

New Mexico

Public Notice of Residential Customer Rights

El Paso Electric Company ("EPE") is dedicated to providing quality, reliable service to you, our valued residential customer. EPE has prepared this notice as a summary to explain standard customer service operating procedures, to outline your rights and responsibilities as a residential customer, and to provide other useful information regarding your electric service. EPE provides this informational notice in accordance with **Rule 17.5.410 of the New Mexico Administrative Code ("NMAC")** issued by the New Mexico Public Regulation Commission (the "Commission").

EPE is governed by the rules and regulations of the Commission. The complete set of service rules and regulations as approved by the Commission are available at EPE's offices for your review and via the internet by visiting EPE's website at www.epelectric.com and clicking on the following:

1. *Residential Tab*
2. *Customer Service Box*
3. *Rates and Regulations*
4. *Residential Rates and Information (menu)*
4. *New Mexico Rate Tariffs Rules and Regulations*

EPE provides new residential customers with the notification and availability of this information, in English and Spanish, on their first bill. EPE provides existing customers with notification and availability of this information, in English and Spanish, on an annual basis via a bill message.

. Should the rules and regulations of the Commission change before EPE publishes a revised notice, EPE will continue to follow the guidelines set by the Commission. Additionally, if there are substantial changes before EPE makes the next notice available, EPE will communicate those changes to customers in an appropriate manner.

Non-Discriminatory Service Provider

EPE does not discriminate against a customer on the basis of race, color, sex, nationality, religion, disability, age, veteran status or marital status.

. Credit history is applied equally for a reasonable

period of time to a spouse or a former spouse who shared the service.

Members of New Mexico (NM) tribes or pueblos who need help with translation or with other matters relating to their electric service may contact the Director of the NM Public Regulation Commission's Consumer Relations Division at (888) 427-5772, who will contact the appropriate tribal or pueblo official for assistance.

Billing Procedures, Payment Plans and Other Services

1. Estimated Bills

Occasionally, it is not possible to obtain an actual meter reading due to a locked gate, the presence of a pet in your yard, a damaged meter, an obstructed view of the meter, or adverse weather conditions. When obstacles such as these prevent the meter reader from reading the meter, an estimated reading based on estimated usage will be used to bill your account. If there is a condition, such as a locked gate, an obstacle in front of the meter, or an unrestrained animal, which prevents the meter reader from obtaining a reading, please contact EPE immediately.

EPE will not send a bill based on estimated usage for more than two consecutive months without first notifying the Commission, nor will EPE use estimates as the basis for an initial or final bill unless otherwise agreed to by the residential customer and the utility.

2. Budget Payment Plan ("Budget Billing")

Budget Billing allows you to pay your electric bill with a scheduled amount each month. Your monthly payment amount is calculated by dividing your estimated annual billing by twelve (12). Any applicable taxes will be added to this amount. To be eligible for Budget Billing, you must have a satisfactory credit history.

To qualify, the account must be for residential service, must be current or have entered into, and be in compliance with the terms of, a payment arrangement.

Budget Billing is not available to customers who have an interconnection agreement with EPE.

3. Payment Arrangements

Customers experiencing financial problems have a right to request a Payment Arrangement Plan if they are not **chronically delinquent*. Customers experiencing financial difficulties are encouraged to contact "Customer Service" to notify them of your inability to pay your electric bill either by telephone or a written notice.

Chronically delinquent is defined as a residential customer who during the prior twelve (12) months has had electric service disconnected for nonpayment or who on three (3) or more occasions during the prior twelve months has not paid a bill by the date a subsequent bill is rendered.

The Payment Arrangement Plan is a temporary arrangement designed to assist you during a financial crisis. Under this plan, your service will not be disconnected if you pay your current bill when due and also pay a calculated portion of the outstanding bill in agreed upon installment amounts until the outstanding bill is paid in full, which is usually within three (3) months.

A Payment Arrangement Plan may be verbal or written. EPE will provide you with a written copy of the terms upon agreement. If you fail to fulfill the terms of the Payment Arrangement Plan, EPE will disconnect service pursuant to the disconnection procedures provided in this notice.

However, if your economic or financial circumstances change substantially, EPE may, but is not obligated to, renegotiate the agreement with you, taking into account your changed economic and financial circumstances.

4. Bank Draft

EPE can draft funds from your financial institution, with your authorization, for the bill amount each month automatically. A copy of your bill will be sent to you for your records. The draft withdrawal will occur on the bill due date. The bank draft enrollment form is available on EPE's website at www.epelectric.com.

You may wish to consider combining Budget Billing with your bank draft, so the same amount is deducted each month.

5. Third Party Notification

Third Party Notification service can help avoid the interruption of your electric service. Third Party Notification allows you to designate a specific person, organization, or governmental agency that is ready, willing, and able to assist you with the payment of utility bills. Please contact EPE to apply or get more information.

6. Energy Efficiency

Energy efficiency is the use of less energy to perform the same task or produce the same result. EPE values implementing strategic steps to reduce the amount of energy you are using in your home. As a valued customer, EPE would like to stress the importance of making energy efficiency part of your daily routine. It is equally important that your home be insulated and weatherized. To learn more about your energy usage, visit EPE's website at www.epelectric.com.

Customer Verification of Billing Accuracy

You have the right to read your meter. Reading your meter can help you understand how you are using electricity. The reading is displayed on the face of the meter. To determine the kilowatt-hours used for billing, subtract the previous month's reading from the current reading.

You have the right to request that your meter be tested. EPE will complete a test without charge to you provided the meter has not been tested during the last eighteen (18) months. If EPE has completed a test during the last eighteen (18) months and the second test you request reveals the meter to be within accuracy standards, you will be charged a fee per meter tested.

EPE keeps all meters operating within the accuracy standards established by the American National Standards Institute.

Rate Information

You are entitled to receive information about the rates you are charged. This information can be obtained by visiting EPE's website at www.epelectric.com and clicking on the following links in order:

1. *Residential Tab*
2. *Customer Service Box*
3. *Residential Rates and Information (menu)*
4. *New Mexico Rate Tariffs Rules and Regulations*

All EPE offices keep complete information about rates. This information is available for your review. Upon request, EPE will provide copies. However, you may be charged for EPE's cost to make the copies.

Payment Requirements and Procedures

EPE sends its customers a bill each month. If you do not receive your bill at the usual time, please contact EPE immediately. Payment is due twenty (20) calendar days after the date the bill is mailed. If the twentieth day falls on a weekend or an EPE observed holiday, then the due date is the next business day. Your bill is considered delinquent if it is not received on or prior to the due date. The due date appearing on your bill applies only to the current month's billing. If your bill displays a previous balance, that amount is past due and should be paid immediately to avoid disconnection.

If you receive a disconnect notice, payment must be received by the close of business on the due date listed on the notice to avoid service disconnection.

Returned Payments

If your bank returns a check to EPE unpaid, EPE will impose a returned check charge. The returned check amount must be paid by cash, money order or a cashier's check. If the bank informs EPE that a check has been returned as a result of the bank's error, there will be no returned check charge.

EPE does not accept post-dated checks.

Contact Us

1. Mailing Addresses

If you wish to mail payments or other correspondence to EPE, please address them as follows:

Payments
El Paso Electric Company
P.O. Box 650801
Dallas, Texas 75265-0801

Correspondence
El Paso Electric Company
P.O. Box 982
El Paso, Texas 79960-0982

EPE Customer Service can be accessed via the Internet at www.epelectric.com

2. Telephone Numbers

Customer Service
Texas: (915) 543-5970
NM: (575) 526-5555
Toll Free: (800) 351-1621

Outage
Texas: (915) 877-3400
NM: (575) 523-7591

3. Email

EPE's Customer Care email address is: customercare@epelectric.com

4. Telecommunications Device for the Hearing or Speech Impaired

EPE has a teletype/telecommunications device (TTY) to serve our hearing or speech impaired customers. To use this service, a customer must also have access to a TTY unit. To reach an EPE representative who is trained to use the TTY equipment, call (575) 523-3516 in New Mexico or (915) 543-5984 in Texas.

You may contact the Commission through Relay New Mexico toll-free at 711.

5. EPE Offices

New Mexico Offices
Open Monday – Friday

Phone: (575) 526-5555
Lobby Hours: 8 a.m. - 4:30 p.m.
Drive-Thru Hours: 8 a.m. - 5 p.m.

Las Cruces

201 North Water Street
Las Cruces, NM 88001-1219

Anthony

400 Anthony Drive
Anthony, New Mexico 88021-1660

Texas Offices

Fabens

Open Monday - Friday
Lobby Hours: 8 a.m. - 4:30 p.m.
Drive-Thru Hours: 8 a.m. - 5 p.m.
200 East Main Street
Fabens, Texas 79838-0218
Phone: (915) 543-5970

Stanton

Open Monday - Friday
Lobby Hours: 8 a.m. - 4:30 p.m.
100 N. Stanton
El Paso, Texas 79901
Corner of Kansas and Myrtle in the Stanton Tower
Building
Phone: (915) 543-5970

For your convenience, 24-hour drop boxes are located at EPE's Customer Service offices. Payments placed in the drop box will be processed the next business day. Payments for delinquent accounts should not be placed in the drop box.

6. Payment Kiosks

New Mexico

El Paso Electric Office
201 North Water Street
Las Cruces, NM 88001

City of Las Cruces Office

5195 Bataan Memorial Hwy
Las Cruces, New Mexico 88012

TEXAS

El Paso Electric Office Bank of Van Horn

100 N Stanton
El Paso, TX 79901

1800 W Broadway St #316
Van Horn, TX 79855

Security Deposits

When you are applying for service and meet one of the following conditions, a deposit will not be required if:

1. You can provide an adequate credit reference from a utility where you had prior utility service.
2. You can demonstrate a satisfactory credit rating by appropriate means as listed in Rule 17.5.410.17 of the New Mexico Administrative Code issued by the New Mexico Public Regulation Commission.

If EPE requires you to pay a deposit, the deposit shall not exceed an amount equivalent to one sixth (two months) of the estimated annual billing from previous documented history of the service location. All deposits earn interest at an annual rate as established by state law. Please contact EPE for the annual rate.

EPE is permitted to impose a new deposit on an existing account if there is no deposit on the account and:

1. There have been three (3) or more occasions during which the bill became delinquent during the prior twelve (12) month period; or
2. Service was disconnected for nonpayment.

If your service has been disconnected for nonpayment and there is no deposit on your account, EPE may require you to pay a deposit before reconnection of service. After one (1) year from the date you paid the deposit, if there have been no more than three (3) delinquent bills and service has not been disconnected for nonpayment, EPE will refund the deposit and interest to you. Otherwise, EPE will hold the deposit and continue accumulating interest on the deposit amount.

If a residential customer or prospective residential customer can demonstrate that the residential customer does not have adequate financial resources to pay the security deposit and the

residential customer meets the qualifications of *Low-Income Home Energy Assistance Program* (“LIHEAP”), or is subject to other special circumstances, EPE shall give special consideration to such a residential customer in determining whether or in what amount a security deposit will be charged. In making such a determination, EPE shall accept documentation from the administering authority that such residential or prospective residential customer meets the qualifications of LIHEAP.

Disconnection of Service

EPE is required to give you proper notice before disconnecting your service for any of the reasons listed below. Proper notice is given by mailing a disconnect notice, Your Rights and Responsibilities Regarding Discontinuance of Services Notice, Financial Certification Form and Medical Certification Form at least fifteen (15) days prior to the date EPE plans to disconnect your electric service. The Your Rights and Responsibilities Regarding Discontinuance of Services Notice will also direct you to contact EPE for information about available programs. If you make payment arrangements with EPE and later default, EPE must give you a disconnect notice at least seven (7) days prior to the date of disconnection.

EPE is permitted to disconnect service with notice for any of the following reasons:

1. Failure to pay your bill or enter into a payment arrangement on a delinquent bill;
2. Failure to comply with the payment arrangement;
3. Failure to comply with deposit requirements;
or
4. Failure to make the meter accessible.

EPE may disconnect service **without notice** in the following situations:

1. Where a known hazardous condition exists, pending correction of the condition, EPE will leave a written statement on the front door of your residence if it is reasonable to do so after service is disconnected. The statement will indicate the reason for the disconnection and the telephone numbers to call during regular

business hours in order to have your service reconnected;

2. When a residential customer uses equipment in such a manner as to adversely affect the utility’s equipment or the utility’s service to others;
3. In cases involving the tampering or bypassing of EPE’s meter or other EPE equipment or evidence of theft of service
4. When a person has not applied for service and an unauthorized connection is made or when service has been disconnected for nonpayment and an unauthorized reconnection is made; or

EPE will not disconnect service to a residential customer who is delinquent in paying his or her bill for electric service for a billing period in which EPE receives a pledge, letter of intent, purchase order, or other notification that an energy assistance provider is forwarding sufficient payment to continue service. If such financial assistance covers only a portion of the bill, and you sign a payment arrangement or have made other payment arrangements with EPE before the date of disconnection for the remainder of the bill, your service will not be disconnected as long as you comply with the terms of the arrangement. In both cases, EPE must receive notice from the energy assistance provider of its commitment prior to the date of disconnection.

The receipt of a commitment from an energy assistance provider for payment of one (1) bill does not exempt you from disconnection for nonpayment of previous, current or future bills for which no energy assistance provider commitment has been obtained. In cases where an energy assistance provider withdraws its commitment to pay all or a portion of a bill, you are responsible for the bill.

To avoid discontinuance of service during an extended period of absence, please contact EPE prior to your absence. EPE will consider the status

of your electric service account, the length of the absence, and other factors in developing a plan to maintain your electric service.

Winter Moratorium Protections

Consistent with applicable law, your service will not be disconnected for nonpayment during the four-month heating season if you meet the qualifications of the LIHEAP, as determined by the administering authority for the current heating season and:

1. You have no past due amounts on November 15 of the current heating season; or
2. You remain current on any settlement or installment (payment arrangement) agreement for amounts other than those owing from the prior heating season.

Protection from winter shut-off begins November 15 of each year and runs through March 15 of the next year. To avoid potential disconnection of services please contact the Human Services Department for eligibility information for LIHEAP at 800-283-4465 or the appropriate tribal or pueblo entity. Protection from disconnection ends March 15 of each year and you will be responsible for timely payment of all past due balances to avoid disconnection. This information is available to customer in both English and Spanish translations.

Seriously or Chronically Ill

Customers who depend on life support equipment at home, such as an oxygen concentrator, a kidney machine, iron lung, respirator, or other electrically operated machinery that would be affected by a power outage, should notify EPE. It is the customer's responsibility to provide an emergency backup power source. EPE will restore electric service as soon as possible in the event of an outage.

If a person in your home is seriously or chronically ill, or whose condition could worsen because of disconnection of service, to avoid disconnection of service for nonpayment, you must submit a Medical Certificate completed by a licensed physician, physician's assistant, osteopathic physician, osteopathic physician's assistant or

certified nurse practitioner and a completed Financial Certificate by the disconnect date. These forms are provided with your disconnection notification. These certificates do not relieve customers of their responsibility to pay current and past due bills.

If you have questions about these requirements, please contact EPE.

Reconnection of Service

When EPE disconnects your service for nonpayment of your bill or damage to the meter caused by tampering or bypassing, EPE may require you to pay the entire past due amount of the bill, a reconnection fee, and a security deposit before service can be restored. Payment of all charges must be made at one of EPE's business offices, authorized payment agents, or EPE authorized online payment providers. Once you comply with the requirements necessary to have your service reconnected, EPE will make a reasonable effort to reconnect your service on the day requested, and in any event, no later than the next business day. EPE may charge the Same Day Rate for reconnection requested and completed on the same day, after business hours, Saturdays, Sundays, and holidays.

If energy diversion and damage to the meter are involved, you will be required to pay damage charges and energy diversion fees when applicable.

Inquiry, Dispute, Complaint and Service Request

If you have an inquiry or a complaint with respect to EPE's billing procedures, deposit requirements, disconnection of service, meter problems or any matter generally relating to EPE's relationship with you as our customer, please contact EPE.

Applicants requesting electric service from EPE may be asked to provide photo identification. Failure to establish identity or the inability to verify payment of a past due amount could result in denial of service. Rates are subject to change as approved by the Commission. Rules and regulations are subject to change as issued by the Commission.

How to File a Complaint with the Commission

You have the right to file a complaint with the Commission or appeal a decision by EPE about a complaint to the Commission. The Commission may be contacted at:

New Mexico Public Regulation Commission

PO Box 1269 1120 Paseo De Peralta
Santa Fe, NM 87504 Santa Fe, NM 87501

Telephone: 1-888-4ASK-PRC (1-888-427-5772)
For hearing or speech impaired, please call Relay
New Mexico at 711.

Payment Assistance

Funds may be available through community agencies to assist you in paying your utility bills. Upon request, EPE will provide you with the information to contact community agencies that determine eligibility on a case-by-case basis. A list of Consumer Assistance Agencies is also provided below.

Salvation Army

1590 California Avenue
Las Cruces, New Mexico 88001
(575) 524-4713

Department of Human Services

East Office
2121 Summit Court
Las Cruces, NM 88011
(575) 524-6568

102 Barton Street
Truth or Consequences, NM 87901
(575)894-3011

West Office
655 Utah Avenue
Las Cruces, NM 88001
(575) 524-6500

220 Crossett Lane
Anthony, NM 88021
(575) 882-5781