
24-00266-UT - Order Granting Withdrawal of Motion for Amendment of Procedural Schedule

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Date Mon 3/24/2025 2:29 PM

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24-00266-UT-3-24-25-EC-PS-Order Granting Withdrawal of Motion .pdf;

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE JOINT)	
APPLICATION FOR APPROVAL TO)	-
ACQUIRE NEW MEXICO GAS COMPANY,)	
INC. BY SATURN UTILITIES HOLDCO,)	Case No. 24-00266-UT
LLC.)	
)	
JOINT APPLICANTS)	

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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE)	
APPLICATION OF SATURN UTILITIES)	
HOLDCO, LLC. FOR APPROVAL TO)	
ACQUIRE NEW MEXICO GAS)	Case No. 24-00266-UT
COMPANY, INC.)	
JOINT APPLICANTS)	

ORDER GRANTING WITHDRAWAL OF MOTION FOR AMENDMENT
OF PROCEDURAL SCHEDULE

THESE MATTERS come before the Hearing Examiners pursuant to the Motion for Amendment of Procedural Schedule filed with the New Mexico Public Regulation Commission (“Commission or NMPRC”) on March 19, 2025 by New Mexico Gas Company, Inc. (“NMGC”); Emera Inc., a Nova Scotia corporation (“Emera”); Emera U.S. Holdings Inc., a Delaware corporation (“EUSHI”); New Mexico Gas Intermediate, Inc. a Delaware corporation (“NMGI”); TECO Holdings, Inc., a Florida corporation (“TECO Holdings”); TECO Energy, LLC, a Florida limited liability company (formerly TECO Energy, Inc.) (“TECO Energy”); Saturn Utilities, LLC, a Delaware limited liability company (“Saturn Utilities”); Saturn Utilities Holdco, LLC (“Saturn Holdco”); BCP Infrastructure Fund II, LP (“BCP Infrastructure Fund II”); BCP Infrastructure Fund II-A, LP (“BCP Infrastructure Fund II-A”); BCP Infrastructure Fund II GP, LP (“BCP Infrastructure II GP,” together with BCP Infrastructure Fund II and BCP Infrastructure Fund II-A, the “BCP Infrastructure Funds”); Saturn Utilities Aggregator, LP (“Saturn Aggregator”); Saturn Utilities 2 Aggregator GP, LLC (“Saturn Aggregator GP”); Saturn Utilities Topco, LP (“Saturn Topco”) and Saturn Utilities Topco GP, LLC (“Saturn Topco GP” and together with Saturn Utilities, Saturn Aggregator,

Saturn Aggregator GP, and Saturn Topco, the “Intermediate Companies”) (collectively, the “Joint Applicants”). Being fully informed of the premises, the Hearing Examiners **FIND** and **CONCLUDE:**

1. On March 19, 2025, Joint Applicants filed their Motion for Amendment of Procedural Schedule requesting that certain of the remaining filing deadlines set forth in the Procedural Order issued on November 27, 2024, be changed, so that they could continue meeting with the parties and ascertain settlement possibilities.

2. The Motion for Amendment of Procedural Schedule asserted additional time was needed for discussions and that Joint Applicant’s did not believe that the proposed changes would prejudice any party.

3. The Motion for Amendment of Procedural Schedule was supported by the Coalition for Clean Affordable Energy (“CCAЕ”), Prosperity Works, the Federal Executive Agencies (“FEA”), the Utility Division Staff (“Staff”) of the New Mexico Public Regulation Commission, and the New Mexico Department of Justice (“NMDOJ”).

4. The Motion for Amendment of Procedural Schedule was supported for the sole purpose of meeting on March 31, 2025, by Western Resource Advocates (“WRA”) and New Energy Economy (“NEE”).

5. After reviewing the Motion for Amendment of Procedural Schedule, the Hearing Examiners sent an email on March 20, 2025, to the parties notifying them that some of the proposed changes shortened time periods afforded in the original schedule, especially the diminished commission review period for testimony opposing any stipulation. To make the

proposed changes align with the initial time periods, the Hearing Examiner's proposed certain changes including moving the dates by two weeks for the prehearing to July 1, 2025, and the hearing to commence on July 7, 2025. Further, parties were required to notify the Hearing Examiners by email if they were unavailable for the new proposed hearing dates by 4:30 P.M. on March 21, 2025.

6. On March 21, 2025, the Hearing Examiners were notified by e-mail by Counsel for the Joint Applicant's that they were available on the proposed hearing dates but were advised

“that an extension of the commencement of the hearing materially beyond July 7, 2025, may not work and could delay the proposed closing beyond the end of September 2025 as proposed. Under such circumstances, the Joint Applicants would prefer to keep the existing schedule and hearing dates and would request to withdraw their motion to extend the pre-hearing deadlines.”

7. On March 21, 2025, after the deadline, the Hearing Examiners were notified by e-mail by Counsel for NEE advising that NEE's witness was unavailable July 6-12, 2025. NEE requested that the hearing begin on July 9 or 10, 2025, and that its witness testify on July 14, 2025.

After reviewing the current procedural schedule initially agreed to by the parties, the Motion for Amendment of Procedural Schedule, the Hearing Examiner's proposed corrections to the Joint Applicant's proposed amended schedule to make it conform to the appropriate time periods as initially required, NEE's unavailability for the proposed schedule, and the Joint Applicant's e-mail request to withdraw its Motion for Amendment of Procedural Schedule, the Hearing Examiners **FIND** and **CONCLUDE** that changing the current schedule does not

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

Order Allowing Withdrawal of Motion
for Amendment of Procedural Schedule

24-00266-UT

appear to fairly facilitate the orderly and efficient presentation of this case, and therefore
ORDER, as requested by the Joint Applicant, the Joint Applicant's Motion for Amendment of
Procedural Schedule is **WITHDRAWN**.

ISSUED under the seal of the Commission at Santa Fe, New Mexico, this 24th day of
March 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION



Elizabeth C. Hurst

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Patrick Schaefer

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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE JOINT)
APPLICATION FOR APPROVAL TO)
ACQUIRE NEW MEXICO GAS COMPANY,)
INC. BY SATURN UTILITIES HOLDCO,)
LLC.)
)
)
JOINT APPLICANTS)**

Case No. 24-00266-UT

CERTIFICATE OF SERVICE

I CERTIFY that on this date I sent via email a true and correct copy of the Order Granting Withdrawal of Motion for Amendment of Procedural Schedule to the parties listed below.

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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

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DATED this March 24, 2025.

NEW MEXICO PUBLIC REGULATION COMMISSION

Ana Kippenbrock

Ana Kippenbrock, Law Clerk