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AN ACT

RELATING TO PUBLIC UTILITIES; REQUIRING THE PUBLIC REGULATION
COMMISSION TO CONSIDER THE IMPACT OF ABANDONMENT OF SERVICE
ON NEW MEXICO CONSUMERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 62-9-5 NMSA 1978 (being Laws 1941,
Chapter 84, Section 48, as amended) is amended to read:

"62-9-5. ABANDONMENT OF SERVICE.--No utility shall
abandon all or any portion of its facilities subject to the
jurisdiction of the commission, or any service rendered by
means of such facilities, without first obtaining the
permission and approval of the commission. The commission
shall grant such permission and approval, after notice and
hearing, upon finding that the continuation of service is
unwarranted or that the present and future public convenience
and necessity do not otherwise require the continuation of
the service or use of the facility; provided, however, that
ordinary discontinuance of service or use of facilities for
nonpayment of charges, nonuser or other reasons in the usual
course of business shall not be considered as abandonment.

In considering the present and future public convenience and
necessity, the commission shall specifically consider the
impact of the proposed abandonment of service on all
consumers served in this state, directly or indirectly, by

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the facilities sought to be abandoned." _____