

Socorro Electric Co-op to comply with PRC ruling

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It's been six months since the Public Regulation Commission ordered Socorro Electric Cooperative to adopt a new rate structure. In that time, the co-op has delayed implementing the rates while waiting for the New Mexico Supreme Court to hear its side of the story.

The co-op is appealing in the higher court because it does not believe that the PRC's Final Order is lawful.

As noted in the PRC's new rate structure, New Mexico Tech will benefit from the decrease in its electric bills as a result of the 1.9 percent decrease in the large commercial rate and the economic development rate. The City of Socorro indicated a delay of the rate implementation would harm it because it expected to see benefits from the PRC's Final Order in the form of new, cost-based LED rates as well as the economic development rate and relief from the co-op's improper collection practices.

The PRC found the joint response from the City, Tech, and Socorro resident Donald Steinnerd persuasive; thus, co-op's request for delay implementing the new rates was denied.

In his response to the PRC's decision, Socorro Mayor Ravi Bhasker said that by denying the co-op's rate request, the Public Regulation Commission was looking out for the people of Socorro.

"These decisions are a huge win for the people of Socorro and sends a message across the state that the boards of rural electric cooperatives must serve all their members, not the other way around," Bhasker said. "I am proud to say that the PRC made both of these determinations based on the collective efforts of the City, New Mexico Tech, and PRC Staff."

In its original argument, the co-op contended that its members would suffer irreparable harm if the stay were not granted because if the Supreme Court ruled in its favor, the cooperative would have to undo the adjusted rates, and that would cost the co-op a substantial amount of money. Also, the co-op noted no harm would ensue if the stay were granted.

"The Commission ... finds allowing the Final Order to take effect will not irreparably harm SEC, however, the stay of the Final Order would harm both the city and Tech," the PRC order noted. "...the Motion should be denied because there is not a likelihood that SEC will prevail on the merits of its appeal, and the evidence in the record demonstrates SEC will not suffer irreparable harm unless the stay is granted."

The higher court has not heard the case yet, but that didn't stop the City and New Mexico Tech, et al. from filing a motion with the PRC on April 3 to compel the co-op to quit stalling.

Despite a response motion by the co-op on April 13 to wait until the Supreme Court decides on the co-op's motion to stay the Final Order, the PRC ruled on April 15 that the co-op must comply with its Final Order within 60 days or risk a penalty of at least \$185,000 levied against the Board of Trustees.

The commission's "Order granting the City of Socorro, Tech, and Staff's joint motion to compel Socorro Electric Cooperative to comply with the Final Order and order assessing fines for non-compliance" was decided during its monthly meeting.

In the order, the PRC ruled that the co-op has violated the order by "its deliberate non-compliance with the final order for 185 days."

