



**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

**January 16, 2024**

**NO. S-1-SC-39432**

**SOUTHWESTERN PUBLIC  
SERVICE COMPANY,**

Appellant,  
and

**EL PASO ELECTRIC COMPANY,  
PUBLIC SERVICE COMPANY OF  
NEW MEXICO,**

Intervenors-Appellants,  
v.

**NEW MEXICO PUBLIC  
REGULATION COMMISSION,**

Appellee,  
and

**COALITION FOR COMMUNITY  
SOLAR ACCESS, RENEWABLE  
ENERGY INDUSTRIES ASSOCIATION  
OF NEW MEXICO, CITY OF  
LAS CRUCES, NEW ENERGY ECONOMY,  
and COALITION OF SUSTAINABLE  
COMMUNITES NEW MEXICO,**

Intervenors-Appellees.

**In the Matter of the Commission's  
Adoption of Rules Pursuant to the  
Community Solar Act, NMPRC  
Case No. 21-00112-UT**

1  
2 **CONSOLIDATED WITH**

3  
4 **NO. S-1-SC-39558**

5  
6 **SOUTHWESTERN PUBLIC**  
7 **SERVICE COMPANY,**

8  
9 Appellant,

10  
11 v.

12  
13 **NEW MEXICO PUBLIC**  
14 **REGULATION COMMISSION,**

15  
16 Appellee,

17  
18 **In the Matter of the Commission's**  
19 **Adoption of Rules Pursuant to the**  
20 **Community Solar Act, NMPRC**  
21 **Case No. 21-00112-UT**

22  
23 **AND**

24  
25 **NO. S-1-SC-39611**

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27 **SOUTHWESTERN PUBLIC**  
28 **SERVICE COMPANY,**

29  
30 Appellant,

31 v.

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33 **NEW MEXICO PUBLIC**  
34 **REGULATION COMMISSION,**

35  
36 Appellee,

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38 **In the Matter of Implementation**  
39 **and Administration of the Community**  
40 **Solar Program, Case No. 22-00020-UT,**

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4 **In the Matter of the Compliance**  
5 **Filing of Southwestern Public Service**  
6 **Company Pursuant to 17.9.573.9**  
7 **NMAC, Case No. 22-00240-UT,**  
8

9 **In the Matter of the Application of El Paso**  
10 **Electric Company for Approval**  
11 **Of Tariffs Necessary for**  
12 **Implementation of the New Mexico**  
13 **Community Solar Program and**  
14 **Accounting Order, Case No. 22-00243-UT.**  
15

16 **AND**

17  
18 **NO. S-1-SC-39678**  
19

20 **SOUTHWESTERN PUBLIC**  
21 **SERVICE COMPANY,**  
22

23 Appellant,

24 v.

25  
26 **NEW MEXICO PUBLIC**  
27 **REGULATION COMMISSION,**  
28

29 Appellee,  
30

31 **In the Matter of Implementation**  
32 **and Administration of the Community**  
33 **Solar Program, Case No. 22-00020-UT,**  
34

35 **In the Matter of the Compliance**  
36 **Filing of Southwestern Public Service**  
37 **Company Pursuant to 17.9.573.9**  
38 **NMAC, Case No. 22-00240-UT,**  
39

40 **In the Matter of the Application of El**

1 **Paso Electric Company for Approval**  
2 **Of Tariffs Necessary for**  
3 **Implementation of the New Mexico**  
4 **Community Solar Program and**  
5 **Accounting Order, Case No. 22-00243-UT.**  
6 **ORDER**

7 WHEREAS, this matter came on for consideration by the Court upon  
8 Appellant Southwestern Public Service Company's Motion to Stay Implementation  
9 of Public Regulation Commission orders pending appeal, and the Court having  
10 considered the foregoing and being sufficiently advised; Chief Justice C. Shannon  
11 Bacon, Justice Michael E. Vigil, Justice David K. Thomson, Justice Julie J.  
12 Vargas, and Justice Briana H. Zamora concurring;

13 NOW, THEREFORE, IT IS ORDERED that motion to stay is DENIED.

14 IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 16th day of January, 2024.

Elizabeth A. Garcia, Clerk of Court  
Supreme Court of New Mexico

I CERTIFY AND ATTEST:  
A true copy was served on all parties  
or their counsel of record on date filed.

Zelda Abeita

Clerk of the Supreme Court  
of the State of New Mexico

By Zelda Abeita  
Deputy Clerk