

EXHIBIT A-FORM OF NOTICE-DATED MARCH 30, 2022

This Notice is being mailed to all member-ratepayers of Socorro Electric Cooperative, Inc. ("SEC") as an update regarding the rate increase case filed by SEC with the New Mexico Public Regulation Commission (the "NMPRC" or the "Commission") in December 2018 (docketed as Case No. 18-00383-UT).

Please be informed that the Commission's Final Order in this case denied SEC's requested rate increase while approving instead a new rate design. SEC immediately appealed to the New Mexico Supreme Court and has never complied with the lawful Final Order. In addition, the Commission has enforced this Final Order which is valid because the Court has not issued a ruling, nor has it issued a stay of the Commission's Final Order.

The Commission further provides Notice that on April 15, 2020, the Commission issued a Compliance Order to SEC to immediately implement the Final Order and imposed fines in the amount of \$1,000.00 per day for the 185 days that SEC had not implemented the Final Order, plus \$1,000 per day for continuing violations after 185 days until the date of compliance. The Commission initially ordered that the fines would be paid by the Board of Trustees individually, and not be borne by the members of SEC, and further ordered that the fines were held abeyance for 60 days and that said fines were not due and payable if SEC complied with the Order by June 15, 2020 (the "Compliance Order").

Further, the Commission provides Notice that the April 15, 2020 Compliance Order's fining of Board of Trustees members as individuals also was appealed by SEC and the Commission has since revised that Order on March 30th 2022, when the Commission issued a Revised Compliance Order which ruled that since the Supreme Court has not stayed the Final Order in this case and SEC's continued, unlawful operation by billing its customers in violation of the Final Order is not in the public interest:

- SEC shall immediately comply with the Final Order effective as of the date of the Final Order and track and account for all increases and/or decreases to all customers that would have resulted from implementing the new rates set forth in the Final Order.
- SEC was ordered to show cause why it should not record, as of the date of the Final Order, regulatory assets or regulatory liabilities, as the Final Order is applied to each customer class, to account for what is due each class, as of the effective date of the Final Order, which accounting should continue until SEC complies with the Final Order.
- SEC is ordered to Cease-and-Desist its unlawful operation of billing customers in violation of the Final Order.
- Fines assessed by the Compliance Order, dated April 15, 2020, are not fines assessed against the Board of Trustee members as individuals but assessed against the corporation of SEC, Inc. Presently, the penalties of \$1000 per day since the effective dated of the Final Order, September 11, 2019, amount to more than \$800,000 – a cost that will be borne by the cooperative and its members as a whole.

The Commission believes this Notice to the ratepayers of SEC is essential because the Commission's mission requires that the Commission ensure that all utilities and intervenors

comply with Commission orders, rather than allowing them to completely ignore and violate Commission orders and pretend that they were granted an automatic stay of all cases pending appeal—which is expressly not the law.

Since SEC is a member-owned Cooperative, the Commission believes it is its duty to notify the members of the legal and financial consequences of the Board of Trustee’s choice to ignore a Commission Final Order.

To find out more, call the SEC offices at _____ or email info@_____

Sincerely,

The New Mexico Public Regulation Commission

Summary of the September 11, 2019 Final Order of the Commission that has never been implemented by SEC

1. A re-allocation among the Residential, Energy Thermal Storage (“ETS”) and Irrigation to achieve a “just and reasonable outcome”: i) 2% increase in the amount of base revenue collected from the Residential Service class including the ETS service class; ii) 3% increase in the amount of base revenue collected from Irrigation Service class; and iii) both such re-allocations to be used to reduce revenues collected from the Large Commercial and Load Management Service classes;
2. A disapproval SEC’s proposed \$5.00 monthly “Minimum Use Charge” because “it would be punitive to low-use customers and result in rate shock;
3. A disapproval of SEC’s rate design and approval of the following rate design: i) implement the 2% increase in revenue collected from the Residential Service Class through a \$1.50 or 10% increase in the Customer Charge; ii) no change to the Small Commercial Service Rate design; iii) decrease revenues collected from the Large Commercial Service Class and a change in the charges in SEC’s existing Large Commercial Service rate structure in a manner that produces equivalent bill decreases for all Large Commercial Service customers; iv) modifying SEC’s proposal to increase revenue to be collected from the Irrigation Service Class by adding a new \$5.00 Customer Charge and by increasing the variable energy charge by 4.21%; v) no change to the Load Management Service Class rate; vi) approval of SEC’s proposal to cancel Rate No. 15 and replace it with two new rates (Original rate No. 8 for Residential Service with ETS and Original Rate No. 9 for General Service with ETS) and increase revenue to be collected from the ETS service classes; vii) no change to existing Rate No. 14 for Standby Service for Self-Generators Service Class; viii) granting SEC’s request to consolidate Rate Nos. 4 and 5 so that non-LED lighting rates remain unchanged and LED lighting rates as set forth on page 80 of the RD should be adopted; ix) no change to net metering rates except that they would be subject to the \$5.00 minimum charge if their minimum consumption below a certain level; x) rejecting Mr. Steinnerd’s request to split the Residential Class into 2 groups, Urban and Rural, because there is insufficient evidence to justify higher rates for rural customers; xi) SEC should offer an economic development rate; xii) SEC should immediately implement and collect a Renewable Energy and Conservation Fee under 17.9.57223.G NMAC (of no more that 1% of a customer’s bill) and, as Staff recommended, should continue to promote Distributed Generation and increase its

investments in renewables to achieve the targets for carbon-free power in the Energy Transition Act (ETA); and xiii) denial of the City's request that the Commission open an investigation into the SEC Board's alleged practice of under-representing the City and to investigate into the cooperative rates and practices in general.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE FILING OF ADVICE NOTICE)
NO. 69 BY SOCORRO ELECTRIC COOPERATIVE, INC.)
) Case No. 18-00383-UT
SOCORRO ELECTRIC COOPERATIVE, INC.,)
APPLICANT.)

CERTIFICATE OF SERVICE

I CERTIFY that on this date I sent to the parties listed here, via email only, a true and correct copy of the **Revised Compliance Order, Order to Show Cause Why Sec Should Not Book as Regulatory Assets or Regulatory Liabilities the Amounts Not Billed in Violation of the Final and Order for Sec to Cease and Desist Its Violation of the Final Order.**

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DATED this March 30, 2022.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Isaac Sullivan-Leshin, electronically signed

Isaac Sullivan-Leshin, Law Clerk

Isaac.sullivan-leshin@state.nm.us