

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

May 31, 2007

In Reply Refer To:  
Public Service Company of New Mexico  
Docket No. ER07-706-000

Troutman Sanders LLP  
401 9th Street, N.W., Suite 1000  
Washington, DC 20004

Attention: Jeffrey M. Jakubiak, Esq.  
Attorney for Public Service Company of New Mexico

Reference: Revised sheets to Electric Coordination Tariff

Dear Mr. Jakubiak:

1. On April 3, 2007, Public Service Company of New Mexico (PNM) submitted for filing revised sheets to its Electric Coordination Tariff (Coordination Tariff) to remove the list of PNM's open access transmission tariff (OATT) rates for customers that elect to have PNM acquire, on their behalf, any necessary transmission and ancillary services. PNM states that rather than continue to amend the Coordination Tariff on an ongoing basis to reflect any changes to PNM's OATT, it seeks to amend the Coordination Tariff simply to reference the rates set forth in PNM's OATT. PNM states that such a change will reduce administrative burdens on PNM and the Commission by eliminating the need to update the Coordination Tariff when PNM's OATT rates change. PNM requests waiver of the Commission's notice requirement to allow an effective date of January 1, 2007.<sup>1</sup>

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<sup>1</sup> PNM requests the effective date of January 1, 2007, to coincide with the effective date of the assets and operations of Texas-New Mexico Power Company (TNMP) being consolidated into those of PNM, and of PNM's OATT being updated to include the transmission service rates over the former TNMP system. *See PNM Resources, Inc., et al.*, 117 FERC ¶ 62,053 (2006) (approving the consolidation).

2. Notice of the filing was published in the *Federal Register*, 72 Fed. Reg. 18,231 (2007), with interventions and protests due on or before April 24, 2007. None were filed.

3. The Coordination Tariff provides that a purchaser may request that PNM's Power Marketing Department secure all transmission and ancillary services under PNM's OATT required to effect service to the purchaser, and that the charges for these services shall be passed through to the customer.<sup>2</sup> PNM proposes to amend the Coordination Tariff to reference PNM's OATT rather than include its specific OATT rates in the Coordination Tariff. However, the Commission's regulations in section 35.1(a)<sup>3</sup> require that all rates, classifications, rules or practices affecting a service be specified in the utility's tariff or rate schedule.<sup>4</sup> Accordingly, PNM's filing is hereby rejected.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>2</sup> PNM's OATT rates are currently listed in Attachments A-1 and B-1 of the Coordination Tariff.

<sup>3</sup> 18 C.F.R. § 35.1(a) (2006).

<sup>4</sup> See, e.g., *Detroit Edison Co.*, 78 FERC ¶ 61,149 at 61,628 & n.3 (1997) (rejecting practice of incorporating by reference rates from another rate schedule).