

NOTICE OF PROPOSED RULEMAKING
DOCKET NO. 25-00065-UT

The New Mexico Public Regulation Commission (“Commission”) gives notice of its initiation of a formal rulemaking to promulgate rule amendments at Title 17, Chapter 11, Part 10 of the New Mexico Administrative Code, entitled “State Rural Universal Service Fund,” and at Title 17, Chapter 11, Part 11 of the New Mexico Administrative Code, entitled “Lifeline and Linkup Benefits.” Proposed rule amendments which may be adopted as actual rule amendments by the Commission may include all, part, or none of the language in the proposed rule amendments.

Summary and concise statement of proposed rule amendments: During its 2026 session, the Legislature passed Senate Bill 152 (“SB152”), which was signed into law by the Governor on March 5, 2026. Effective July 1, 2026, SB152 repealed the Low Income Telephone Service Assistance Act (“LITSAA”), Sections 63-9C-1 to -6, NMSA 1978. SB152 also amended the Rural Telecommunications Act (“RTA”), Sections 63-9H-1 to -14, NMSA 1978, to establish a “low-income telecommunications assistance program” (“LITAP”), to modify the broadband program, to place caps upon the annual obligations of various components of the State Rural Universal Service Fund (“SRUSF”), to require that access reduction support continue beyond 2026, and to make other, related changes concerning LITAP and the SRUSF. The amendments proposed by the Commission would modify the Commission’s SRUSF Rule, 17.11.10 NMAC, and the Commission’s LITAP Rule, 17.11.11 NMAC, to conform the rules to the statutory amendments made by SB152.

Legal authority: Sections 62-19-9 and 63-9H-6, NMSA 1978.

How a copy of the full text of the proposed rule amendments may be obtained: A copy of the full text of the proposed rule amendments and instructions on how to access the complete rulemaking record, reports, and other items filed in the Commission’s PRCE360 system may be obtained from the Rulemaking Proceedings section of the Commission’s website at <https://www.prc.nm.gov/rulemaking-proceedings/>, under Docket No. 25-00065-UT or by calling LaurieAnn Santillanes in the Commission’s Office of General Counsel at (505) 670-4830.

How a person may comment on the proposed rule amendments, where comments will be received, and when comments are due: Written, initial comments may be filed no later than **September 11, 2026**. Written, responsive comments may be filed no later than **September 21, 2026**. Comments shall refer to Docket No. 25-00065-UT and shall be filed according to the PRCE360 User Guides and PRCE360 Interim Working Rules, which can be found at <https://www.prc.nm.gov/prce360/>.

The record of this case closes on **October 6, 2026**. From that date through the completion of this proceeding, rulemaking participants shall be forbidden from communicating with the Commission or its representatives concerning substantive issues in this proceeding.

When and where a public rule hearing will be held and how a person may participate in the hearing: A public hearing on the proposed rule and any proposed alternatives, to be presided over by the Commission or its designee, shall be held beginning at **1:00 P.M. on October 1, 2026, at the Wendell Chino Building, Pecos Hall, 1220 S. Saint Francis Drive, Santa Fe, NM**, and via the Zoom video-conferencing platform. Any interested person who wishes to make a comment at the hearing may contact Patrick Rodriguez via email at public.comment@prc.nm.gov or by phone at (505) 490-7910 as soon as possible before the start of the hearing to sign up as a commenter to sign up as a commenter. The Commission will email a Zoom invitation to all commenters. The Zoom invitation will include a call-in number for those commenters who are unable to access Zoom’s video-conferencing platform. The public comment hearing will be held to receive oral comments concerning this rulemaking proceeding. All commenters may be limited in time to speak, subject to the discretion of the Commission or its designee. No testimony or other evidence shall be taken at the hearing. A court reporter will prepare a transcript of the hearing, which will be filed in Docket No. 25-00065-UT. Any person with a disability requiring special assistance to participate in the hearing should contact the **Consumer Relations Division of the Commission at (505) 827-8019** as soon as possible prior to the commencement of the hearing.

Technical information that served as a basis for the proposed rule amendments and how the information can be obtained: Not applicable.

Order Issuing NOPR

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