

MAR 12 2014

TIMBERON WATER & SANITATION DISTRICT

FIRST REVISED RULE NO. 20
Cancelling Original Rule No. 20
COMMISSION COMPLAINT PROCEDURES

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A. Pursuit of Remedies with the District as a Condition to Filing a Complaint with the Commission. The Commission shall not accept a formal or informal complaint from a District customer until the District customer has made a good faith effort to resolve the complaint directly with the District. The Commission specifically reserves the right to waive this requirement when in equity and good conscience circumstances so require. X
X

B. Informal Complaints. Informal complaints should be in writing but may be initiated by telephone or in person at the offices of the Commission. If in writing, the complaint need not be in affidavit form. An informal complaint shall state the name and address of the District customer, the name of the District, the nature of the original complaint in a clear and concise manner, the relief requested, whether the District customer has pursued all remedies with the District which are available, and such other information as is required. If the informal complaint does not initially contain this information a member of the Commission staff will contact the complainant to attempt to obtain the missing data. X
X

C. Commission Investigation of Complaint. Upon receipt of an informal complaint, the Commission shall, when appropriate, advise the District within a reasonable period of time, that a complaint has been filed against it; the District staff shall review and investigate the complaint and shall advise the complainant and the District, within a reasonable time of the results of the investigation.

D. Informal Staff Conferences. If the staff of the Commission is unable to resolve the complaint to the satisfaction of the parties, either party may, within five (5) days after receipt of the results of the investigation, request an informal conference with staff or file a formal complaint in accordance with the Rules of Practice and Procedure of the Commission. The Commission must find probable cause for the complaint prior to setting the matter down for hearing.

E. Formal Complaints. If the parties are unable to reach a settlement of their dispute, a formal complaint may be filed with the Commission pursuant to the provisions of the Rules of Practice and Procedure of the Commission.

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APR 12 2014

REPLACED BY NMPRC
BY Operation of Law

Advice Notice No. 11

Signature/Title

Joseph A. Mainello
Joseph A. Mainello, Chairman

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F. An Appeal of the Commission Prevents Discontinuance. The district shall not discontinue utility service to a District customer or issue a notice of discontinuance relative to the matter in dispute X once a formal complaint has been filed with the Commission. The Commission shall immediately notify the District that a formal complaint has been filed against it.

G. In Forma Pauperis. The Commission shall authorize the commencement, prosecution, defense and investigation of any complaint filed under these rules without payment of fees and costs or security, by a District customer who makes an affidavit that the District customer is unable to pay such X costs or security as may be provided.

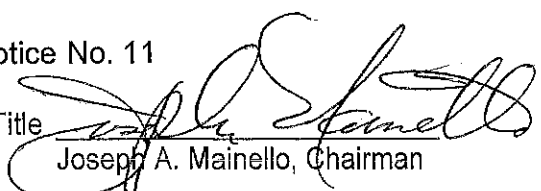
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