the Company.

Non-Receipt of Bills: The obligation of Customer with respect to payment of bills shall not be released or diminished by non-receipt of bills.

One Meter Per Service: The Company shall normally supply to a Customer, under one rate schedule, only one standard type of service. The Customer shall so arrange his wiring that the Company can measure the Customer's service with one standard meter. Where a Customer requires more than one type of service or his wiring is so arranged that the Company cannot measure the Customer's service with one standard meter, the service measured with each meter shall be billed separately.

Delinquent Bills: Residential bills for Customer service become delinquent if not paid within twenty (20) days from mailing date of bill. The Company reserves the right to discontinue service and cut off the supply of electrical energy after notification of the Customer, as provided in Rule 7. When so discontinued, service will not be restored until delinquent bills have been paid or other suitable arrangements have been made with the Company. The Company may require a payment sufficient to cover the cost of restoring service, as provided in its approved rate schedules.

Disputed Bills: In the event the Customer disputes the amount of a bill for services rendered, the Company shall promptly make a complete investigation of the matter and, if the bill is correct, use its best efforts to

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Sam D. Long
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REGULATORY AFFAIRS

SOUTHWESTERN PUBLIC SERVICE COMPANY

FIFTH REVISED RULE NO. 18
CANCELING FOURTH REVISED RULE NO. 18

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RULES AND REGULATIONS - ELECTRIC

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18. BILLING (cont.)

TERRITORY: (cont.)

explain the questionable points to the Customer. No dispute with reference to the amount of a bill shall in any event excuse the Customer from paying the bill as rendered by the Company when such bill is due. See Rule 7.b.(1)(h)[1] through [7] regarding disputed bills.

Adjustments of Bills:

- a. General - An adjustment of bills for service shall be made for the following reasons:
1. Meter creep
 2. Kilowatt-hour registration in excess of 2% average error determined by meter test.
 3. Demand registration in excess of 1% error in addition to errors allowed under accuracy of demand meters Subsection H of 17.9.560.14 NMAC.
 4. Failure of meter or equipment.
 5. Improper installation, testing or inspection of equipment.
 6. Improper application of rate schedule.

The amount of the adjustment shall be calculated on the basis that the metering equipment should be 100 percent accurate with respect to the testing equipment used to make the test. For watt-hour meters, the average accuracy shall be the arithmetic average of the percent registration at light load and at heavy load, giving

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RULES AND REGULATIONS - ELECTRIC

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18. BILLING (cont.)

TERRITORY: (cont.)

the light load registration a weight of one and the heavy load registration a weight of four.

b. Determination of Adjustments.

1. Meter Creep – The error in registration due to creep shall be calculated by timing the rate of creeping and assuming that this creeping affected the registration of the meter for 25.0 percent of the time since the meter was installed or since the last previous test, whichever is later.
2. Meter with Inaccuracy in Excess of Specified Limits. If the date when the error in registration began can be determined, such date shall be the starting point for determination of the amount of the adjustment. If the date when the error in registration began cannot be determined, it shall be assumed that the error has existed for a period equal to one-half of the time elapsed since the meter was installed, or one-half the time elapsed since the last previous test, whichever is later. All adjustments due to inaccurate meters shall be limited to the preceding six months.
3. Failure of Meter or Equipment. When the error in registration is caused by failure of part or all of the metering installation, it shall be permissible to use the registration of check metering installations, if any, or to estimate the kilowatt-hour consumption, demand and other data required for billing, based upon a period of similar operating conditions as agreed to between the Customer and

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RULES AND REGULATIONS - ELECTRIC

18. BILLING (cont.)

TERRITORY: (cont.)

the utility. The length of the period shall be determined as in b.-2 above.

- 4. Improper installation, testing or inspection of meter or equipment. When the error in registration is caused by improper installation, testing or inspection of meter or equipment, the date of installation, date of test, or date of inspection shall be the starting point for determination of the amount of the adjustment.

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c. Refunds.

- 1. If the recalculated bills indicate that a refund is due an existing Customer, or a person no longer a Customer of the Company, the full amount of the calculated difference between the amount paid and the true amount shall be refunded.
- 2. The refund to an existing Customer may be in cash or as credit on a bill. In the case of a previous customer who is no longer a Customer of the Company, a notice of the amount due shall be mailed to such previous Customer at his last known address, and the Company shall, upon demand within three months thereafter, refund the amount due.

d. Backbilling.

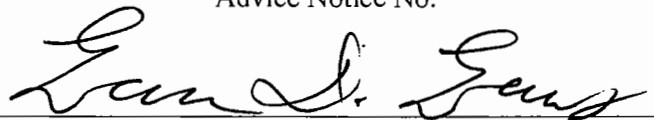
- 1. If the recalculation of billing indicates that an amount is due the Company, and such amount is in excess of any refund due the Customer, the Company may bill the Customer the true amount due.

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RULES AND REGULATIONS - ELECTRIC

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18. BILLING (cont.)

TERRITORY: (cont.)

2. The minimum amount below which the Company will not backbill the Customer is one dollar. When the amount of the backbilling is greater than the established minimum amount, the Customer will be billed the true amount due the Company.
- f. The Company and its special contract Customers may make their own agreements respecting adjustments for errors in billing.
- g. The Company, upon request, will assist the Customer in the selection of the rate schedule under which he is eligible to be billed. However, the Company will not be held responsible to refund any overcharge caused by failure on the part of the Customer to select the appropriate rate schedule, or for failure on the part of the Customer to notify the Company of a change in Customer's operations. If the Company improperly applies the rate schedule selected by the Customer, any billing in excess of the true amount will be refunded to the Customer, and any billing less than the true amount, when greater than the established minimum amount, will be billed to the Customer.

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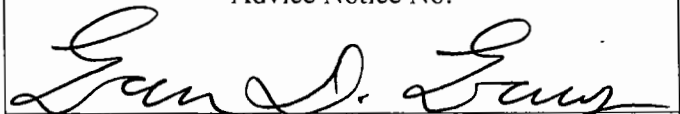
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REGIONAL VICE PRESIDENT RATES AND
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SOUTHWESTERN PUBLIC SERVICE COMPANY

**FIRST REVISED RULE NO. 19
CANCELING ORIGINAL RULE NO. 19**

RULES AND REGULATIONS - ELECTRIC

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NEW MEXICO
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19. APPLICATION OF RATE SCHEDULES

Rates and Optional Rates: The rates to be charged by and paid to the Company for electric service will be the rates in effect and filed with legally constituted regulatory bodies where jurisdiction of such bodies exists. Complete schedule of all rates legally in effect will be kept at all times at the Company's Amarillo and Roswell where they will be available for public inspection.

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The Company will assist the Customer in determining which of its applicable rates is most advantageous, based upon information furnished by Customer; however, the Company will not assume responsibility for selecting the rate or rates most advantageous to the non-residential Customer. The selection when made, shall not be retroactive. All changes duly made in the Company's rates or terms and conditions of service under which the Customer is served shall apply to the Customer on and after the date such changes become effective, existing contracts or Service Agreements notwithstanding.

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The Customer shall not be eligible to receive service under any particular rate, unless and until any necessary wiring provisions that are required to conform to metering requirements of the rate have been made, except that Company may, under unusual circumstances, waive this requirement.

All necessary wiring changes shall be at the expense of the Customer.

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COMMISSION

First Revised 209

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David L. Eves dh

President & CEO

SOUTHWESTERN PUBLIC SERVICE COMPANY

FIRST REVISED RULE NO. 19
CANCELING ORIGINAL RULE NO. 19

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RULES AND REGULATIONS - ELECTRIC

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19. APPLICATION OF RATE SCHEDULES

Residential and Commercial Service: Homes in which space is occasionally used for the conduct of business by a person residing therein may be served under the standard residential rate. When a portion of the dwelling is regularly used for business purposes, the electric energy used in that portion shall be separately metered and billed on an applicable commercial rate, otherwise, the entire premises will be classified as either residential or commercial, depending on the Customer's major use of Service. Service rendered through one meter to apartment houses and to recognized rooming houses, will be considered commercial service.

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BY F100700319ut

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David L. Eves dh

President & CEO

SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 20
CANCELLING NMPSC SHEET NO. 645

RULES AND REGULATIONS - ELECTRIC

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20. DEPOSITS

a. NON RESIDENTIAL CUSTOMER DEPOSITS

- (1) Requirements: At Company's discretion, the customer may be required to make a deposit at any time to guarantee payment for service.

When, at the customer's request, the Company changes the location at which service is rendered, the change of location shall not be deemed to affect the rights of the Company with regard to the application of deposit.

Deposits may be returned to the customer when the experience of the Company on that particular account justifies the refund of the deposit.

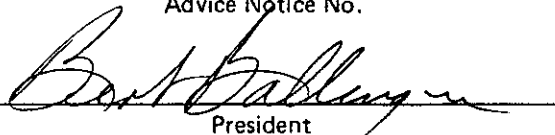
- (2) Amount: The amount of deposit shall not be more than two and one-half times the average monthly bill of the customer, as estimated by Company.

- (3) Interest: The cash deposit made by the customer to guarantee payment for service will draw interest as provided by law. Interest will accrue annually by crediting the amount of same to the customer's account and, at the option of the Company, may be paid in cash.

The deposit shall cease to draw interest on the date it is returned, on the date service is terminated, or on the date notice is sent to the customer's last known address that the deposit is no longer required.

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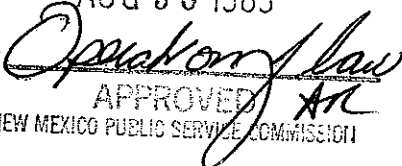

President

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ORIGINAL RULE NO. 20
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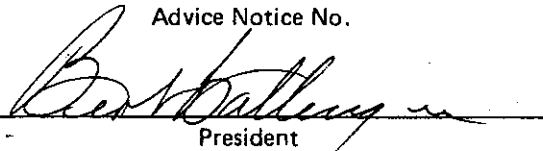
20. DEPOSITS

b. RESIDENTIAL CUSTOMER DEPOSITS

- (1) Requirements: The Company may require a security deposit to guarantee payment for service as a condition of new or continued service to a residential customer
- (a) who previously has not been served by the Company, or
 - (b) who has not established an acceptable credit rating as described in b.(2) below, or
 - (c) who is "chronically delinquent" (i.e., the status of a residential customer who during the prior twelve months has been disconnected by the Company for nonpayment, or who during the prior twelve months has not paid a bill by the date that a subsequent bill is rendered on three or more occasions), or
 - (d) as a condition for reconnection of service following discontinuance of service by the Company, or
 - (e) who, in an unauthorized manner, has interfered with or diverted the Company's service situated on or about or delivered to the residential customer's premises.
- (2) Acceptable Credit Rating: A residential customer may establish an acceptable credit rating in any reasonable manner, including but not limited to the following:
- (a) owns or is purchasing a home, or
 - (b) is and has been regularly employed on a full-time basis for at least one year, or

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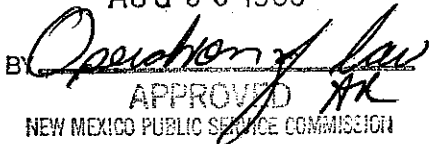
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President

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ORIGINAL RULE NO. 20
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RULES AND REGULATIONS - ELECTRIC

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20. DEPOSITS

- (c) has an adequate regular source of income, or
- (d) can provide adequate credit references from a commercial credit source or utility where the residential customer had prior utility service.

(3) Amount: The amount of a residential customer's deposit shall not exceed one-sixth (1/6) of that residential customer's estimated annual billings or one and one-half (1½) times that residential customer's estimated maximum monthly bill.

(4) Interest: The cash deposit made by the customer to guarantee payment for service will draw interest as provided by law. Interest will accrue annually by crediting the amount of same to the customer's account and, at the option of the Company, may be paid in cash.

The deposit shall cease to draw interest on the date it is returned, on the date service is terminated, or on the date notice is sent to the customer's last known address that the deposit is no longer required.

(5) Receipt: Each residential customer posting a security deposit shall receive in writing at the time the deposit is made or with the first bill a receipt as evidence of the deposit. The receipt contains the following information:

- (a) Name of the residential customer.
- (b) Date of payment.

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Bob Ballinger

President

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SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 20
CANCELLING NMPSC SHEET NO. 645

RULES AND REGULATIONS - ELECTRIC

Page 4 of 4

20. DEPOSITS

- (c) Amount of payment.
 - (d) Statement of the terms and conditions governing the payment, retention, interest and return of deposits.
- (6) Refunds: A residential customer is entitled to a refund if such residential customer has not been chronically delinquent (see b.(1)(c) above) for the twelve (12) month period from the date of deposit or for the twelve (12) month period prior to any subsequent anniversary date of the deposit. A residential customer entitled to a refund of their deposit must produce the original receipt for the deposit or must produce adequate identification, which in the Company's discretion, insures that the residential customer is entitled to the refund.

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Bert Ballenger

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ORIGINAL RULE NO. 21
CANCELLING NMPSA SHEET NO. 380

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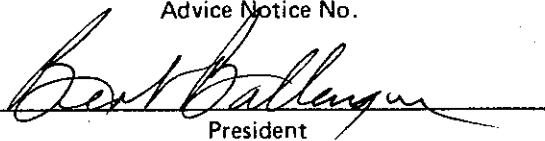
21. APPLICATION OF RULES AND REGULATIONS - CONFLICTS

Application of Rules and Regulations: All Service Agreements at present in effect or that may be entered into in the future are made expressly subject to these Rules and Regulations and any modifications hereof that may be lawfully made.

Conflicts: In case of conflict between any provision of a Rate Schedule, a Service Agreement, these Rules and Regulations, or the rules and regulations of a legally constituted regulatory body, the provision of the rules and regulations of the regulatory body takes precedence, followed by the provision of the Rate Schedule, the provision of the (X) Service Agreement, and, in turn, the provisions of these Rules and Regulations.

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President

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SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 22
CANCELLING NMPSC SHEET NO. 360

RULES AND REGULATIONS - ELECTRIC

22. UNAUTHORIZED COMMUNICATION DEVICES

Customer-owned communication devices shall not be connected directly or by inductive coupling to meter, service entrance, secondary or other Company-owned facilities in any manner.

Devices connected to customer's facilities which transmit signals beyond secondary distribution lines of Company are prohibited. Under no circumstances shall Company's primary distribution lines or transmission lines be used for transmitting signals from customer-owned devices. If it is found that unauthorized devices are being used, Company may immediately discontinue service to customer until the use of such unauthorized devices is discontinued.

Company shall not be liable for damage or interference caused by customer-owned communication devices.

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RULES AND REGULATIONS - ELECTRIC

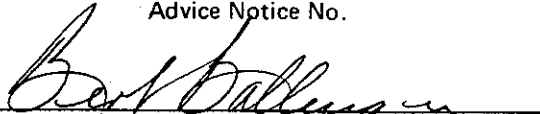
23. LOAD CURTAILMENT PLAN

The following is an outline of Company's load curtailment plan in the event a deficit in system capacity is known in advance because of limited fuel supplies or a major catastrophe to Company's facilities. Load curtailment will be made only to the extent necessary to meet the system load and will be, as is deemed prudent under the conditions existing at the time decisions are made, in the following order:

1. Cease any interconnection sales and purchase interconnection energy, if possible.
2. Interrupt the customers who are under interruptible contracts.
3. Reduce primary feeder voltage as prearranged on selected feeders.
4. Interrupt non-essential load at all Southwestern Public Service Company properties.
5. Request all large commercial, industrial and governmental customers to disconnect non-essential loads, as prearranged with each customer.
6. Public appeal by all news media to reduce all non-essential loads.
7. De-energize selected primary feeders for short periods of time and rotate circuit outage from one circuit to another. Report to all news media.

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Advice Notice No.


President

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FOR SERVICE ON

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BY 
APPROVED
NEW MEXICO PUBLIC SERVICE COMMISSION

SOUTHWESTERN PUBLIC SERVICE COMPANY

**SECOND REVISED RULE NO. 24
CANCELLING FIRST REVISED RULE NO. 24
RULES AND REGULATIONS – ELECTRIC**

REGULATION
COMMISSION

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24. ESTIMATED BILLS FOR RESIDENTIAL CUSTOMERS

a. Customers Eligible: The Company may render a bill based on estimated usage to a residential customer under the following conditions:

- (1) The Company, through no fault of its own, cannot obtain access to the customers premises to read the meter, or
- (2) In situations where the customer makes reading the meter unnecessarily difficult, or
- (3) a meter is defective or has been evidently tampered with or bypassed, or
- (4) weather conditions prohibit meter readings, or
- (5) other force majeure conditions exist.

If the Company cannot obtain an actual meter reading for the reasons stated above, the Company shall attempt to contact the customer to get an actual meter reading or take alternative measures to obtain a reading such as, but not limited to, mailing or leaving postpaid, pre-addressed postcards upon which the customer may note the reading.

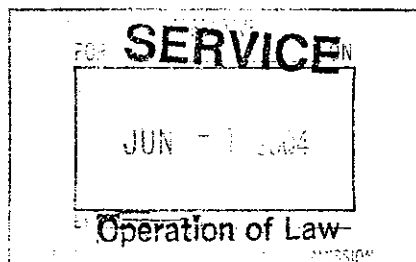
Notwithstanding the preceding two paragraphs, the Company may not render a bill based on estimated usage for more than two consecutive billing periods without prior notification to the New Mexico Public Regulation Commission, nor for an initial or final bill for service, unless otherwise agreed to by the residential customer and the Company.

Notwithstanding the preceding three paragraphs, the Company may estimate a billing in the event a residential customer fails to timely and accurately report a self-reading (a reading made by a customer according to an agreement made by the customer and the Company).

b. Records: Unless the Company and the customer agree to allow the customer to report meter readings (self-reading), the Company shall

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Gary L. Gibson

President and CEO of SPS

SOUTHWESTERN PUBLIC SERVICE COMPANY

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Page 2 of 2

24. ESTIMATED BILLS FOR RESIDENTIAL CUSTOMERS

maintain accurate records, for no less than twelve (12) months, of the reasons for each estimate and of the efforts made to secure an actual reading.

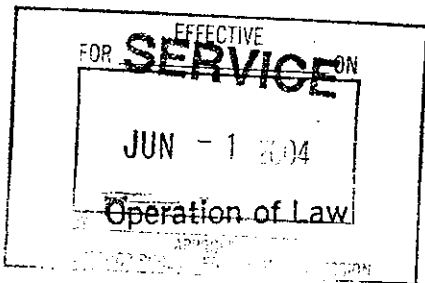
c. Underestimates: If the Company underestimates a residential customer's usage, and later seeks to correct the bill, the residential customer shall be given an opportunity to participate in the Company's installment payment plan with regard to the underestimated amount.

d. Calculation of Estimated Bills: An estimated billing will be calculated based on an average daily calculation for the residential customer using the total kWh consumption used for billing the most recent two months. The average daily consumption is multiplied by the number of days in the current billing period, to determine the estimated monthly kWh. The current rate is then applied to this estimated consumption to determine the estimated monthly billing amount.

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25. RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY

All landlords and property managers responsible for residential rental units shall sign both a residential billing of vacant rental property agreement and select either the Automatic Turn On ("ATO") option or the Lock On Disconnect ("LOD") option. If a landlord/property manager declines to sign both a residential billing of vacant rental property agreement and select the ATO option, their accounts will be defaulted to the LOD option. The landlord/property manager may change their selection by written notice to the Company at any time. The residential billing of vacant rental property agreement may be canceled for only the affected buildings if a landlord/property manager's account becomes delinquent.

AUTOMATIC TURN ON OPTION (ATO)

If the landlord/property manager selects the ATO option, the company shall bill the landlord/property manager for electric service in unoccupied rental unit(s) during periods of tenant vacancies. Electric service for vacant rental unit(s) will remain in the landlord/property manager's name until 1) a new tenant becomes the Customer of record, 2) the landlord/property manager (as agent for the tenant) applies for service, or 3) the landlord/property manager submits a request to cancel the ATO option in its entirety. If the ATO option is in effect, billings shall be the responsibility of the landlord/property manager if a new tenant occupies the rental unit but fails to apply for service. After hours connection charges will apply.

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President & CEO

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SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 25

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25. RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY

LOCK ON DISCONNECT OPTION (LOD)

If the landlord/property manager selects the LOD option, service in rental unit(s) will be disconnected when the Company is notified that the tenant has vacated the property. Service in rental unit(s) will be reconnected when there is a new service request. Reconnection fees will apply. Landlord/property manager will be assessed the after hours connection charges if the meter is reconnected to prep the rental unit after hours prior to the new tenant moving in. Landlord/property manager will be responsible for payment of all the Company services until the new tenant assumes service in their name.

START/STOP SERVICE NOTIFICATION

Tenant has the right to start or stop service in rental unit(s) by notifying the Company. Alternatively, the tenant may start or stop service in rental unit(s) by completing a "residential tenant authorization form for tenant or landlord/property manager to start service" and/or a "residential tenant authorization form for tenant or landlord/property manager to stop service" which authorizes the landlord/property manager to start or stop rental unit(s) service in tenant's name. Under the terms of this form, the tenant is the user of the service in rental unit(s) and is responsible for payment of all the Company services from the service start date through the service stop date, which are selected and communicated by the tenant to the landlord/property manager.

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25. RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY

START/STOP SERVICE NOTIFICATION (Cont.)

As stated in the residential tenant authorization form for tenant or landlord/property manager to start service and residential tenant authorization form for tenant or landlord/property manager to stop service, if the tenant fails to notify the Company or the landlord/property manager of the service stop date, they will be responsible for all the Company charges. If the tenant completes either form, the landlord/property manager is to fax the form to the Company within one business day. If discrepancies arise pertaining to when the tenant actually left, either the landlord/property manager and/or tenant may be required to submit an affidavit attesting to proof of user of service in rental unit(s). Other acceptable documents such as signed and dated tenant move-out documentation may be requested from the landlord/property manager and/or tenant.

RENTAL PROPERTY OWNERSHIP CHANGES

Changes to either the ATO option or LOD option due to sale or transfer of ownership of facilities must be communicated to the Company in writing within three business days to avoid possible late payment charges or other billing issues. The user of the energy is the person responsible for the payment of the energy bill. Non-energy usage issues are between the tenant and the landlord/property manager.

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David L. Sear

President & CEO

SOUTHWESTERN PUBLIC SERVICE COMPANY

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CANCELING ORIGINAL RULE NO. 26

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26. DEDUCT AND ANCILLARY METERS

PURPOSE: Subject to the execution of a Special Metering Agreement between Company and all parties involved, Company will allow the installation of Deduct Meters or Ancillary Meters after considering the following:

- Characteristics of the load being served
- Cost to construct new facilities to serve Customer from Company facilities or from Customer owned facilities.
- Expectation of neighboring Customer load additions.
- Future plans for expansion by Company or either Customer involved.

CONDITIONS OF SERVICE: A Deduct Meter or Ancillary Meter is used when a Customer requests electric service in an area where Company supplies electric service to another Customer ("Customer A") at a voltage greater than 2.4 kV at Customer A's Point of Delivery. If Customer A's facilities are in close proximity to the location of the Customer that is requesting service ("Customer B"), occasionally it is more cost effective for Customer B's service to be provided by facilities owned by Customer A rather than Company constructing new facilities to serve Customer B's load.

When this situation occurs, Customer B's electric service is provided through Customer A's facilities and SPS will install a meter at Customer B's location.

As long as Customer B is receiving service through the use of Customer A's facilities, Company is not liable to Customer B for any interruptions of service, losses or damages that Customer B may incur. Company shall not be held responsible to perform any maintenance on Customer A's or Customer B's facilities.

SINGLE PHASE CUSTOMERS: When Customer B requests single phase service from facilities owned by Customer A, Company will estimate the cost to directly serve this Customer and calculate the Contribution in Aid to Construction (CIAC) in accordance with its standard line extension policy. If Company determines the CIAC to be equal to or greater than \$23,500, SPS will consider

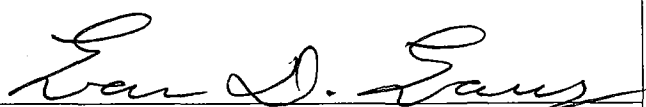
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SINGLE PHASE CUSTOMERS (cont.)

allowing Customer B to receive service from Customer A's facilities and will meter Customer B utilizing either a Deduct or Ancillary Meter pursuant to a signed Special Metering Agreement between Company, Customer A and Customer B.

THREE PHASE CUSTOMERS: When Customer B requests three phase service from facilities owned by Customer A, Company will estimate the cost to directly serve this Customer and calculate the CIAC in accordance with its standard line extension policy. If Company determines the CIAC to be equal to or greater than \$84,000, Company will consider allowing Customer B to receive service from Customer A and will meter Customer B utilizing a Deduct or Ancillary Meter pursuant to a signed Special Metering Agreement between Company, Customer A and Customer B.

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METERING AND BILLING SPECIFICATIONS: If Company has installed a Primary Meter at Customer A's Point of Delivery, Company will install a Deduct Meter at Customer B's Point of Service to measure Customer B's energy usage and demand. Company agrees to subtract Customer B's energy usage as recorded on Customer B's Deduct Meter from the energy usage that is recorded on Customer A's Primary Meter.

If Company has not installed a Primary Meter at Customer A's Point of Delivery and is instead metering Customer A through a secondary meter or secondary meters, Company will install an Ancillary Meter to record Customer B's energy usage and demand. Without a meter installed at Customer A's Point of Delivery, Customer A's and Customer B's energy usage and demand will be metered separately at all times as there will be no electrical connection between Customer A's secondary meter(s) and Customer B's electrical load.

CHANGE OF OWNERSHIP: Change of Ownership shall be governed by the contract between Company and involved parties.

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ORIGINAL RULE NO. 27

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27. TEMPORARY OR PERMANENT RELOCATION/MODIFICATION OF COMPANY FACILITIES.

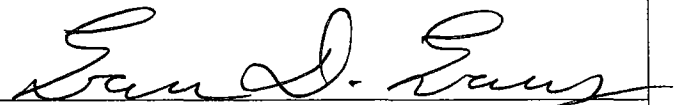
PURPOSE: A Customer, Customer's authorized representative, or a non-Customer may request the Company make changes in existing overhead or underground systems or facilities. Such requests must be made at least seven days prior to the date when the Customer, Customer's authorized representative, or non-Customer desires the change to be made. The Company shall undertake reasonable efforts to meet the proposed date when the Customer, Customer's authorized representative, or non-Customer desires the change to be made.

CONDITIONS OF SERVICE: The Company shall assess the full cost to undertake such changes (including but not limited to any governmental assessment, fee or tax, including any income tax which may be due by Company on any such payments) to the Customer or non-Customer based upon its estimated actual costs at the time the request is made. The Customer or non-Customer shall pay the full cost in advance of the work being performed. The Company may alter the notice requirements herein as necessary to accommodate special or extraordinary circumstances.

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28. ELECTRIC INSPECTION CERTIFICATE

For a customer request that SPS install a meter allowing the customer to connect its premises or facilities to SPS's electric supply system, and that request involves a situation in which the customer's electric equipment, facilities, and wiring have not been and will not be inspected by the Construction Industries Division or another appropriate agency of the State of New Mexico: The customer shall provide to SPS, as a condition for receiving electric service from SPS, a fully executed Electric Inspection Certificate that has been completed and signed by an electrical contractor licensed in the State of New Mexico and by an electrical inspector certified by the International Code Council. The required Electric Inspection Certificate is SPS Form 44.

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