

BEFORE THE NEW MEXICO PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE PARTICIPATION)	
OF PUBLIC SERVICE COMPANY OF NEW)	
MEXICO AS TENANT IN COMMON IN AN)	
ELECTRIC GENERATING STATION,)	
)	
PUBLIC SERVICE COMPANY OF NEW MEXICO,)	CASE NO. 1216
)	
PETITIONER,)	
)	
EL PASO ELECTRIC COMPANY,)	
)	
PETITIONER.)	

ORDER

On March 3, 1977 Southwest Research and Information Center (herein SWRIC) and the Albuquerque Chapter of New Mexico Citizens for Clean Air and Water, Inc. (herein NMCCA&W) moved the New Mexico Public Service Commission (herein Commission) for an order granting a rehearing in this cause and seeking an amendment to the Commission's Order of February 8, 1977 stating that it is a final order.

On March 10, 1977, the Attorney General (herein AG) filed a Motion joining SWRIC and NMCCA&W's Motion for rehearing and amendment to the Commission Order. Further, the AG moved that the Commission delete from its Order certain language concerning the credibility and qualifications of Intervenor's expert witness, Charles Komanoff.

The Commission F I N D S:

1. Intervenor's motion for rehearing fails to state grounds indicating a need for a rehearing and should be denied.
2. The Commission's Order of February 8, 1977 is a final Order and therefore does not require an amendment so stating.
(See Section K and L of the Order).

3. The Commission's Order should be amended to delete the language concerning the credibility and qualifications of the AG's witness because that verbage may tend to damage the professional reputation and career of the witness and this language is immaterial to the Commission's Order.

NOW THEREFORE THE COMMISSION ORDERS:

A. The Intervenors' motions for rehearing is denied.

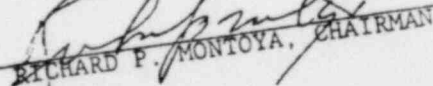
B. The Intervenors' motions for an amendment specifically stating that the Commission's Order of February 8, 1977 is a Final Order is denied.

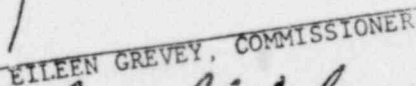
C. The following language on Page 14 of the February 8, 1977 Order shall be deleted: "The record shows that Mr. Komanoff has little or no engineering training experience. His only college degree is a B.A. in Applied Mathematics. Mr. Komanoff's analysis of coal and nuclear capacity factors depends almost exclusively upon the results of his statistical analysis of existing unit".

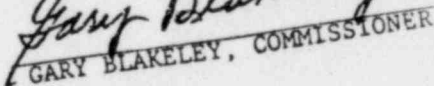
D. The first full Paragraph of Page 15, Lines 8 through 16, of the Commission's Order of February 8, 1977, shall be deleted in its entirety.

I S S U E D under the Seal of the Commission at Santa Fe, New Mexico, this 28th day of March, 1977.

NEW MEXICO PUBLIC SERVICE COMMISSION


RICHARD P. MONTOYA, CHAIRMAN


EILEEN GREVEY, COMMISSIONER


GARY BLAKELEY, COMMISSIONER

