

**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**IN THE MATTER OF THE APPLICATION OF THUNDER MOUNTAIN WATER COMPANY AND  
EPCOR WATER NEW MEXICO INC. FOR ABANDONMENT OF CCN, ISSUANCE OF CCN, AND  
APPROVAL OF EPCOR TO CHARGE EXISTING THUNDER MOUNTAIN RATES,**

**EPCOR WATER NEW MEXICO INC. and THUNDER MOUNTAIN WATER COMPANY,**

**Applicants.**

**Case No. 13-00285-UT**

**NOTICE TO CUSTOMERS**

**NOTICE** is hereby given to all water service customers in the Edgewood service district of Thunder Mountain Water Company ("Thunder Mountain") that:

A Joint Application was filed with the New Mexico Public Regulation ("Commission" or "NMPRC") by Thunder Mountain and EPCOR Water New Mexico Inc. ("EWNM") (collectively the "Applicants") seeking approval under the New Mexico Public Utility Act, NMSA 1978, §§ 62-9-1, 62-6-12 and 62-6-13, and the rules, regulations and orders of the New Mexico Public Regulation Commission to abandon and terminate the certificate of public convenience and necessity ("CCN") issued to Thunder Mountain, to expand EWNM's CCN to encompass Thunder Mountain's current service area, for EWNM to charge rates equal to rates charged at the time of closing by Thunder Mountain in its service area and, if NMPRC approval is necessary, for Thunder Mountain to sell certain assets to EWNM.

Thunder Mountain is a private, regulated utility in the State of New Mexico. EWNM is a private, regulated utility in the State of New Mexico and a wholly owned subsidiary of EPCOR Water (USA) Inc., a Delaware corporation and holding company headquartered in Phoenix that owns and operates water and wastewater treatment facilities and infrastructure in the United States. On May 8, 2013, the Applicants entered into an agreement, which is attached to the Joint Application, under which EWNM will purchase the assets of Thunder Mountain.

The Applicants jointly assert that no adverse changes or effects on operations or service provided to Thunder Mountain customers are expected to result from the Proposed Transaction. Because the two systems are already interconnected and EWNM provides water to Thunder Mountain through a bulk agreement, the Applicants anticipate that transition of service will be continuous and seamless.

The following procedural schedule has been established:

- A. A public hearing is scheduled to begin at 1:30 p.m. on November 6, 2013, and continue thereafter, if necessary, at the Commission's offices, PERA Building, 1120 Paseo de Peralta, Santa Fe, New Mexico, 87501, for the purpose of hearing and receiving relevant testimony, exhibits, evidence and arguments in order to determine whether the Commission should grant the approvals requested in the Joint Application.
- B. On or before September 6, 2013, Thunder Mountain will send by first-class mail a copy of the Notice to Customers in the Procedural Order to each of its current customers.
- C. On or before September 6, 2013, Thunder Mountain will publish once in a paper of general circulation the Notice to Customers in the Procedural Order.
- D. On or before September 20, 2013, interested persons may intervene in this case by filing a Motion for Leave to Intervene pursuant to 1.2.2.23(A) and 1.2.2.23 (B) NMAC.

- E. In the event that the Applicants and NMPRC Staff enter a stipulation:
  - a. On or before October 4, 2013, any stipulation and supporting testimony may be filed.
  - b. Any testimony in opposition to a stipulation shall be filed on or before October 15, 2013.
  - c. Any rebuttal testimony shall be filed on or before October 21, 2013.
- F. In the event that the Applicants and NMPRC Staff are not able to enter a stipulation:
  - a. The Applicants shall notify any interveners by electronic mail on or before October 4, 2013 that a stipulation shall not be filed.
  - b. NMPRC staff and any intervener may file direct testimony on or before October 15, 2013.
  - c. Rebuttal testimony shall be filed on or before October 21, 2013.
- G. Anyone filing pleadings, documents or testimony relevant to this application shall serve a copy, and email any filing, to all parties of record, NMPRC Staff and the Presiding Officer.
- H. Any person whose testimony is filed in this case shall attend the hearing and submit to examination under oath. Only pre-filed prepared testimony will be entertained and received at the hearing.

Any interested person may review the Joint Application and any related documents filed in this joint application at the Commission offices, P.E.R.A. Building, 1120 Paseo de Peralta, Santa Fe, New Mexico, 87501 (telephone: 1-888-427-5772) or by searching the e-Docket function on the Commission's website ([www.nmprc.gov](http://www.nmprc.gov)) or at the offices of EWNM at 539 Oliver Ross Drive NW, Albuquerque, New Mexico 87121 or on the EWNM website ([www.epcor.com](http://www.epcor.com)).

The Commission's Rules of Procedure, 1.2.2 NMAC, et seq., shall apply to this joint application except as modified by Order of the Commission or Presiding Officer. A copy of such Rules may be obtained from the offices of the Commission.

The procedural dates and requirements provided herein are subject to further Order of the Commission or Presiding Officer.

Any interested person may appear at the time and place of hearing and make written or oral comment pursuant to 1.2.2.23 (F) NMAC without becoming an intervenor. Interested persons may also send written comments, referencing NMPRC Case No. 13-00285-UT, to the Commission at P.O. Box 1269, Santa Fe, New Mexico, 87504-1269. All such comments will NOT be considered as evidence in this case.

Any interested person should contact the Commission for confirmation of the hearing date, time and place, since hearings are occasionally rescheduled.

Any person with a disability requiring special assistance in order to participate in this proceeding should contact the Commission at least 24 hours prior to the commencement of the hearing.

**I S S U E D at Santa Fe, New Mexico this 29th day of August, 2013.**

**NEW MEXICO PUBLIC REGULATION COMMISSION**