

TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 12 WATER SERVICES
PART 760 CUSTOMER SERVICE RULES AND REGULATIONS FOR WATER UTILITIES

17.12.760.1 ISSUING AGENCY: New Mexico Public Public Regulation Commission.
[17.12.760.1 NMAC - Rp, 17.12.760.1 NMAC, 11/10/2020]

17.12.760.2 SCOPE: 17.12.760 NMAC shall apply to any water utility operating within the state of New Mexico under the jurisdiction of the new mexico public regulation commission.
[17.12.760.2 NMAC - Rp, 17.12.760.2 NMAC, 11/10/2020]

17.12.760.3 STATUTORY AUTHORITY: Section 8-8-15 NMSA 1978; Sections 62-3-1 NMSA 1978, 62-3-3 NMSA 1978, 62-3-4 NMSA 1978, 62-6-1 NMSA 1978, 62-6-4 NMSA 1978, 62-6-16 NMSA 1978, 62-6-18 NMSA 1978, 62-6-19 NMSA 1978, 62-6-20 NMSA 1978, 62-6-21 NMSA 1978, 62-6-22 NMSA 1978, 62-8-3 NMSA 1978, 62-8-10 NMSA 1978, and 62-9-1 NMSA 1978.
[17.12.760.3 NMAC - Rp, 17.12.760.3 NMAC, 11/10/2020]

17.12.760.4 DURATION: Permanent.
[17.12.760.4 NMAC - Rp, 17.12.760.4 NMAC, 11/10/2020]

17.12.760.5 EFFECTIVE DATE: November 10, 2020 unless a later date is cited at the end of a section.
[17.12.760.5 NMAC - Rp, 17.12.760.5 NMAC, 11/10/2020]

17.12.760.6 OBJECTIVE: 17.12.760 NMAC is intended to promote safe and adequate service to the public, to provide standards for uniform and reasonable practices by water utilities under the jurisdiction of the public regulation commission, and to establish a basis for determining the reasonableness of such demands as may be made by the public upon such water utilities. If unreasonable hardship to such a water utility or to a customer of such a water utility results from the application of any provision herein prescribed, application may be made to the commission for the modification of the provision or for temporary or permanent exemption from its requirements. The public regulation commission is not precluded from altering or amending 17.12.760 NMAC or from making such modifications with respect to its application as may be found necessary to meet exceptional conditions. These regulations shall not relieve any water utility operating within the state of new mexico subject to the jurisdiction of the public regulation commission from its duties under the laws of this state.
[17.12.760.6 NMAC - Rp, 17.12.760.6 NMAC, 11/10/2020]

17.12.760.7 DEFINITIONS: [RESERVED]
[17.12.760.7 NMAC - Rp, 17.12.760.7 NMAC, 11/10/2020]

17.12.760.8 [RESERVED]
[17.12.760.8 NMAC - Rp, 17.12.760.8 NMAC, 11/10/2020]

17.12.760.9 CUSTOMER SERVICE RULES AND REGULATIONS: The customer service rules and regulations set forth in 17.12.760 NMAC establish the responsibilities and rights of jurisdictional water utilities and their residential customers in their water service relationship. Nothing herein shall prevent any utility from adopting customer service rules and regulations which do not conflict with but which are additional to those set forth herein to cover special circumstances.
[17.12.760.9 NMAC - Rp, 17.12.760.9 NMAC, 11/10/2020]

17.12.760.10 FORMAT FOR CUSTOMER SERVICE RULES AND REGULATIONS:

A. For the convenience of the utilities the customer service rules and regulations herein are set forth in the appropriate format. (See 17.12.760.10 NMAC.pdf)

B. But for the utility's ability to disconnect residential service due to an emergency, safety concerns, or by customer request, the following rules regarding disconnection of residential utility service may be

implemented on a temporary basis by order of the commission for a period of time, up to and including, the duration of any emergency executive order issued by the governor of New Mexico pertaining to a public health or other emergency condition under either the Public Health Emergency Response Act, Section 12-10A-1 NMSA 1978, and the All Hazards Emergency Management Act, Section 12-10-1 NMSA 1978:

(1) all utilities may be prohibited from discontinuing residential utility service for non-payment during the time period the emergency executive orders are in effect;

(2) any late fees on residential accounts that would be incurred during the time period of the effectiveness of the emergency executive orders may be required to be waived;

(3) utilities may be permitted to temporarily close in-person bill payment locations provided the utility provides notice to residential customers of such closures and identifies in such notice how payment made be made, including electronically or by mail. In the event of the closure of in-person bill payment locations, utilities shall be permitted to continue to collect credit card or bank fees in accordance with their own commission approved and filed tariffs;

(4) medical certificates set to expire shall not expire for the duration of the effectiveness of any emergency executive order and may be automatically be extended for 90 days from the end of any emergency executive order.

[17.12.760.10 NMAC - Rp, 17.12.760.10 NMAC, 11/10/2020]

17.12.760.11 [RESERVED]

[17.12.760.11 NMAC - Rp, 17.12.760.11 NMAC, 11/10/2020]

HISTORY OF 17.12.760 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the Commission of Public Records-State Records Center and Archives.

General Order No. 42, Regulations Governing Water Utilities, filed 5/2/1984.

NMPSC Rule 760, Customer Service Rules and Regulations for Water Utilities, filed 6/30/1988.

History of Repealed Material:

17 NMAC 12.760 - Customer Service Rules And Regulations For Water Utilities (filed 1/16/1990), repealed effective 11/10/2020.

Other:

17 NMAC 12.760 - Customer Service Rules And Regulations For Water Utilities filed (1/16/1990) replaced by 17.12.760 NMAC - Customer Service Rules And Regulations For Water Utilities, effective 11/10/2020.