

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION OF)
GRADY MARTIN WIND, LLC FOR)
APPROVALS AND AUTHORIZATIONS FOR)
THE LOCATION APPROVAL OF THE GRADY)
MARTIN WIND FACILITY AND ASSOCIATED)
GEN-TIE LINE IN QUAY COUNTY, AND)
CURRY COUNTY, NEW MEXICO PURSUANT)
TO NMSA 1978, § 62-9-3, AND FOR RIGHT OF)
WAY WIDTH DETERMINATION PURSUANT)
TO NMSA 1978, § 62-9-3.2, ALL ONLY TO THE)
EXTENT REQUIRED BY LAW)

Case No. 21-00044-UT

NOTICE

NOTICE is hereby given that:

1. In accordance with NMSA 1978, Sections 62-9-3 and 62-9-3.2, and 17.9.592 NMAC, on March 2, 2021, Grady Martin Wind, LLC (“Grady Martin Wind” or “Applicant”) filed an Application for Location Approval and Right of Way Determination (“Application”) with the New Mexico Public Regulation Commission (“Commission”) requesting that the Commission enter a Final Order that grants the following relief, all only to the extent required by law: (1) grant location approval pursuant to NMSA 1978, Section 62-9-3 of an up to 297.5 megawatt (“MW”) nameplate capacity wind energy facility (the “Wind Facility”); (2) grant location approval pursuant to NMSA 1978, Section 62-9-3 of an up to 38-mile long 230 kilovolt (“kV”) generation tie transmission line (“Gen-Tie Line” and together with the Wind Facility, the “Project”) to connect the Wind Facility to Southwestern Public Service Company’s (“SPS”) electric transmission system; (3) determine, pursuant to NMSA 1978, Section 62-9-3.2, that a right-of-way (“ROW”) width not in excess of 100 feet for the construction, operation and maintenance of the Gen-Tie Line is necessary for the Gen-Tie Line to connect the Project to the existing electric transmission grid; and (4) any other Commission approvals and authorizations that may be legally required.

2. The Project consists of an up to 297.5 MW nameplate capacity wind energy facility encompassing 37,167 acres in Quay County and Curry County, New Mexico, approximately 27.5 miles north-northwest of the City of Clovis, New Mexico. The Project will be primarily located on private land, and may include approximately 18.16 acres of state trust land. The Project will not include any federal land. The Project is located near Southwestern Public Service Company's new Pleasant Hill Substation, and will need a generation transmission line of up to 38 miles in length in order to connect to the existing transmission grid, which will operate at 230 kV. The Gen-Tie Line will require a ROW width not in excess of 100 feet for the construction, operation and maintenance of the Gen-Tie Line. The Project is expected to be in operation no later than December 31, 2023.

3. The Commission has assigned Case No. 21-00044-UT to this Application, and all correspondence, pleadings, comments, and other communications shall refer to that case number.

4. On March 31, 2021, the Commission entered an order designating Christopher Ryan to preside as Hearing Examiner over this proceeding and to issue a Recommended Decision.

5. The procedural schedule in this case is as follows;

- a. Grady Martin Wind shall, at its sole expense, publish notice in a newspaper of general circulation in Quay County on or before April 16, 2021;
- b. Grady Martin Wind shall, at its sole expense, publish notice in a newspaper of general circulation in Curry County on or before April 16, 2021;
- c. Any interested person may file a protest, or intervene in this case by filing a motion for leave to intervene in conformity with Rule 1.2.2.23 NMAC on or before June 15, 2021;

- d. Commission's Utility Division Staff ("Staff") shall file a response to the Application by June 18, 2021;
 - e. Staff and any intervenor testimony shall be due July 9, 2021
 - f. Any rebuttal testimony shall be filed on or before July 16, 2021; and
 - g. In the event protests are timely filed or a hearing is otherwise deemed necessary by the Commission or Hearing Examiner, in their discretion, a public hearing will be held on July 26, 2021, commencing at 9:00 a.m. (MDT), and shall continue as necessary until complete. Due to the ongoing COVID-19 pandemic, and associated restrictions, the public hearing shall be conducted via the Zoom videoconference platform, or as otherwise designated by the Commission, to hear and receive evidence, arguments, and any other appropriate matters pertaining to the case. Access to and participation in the evidentiary hearing shall be limited to party-participants (i.e. counsel, witnesses and other representatives of the parties), the Commissioners and other Commission personnel. Interested persons may view the evidentiary hearing via a livestream on YouTube provided on the Commission's website at www.nmprc.state.nm.us.
6. The Commission may approve Grady Martin Wind's request for location approval without formal hearing if no protest is filed within sixty (60) days after notice has been given that the Application has been filed.
7. The Application, together with supporting pre-filed direct testimony and any attachments and related papers may be examined by an interested person at the Project's website (www.gradymartinwind.com) or at the Commission's "edocket" portal at (<https://edocket.nmprc.state.nm.us>).

8. Pursuant to 17.9.592.13, the Application, supporting pre-filed direct testimony and attachments may also be examined by any interested person at the following:

Tucumcari Public Library
602 South 2nd Street
Tucumcari, NM 88401

Clovis-Carver Public Library
701 North Main Street
Clovis, NM 88101

9. Any interested person may appear at the time and place of hearing (via Zoom), if any, and make a written or oral comment without becoming an intervenor. Such comments will not be considered as evidence in this case. *See* 1.2.2.23(F) NMAC.

10. The procedural dates and requirements set forth herein are subject to further order of the Commission or Hearing Examiner. Any interested person should contact the Commission for confirmation of the hearing date, time and place because hearings are occasionally rescheduled.

11. Anyone filing pleadings, testimony, and other documents in this case shall, until further notice, comply with the Commission's Electronic Filing Policy, as amended from time to time. This includes electronic filings by emailing in pdf format, with electronic signatures, to prc.records@state.nm.us within regular business hours of the due date in order to be considered as being timely filed. Documents received after regular business hours will be considered as being filed the next business day. Regular business hours are from 8:00 am to 5:00 pm MT. Pleadings, testimony and other documents shall also be served on all parties of record and Staff in the way or ways specified in the most recent Certificate of Service issued in this case by the Hearing Examiner. Copies of all filings shall also be emailed, on the date of filing and service, to the Hearing Examiner at: Christopher.Ryan@state.nm.us. All documents emailed to the Hearing Examiner shall also include versions created in Microsoft Word if available.

12. The Commission's Rules of Procedure found at 1.2.2 NMAC shall apply to this proceeding unless modified by order of the Commission or the Hearing Examiner. Such rules are available online at the official NMAC website <http://164.64.110.134/nmac/nmac-titles>.

13. Any person with a disability requiring special assistance in order to participate in this proceeding should contact the Commission at 1-888-427-5772 at least 24 hours prior to the commencement of the hearing

ISSUED by the Commission at Santa Fe, New Mexico, this 31st day of March, 2021, as set forth in the Initial Order Requiring Notice of the Application and Staff Response and Appointing Hearing Examiner entered on the 31st day of March, 2021.