

NOTICE TO RATEPAYERS FOR RATE RIDER NO 3 OHKAY OWINGEH ADVICE NO. 104

JEMEZ MOUNTAINS ELECTRIC COOPERATIVE, INC. (JMEC or Cooperative) will file proposed rate rider, under Advice Notice No. 104 on April 1, 2020 with the New Mexico Public Regulation Commission (Commission) for Native American Access Cost Recovery. The Rate Rider will continue the Ohkay Owingeh local cost recovery for the Native American Access Cost Recovery amounts as previously approved by the Commission in 2012-2014 and include a reconciliation of amounts collected under this Rate Rider surcharge through December 31, 2019. Sixth Revised Rate Rider No. 3 – Pueblo of Ohkay Owingeh will be filed and will result in an increase to all consumers located within the external boundaries of the Pueblo of Ohkay Owingeh (Local Consumers). Consumers affected by Rate Rider 3 include consumers on private land within the exterior boundaries of the pueblo.

Pursuant to 17.9.540 NMAC of the Commission's Rules of Practice and Procedure, JMEC's consumers are notified that:

- a) Original Rate 19 was approved by the Commission August 14, 2012 and established a mechanism for JMEC to recover costs incurred due to a requirement that JMEC make payments to Native American governments for right-of-way (ROW) access expenses. Access costs are defined as expenses for Rights-of-Way on Native American Lands and were identified as either System Rights-of-Way or Local Rights-of-Way.
- b) Sixth Revised Rate Rider 3 is applicable to all consumers within the exterior boundaries of their defined Tribal governments as stated above that are provided regular utility service under Rate Schedules 1, 2, 3, 4 and 6, on file with the Commission and is in addition to the regular charges under the applicable rate schedule. Pursuant to the methodology approved by the Commission, the local kWh surcharge approved for recovery in each of the Pueblo ROW cases is derived from adding the yearly local costs and dividing the monthly dollar amounts aggregated on an annual basis by the total kWh for the most recent calendar year of actual usage data for Rate Rider No. 3 to obtain the new base surcharge for Rate Rider No. 3. Additionally, pursuant to the Commission's approved reconciliation requirement, JMEC has taken the actual balance of the cumulative over collection or under collection and divided it by the actual kWh usage for the previous calendar year to calculate the true up charge/credit.
- c) The proposed changes affect the following consumers in each rate as of January 10, 2020:  
2,477 Residential, 14 Residential Time of Use, 20 Security and Streetlight, 141 Small Commercial and 1 Small Commercial Time of Use
- d) JMEC is proposing that this surcharge be effective May 1, 2020. JMEC will file this revision in the Tribal ROW surcharge pursuant to the requirements in the Stipulations and Orders issued by the Commission in various Native American Access Cost Recovery cases in which the Commission approved the recovery of these ROW access costs through a surcharge to be applied over the extended terms of the ROW easement agreement with each of the Tribes, and consistent with 17.9.540 NMAC and the Commission's Order Granting Variances and Approving Proposed Form of Notice in NMPRC Case No. 15-00087-UT (Order Granting Variances).

IF A HEARING IS HELD BY THE PUBLIC REGULATION COMMISSION, ANY COSTS INCURRED BY THE UTILITY MAY BE INCLUDED IN THE UTILITY'S FUTURE RATES, FOLLOWING THE UTILITY'S NEXT RATE CASE

- e) Any interested person may examine the rate filing together with any exhibits and related papers that may be filed at any time at the main office of the Cooperative, Chama Highway, P.O. Box 128, Española, New Mexico 87532 (telephone 505-753-2105 or 888-755-2105 or [www.jemezcoop.org](http://www.jemezcoop.org)); or on or after the date of filing at the offices of the Commission, 1120 Paseo De Peralta, PO Box 1269, Santa Fe, New Mexico 87504 (telephone 1-888-427-5772 or at the Commission's website at <http://www.nmprc.state.nm.us> where such documents may be found through the "Case Lookup EdoCKET" link, using, for example, the "Company Search" function to find recent Advice Notices filed by the Cooperative or using date filed parameters to search the New Documents List on EdoCKET's main page).

- f) The proposed new rate will go into effect automatically and without hearing by the Commission unless one percent or twenty five (25) members of a customer rate class, whichever is less, of JMEC file a protest with the Commission no later than twenty (20) days after JMEC has filed the schedule proposing the new rates and the Commission determines there is just cause for reviewing the proposed rates on one or more of the grounds of the protest. Procedures for protesting a proposed rate or rates are set forth in Commission rule no. 17.9.540 NMAC, a copy of which can be obtained upon request from or inspected at JMEC's offices located at Chama Highway, P.O. Box 128, Española, New Mexico 87532 (telephone 505-753-2105 or 888-755-2105) or on JMEC's website; or at the New Mexico Public Regulation Commission, 1120 Paseo De Peralta, PO Box 1269, Santa Fe, New Mexico 87504 (telephone 1-888-427-5772) or at the Commission's website through the "Electric Coop Rate Increase Procedures" link under Quick Links). A form and instructions for protesting cooperative rates are available on the Commission's website through the "Forms" link also under Quick Links. Pursuant to the requirements of Rule 17.9.540.11, persons protesting the change in rate rider surcharges must, along with other required information, identify the proposed rate or rates being protested. The Tribal ROW rate rider numbers are displayed on the current billing statements.
- g) Prior to filing a protest with the Commission a Cooperative member should attempt to resolve any grievance by presenting your objections to the new rates, in writing, and allow JMEC seven (7) days in which to attempt a resolution of your objections or otherwise respond.
- h) The proposed rate rider kWh monthly surcharges are as follows: **Sixth Revised Rate Rider No. 3** Local Charge for Pueblo of Ohkay Owingeh - All Applicable kWh sales @ \$.00899/kWh (base charge of \$0.00841, true up charge of \$0.00058). The current surcharge, Fifth Revised Rate Rider No. 3, is \$.00799/kWh.
- i) A comparison of the present rate and proposed rate with rate rider adjustment at various kWh consumption levels is as follows (Residential Service – Time of Use rate comparison is not included due to the variations in the consumption characteristics of an individual consumer)

RESIDENTIAL SERVICE – RATE 1 (BILLING RATE 1) AND RATE RIDER 2 AND 3 (OHKAY OWINGEH)

MONTHLY KWH	PRESENT RATE*	PROPOSED RATE*	MONTHLY \$ INCREASE	MONTHLY % INCREASE
0	\$14.00	\$14.00	\$0.00	0.0%
250	\$41.60	\$41.82	\$0.22	0.5%
500	\$69.21	\$69.65	\$0.44	0.6%
750	\$97.31	\$97.97	\$0.66	0.7%
1000	\$127.41	\$128.29	\$0.88	0.7%
2000	\$257.82	\$259.58	\$1.76	0.7%

\* Present and proposed rates do not include the cost of purchased power and interest on long term debt above the base costs built into the base rates.

- j) Pursuant to the requirements in the Stipulations and Orders issued by the Commission in the various Native American Access Cost Recovery cases in which the Commission approved the recovery of these ROW access costs through surcharges to be applied over the extended terms of the ROW easement agreements with each of the Pueblos, the Cooperative will propose its next adjustment and reconciliation to these rate rider surcharges in the next calendar year.