

SOUTHWESTERN PUBLIC SERVICE COMPANY

ORIGINAL RULE NO. 25

RULES AND REGULATIONS - ELECTRIC

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25. RESIDENTIAL BILLING OF VACANT RENTAL PROPERTY

All landlords and property managers responsible for residential rental units shall sign both a residential billing of vacant rental property agreement and select either the Automatic Turn On ("ATO") option or the Lock On Disconnect ("LOD") option. If a landlord/property manager declines to sign both a residential billing of vacant rental property agreement and select the ATO option, their accounts will be defaulted to the LOD option. The landlord/property manager may change their selection by written notice to the Company at any time. The residential billing of vacant rental property agreement may be canceled for only the affected buildings if a landlord/property manager's account becomes delinquent.

AUTOMATIC TURN ON OPTION (ATO)

If the landlord/property manager selects the ATO option, the company shall bill the landlord/property manager for electric service in unoccupied rental unit(s) during periods of tenant vacancies. Electric service for vacant rental unit(s) will remain in the landlord/property manager's name until 1) a new tenant becomes the Customer of record, 2) the landlord/property manager (as agent for the tenant) applies for service, or 3) the landlord/property manager submits a request to cancel the ATO option in its entirety. If the ATO option is in effect, billings shall be the responsibility of the landlord/property manager if a new tenant occupies the rental unit but fails to apply for service. After hours connection charges will apply.

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BY F100700319UT

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Advice Notice No.

David L. Evers dh

President & CEO

**NEW MEXICO PUBLIC REGULATION
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LOCK ON DISCONNECT OPTION (LOD)

If the landlord/property manager selects the LOD option, service in rental unit(s) will be disconnected when the Company is notified that the tenant has vacated the property. Service in rental unit(s) will be reconnected when there is a new service request. Reconnection fees will apply. Landlord/property manager will be assessed the after hours connection charges if the meter is reconnected to prep the rental unit after hours prior to the new tenant moving in. Landlord/property manager will be responsible for payment of all the Company services until the new tenant assumes service in their name.

START/STOP SERVICE NOTIFICATION

Tenant has the right to start or stop service in rental unit(s) by notifying the Company. Alternatively, the tenant may start or stop service in rental unit(s) by completing a "residential tenant authorization form for tenant or landlord/property manager to start service" and/or a "residential tenant authorization form for tenant or landlord/property manager to stop service" which authorizes the landlord/property manager to start or stop rental unit(s) service in tenant's name. Under the terms of this form, the tenant is the user of the service in rental unit(s) and is responsible for payment of all the Company services from the service start date through the service stop date, which are selected and communicated by the tenant to the landlord/property manager.

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START/STOP SERVICE NOTIFICATION (Cont.)

As stated in the residential tenant authorization form for tenant or landlord/property manager to start service and residential tenant authorization form for tenant or landlord/property manager to stop service, if the tenant fails to notify the Company or the landlord/property manager of the service stop date, they will be responsible for all the Company charges. If the tenant completes either form, the landlord/property manager is to fax the form to the Company within one business day. If discrepancies arise pertaining to when the tenant actually left, either the landlord/property manager and/or tenant may be required to submit an affidavit attesting to proof of user of service in rental unit(s). Other acceptable documents such as signed and dated tenant move-out documentation may be requested from the landlord/property manager and/or tenant.

RENTAL PROPERTY OWNERSHIP CHANGES

Changes to either the ATO option or LOD option due to sale or transfer of ownership of facilities must be communicated to the Company in writing within three business days to avoid possible late payment charges or other billing issues. The user of the energy is the person responsible for the payment of the energy bill. Non-energy usage issues are between the tenant and the landlord/property manager.

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