

## **New Mexico**

Last updated: 9/10/22

Covered utilities: These policies pertain to electricity customers who receive their service from an investor-owned utility and electric cooperatives in the State of New Mexico. Customers that receive service from a municipal utility are not covered by these policies.

17.5.410.6 NMAC; N.M. Stat. Ann. § 62-6-4

### Weather Protections

From November 15<sup>th</sup> to March 15<sup>th</sup> each year, customers may not be disconnected from their utility service if they are eligible for the Low-Income Home Energy Assistance Program (LIHEAP). Customers must have no “past due” charges on November 15<sup>th</sup> of the current heating season or have a settlement/installment agreement with the utility for amounts other than those owing from the prior heating season, which they are continuing to make on-time payments under.

There are no similar protections that limit disconnections during times of hot weather.

17.5.410.30 NMAC

### Medical Protections

Disconnections will be initially delayed for up to 90 days if the termination of service would lead to substantial risk of death or would gravely impair health, and if the condition qualifies as a serious or chronic illness. Medical certificates can be issued by a medical professional, which means a licensed physician, physician's assistant, osteopathic physician, osteopathic physician's assistant, or certified nurse practitioner. This protection can be renewed once.

17.5.410.7 NMAC

### Other Customer Protections

There are no specific protections for households with children, elderly residents, individuals with disabilities, or military personnel.

### General Exemptions

Customers and utilities can request an exemption from the rules for reasons of hardship.

17.5.410.9 NMAC

### Notification Requirements

Written notification of at least 15 days is required from a utility before a customer may be disconnected. In-person or telephone notifications are not required, and a utility is not required to delay a disconnection if it is unable to reach a customer by a telephone call or an in-person visit.

17.5.410.33 NMAC

#### Payment Information, Delinquency, and Fee Information

Customers have 20 days to pay their bills before they become past-due

There are no minimum arrearages before a utility may disconnect a customer.

Customer may be charged fees associated with a disconnection or a reconnection.

Utilities may provide customers with payment plans.

17.5.410.13 NMAC; 17.5.410.30 NMAC; N.M. Stat. Ann. § 27-6-18.1

#### Landlords and Tenants

No specific protections for tenants when the landlord of a housing unit is the account holder.

#### Availability of Protection Policies

Utilities and public utility commissions are required to provide information on available sources of financial assistance. Additionally, protections shall be displayed prominently by the utility and shall be available to the public. The utility shall advise its existing residential customers of such availability on an annual basis.

17.5.410.23 NMAC; 17.5.410.33 NMAC