

TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 3 UTILITIES FINANCIAL ACCOUNTING AND REPORTING - GENERAL PROVISIONS
PART 110 INSPECTION AND SUPERVISION FEE

17.3.110.1 ISSUING AGENCY: The New Mexico Public Regulation Commission.
[17.3.110.1 NMAC - N, 3/10/2026]

17.3.110.2 SCOPE: This rule applies to all utilities subject to the commission’s control and jurisdiction with respect to their rates or service regulations.
[17.3.110.2 NMAC - N, 3/10/2026]

17.3.110.3 STATUTORY AUTHORITY: Section 62-8-8 NMSA 1978.
[17.3.110.3 NMAC - N, 3/10/2026]

17.3.110.4 DURATION: Permanent.
[17.3.110.4 NMAC - N, 3/10/2026]

17.3.110.5 EFFECTIVE DATE: March 10, 2026, unless a later date is cited at the end of a section.
[17.3.110.5 NMAC - N, 3/10/2026]

17.3.110.6 OBJECTIVE: The objective of this rule is to implement a transparent process for adjusting the inspection and supervision fee and notifying utilities of adjustments.
[17.3.110.6 NMAC - N, 3/10/2026]

17.3.110.7 DEFINITIONS: In addition to the definitions provided in the Public Utility Act, the following definitions shall apply.

- A. Definitions beginning with “A”:** [RESERVED]
- B. Definitions beginning with “B”:** [RESERVED]
- C. Definitions beginning with “C”:** [RESERVED]
- D. Definitions beginning with “D”:** [RESERVED]
- E. Definitions beginning with “E”:** [RESERVED]
- F. Definitions beginning with “F”:** [RESERVED]
- G. Definitions beginning with “G”:** [RESERVED]
- H. Definitions beginning with “H”:** [RESERVED]
- I. Definitions beginning with “I”:** “inspection and supervision fee” means the fee required by Section 62-8-8 NMSA 1978 of the Public Utility Act to be paid annually by a utility and that is equal to a percentage of the utility’s gross receipts from business transacted in New Mexico during the preceding calendar year.
- J. Definitions beginning with “J”:** [RESERVED]
- K. Definitions beginning with “K”:** [RESERVED]
- L. Definitions beginning with “L”:** [RESERVED]
- M. Definitions beginning with “M”:** [RESERVED]
- N. Definitions beginning with “N”:** [RESERVED]
- O. Definitions beginning with “O”:** [RESERVED]
- P. Definitions beginning with “P”:** [RESERVED]
- Q. Definitions beginning with “Q”:** [RESERVED]
- R. Definitions beginning with “R”:** [RESERVED]
- S. Definitions beginning with “S”:** [RESERVED]
- T. Definitions beginning with “T”:** [RESERVED]
- U. Definitions beginning with “U”:** [RESERVED]
- V. Definitions beginning with “V”:** [RESERVED]
- W. Definitions beginning with “W”:** [RESERVED]
- X. Definitions beginning with “X”:** [RESERVED]
- Y. Definitions beginning with “Y”:** [RESERVED]

Z. Definitions beginning with “Z”: [RESERVED]

[17.3.110.7 NMAC - N, 3/10/2026]

17.3.110.8 INSPECTION AND SUPERVISION FEE REVIEW:

A. The commission may in its discretion, or upon request by utility division staff or a utility, annually increase, decrease, or maintain the inspection and supervision fee subject to the limitations provided in Subsection C of 17.3.110.8 NMAC and Subsection A of 17.3.110.9 NMAC.

B. Fee adjustment procedure:

(1) The commission may require utility division staff to submit a review of the inspection and supervision fees collected during the previous calendar year and to propose, no later than May 1, an adjusted inspection and supervision fee to be collected during the current calendar year.

(2) In the event the commission adjusts the inspection and supervision fee to be collected during the current calendar year, then the utility division staff shall prepare a form for utilities to use to calculate the fee due.

(a) Utility division staff shall post the form on the commission’s website and shall email the form to each utility no later than June 30.

(b) A utility is responsible for paying the inspection and supervision fee due regardless of whether the utility receives the form from staff.

(3) If the inspection and supervision fee is adjusted, the newly adjusted fee supersedes the baseline fee as provided in Section 62-8-8 NMSA 1978 and any previously adjusted fee.

C. A utility shall pay the inspection and supervision fee due during the current calendar year no earlier than July 1 and no later than July 31.

D. Cap: Percentage increases to the inspection and supervision fee shall not be greater than the prior year’s increase in the employment cost index for state and local government as published by the federal bureau of labor statistics.

[17.3.110.8 NMAC - N, 3/10/2026]

17.3.110.9 SUNSET:

A. The commission’s authority to adjust the inspection and supervision fee shall cease on July 1, 2031, pursuant to Subsection B of Section 62-8-8 NMSA 1978.

B. The cessation of the commission’s adjustment authority shall not discharge a utility’s duty to pay the inspection and supervision fee at the percentage it is set for calendar year 2031 and thereafter.

C. The inspection and supervision fee as set by the commission for calendar year 2031 shall carry over to subsequent years.

[17.3.110.9 NMAC - N, 3/10/2026]

HISTORY OF 17.3.110 NMAC - [RESERVED]