



NEW MEXICO PUBLIC REGULATION COMMISSION

**NOTICE OF OPEN MEETING
OPEN MEETING: REGULAR WEEKLY MEETING
Wednesday, June 19, 2019
9:30 a.m.
PERA Building, 4th Floor Hearing Room
1120 Paseo de Peralta, Santa Fe, NM 87501**

AGENDA

- I. PLEDGE OF ALLEGIANCE/STATE PLEDGE**
- II. INTRODUCTION OF SPECIAL GUESTS**
- III. CONSIDERATION AND APPROVAL OF THE AGENDA**
- IV. CONSIDERATION AND APPROVAL OF THE MEETING MINUTES**
 - Minutes of the Regular Open Meeting for May 8, 2019
- V. DIVISION DIRECTORS REPORT**
- VI. PUBLIC COMMENT**
- VII. CONSENT ACTION**

A. Transportation Matters:

1)	19-00131-TR-R David Black	IN THE MATTER OF THE APPLICATION OF GRAVITAS MOVING, LLC FOR A CHANGE TO ITS TARIFF <u>POTENTIAL ORDER GRANTING MOTION TO DISMISS AND CLOSING DOCKET</u>
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B. Utility Matters:

2)	19-00159-UT Michael Smith	IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S RENEWABLE ENERGY PLAN FOR 2020 AND PROPOSED 2020 RIDER RATE
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		<p>UNDER RATE RIDER NO. 36</p> <p>PUBLIC SERVICE COMPANY OF NEW MEXICO,</p> <p><u>POTENTIAL ORDER EXTENDING TIME FOR</u></p> <p><u>HEARING TO 180 DAYS</u></p>
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VIII. PUBLIC HEARING

Case No. 19-00001-TR-EN

**Mahlon Wigton
Melchiore Savarese
Kevan Bay-Borjorquez**

**IN THE MATTER OF THE REVOCATION OF OPERATING AUTHORITIES FOR FAILURE TO
COMPLY WITH FINANCIAL RESPONSIBILITY REQUIREMENTS**

NEW MEXICO PUBLIC REGULATION COMMISSION, TRANSPORTATION DIVISION,

PETITIONER,

v.

**ALPHA TRANSPORTATION, LCC, #57117; ANGEL'S TOWING LLC, #57335; BARRERA &
COMPANY, #56176; BEELINE TRUCKING SERVICES LLC, #57202; BSK EVCAVATING LLC,
#56870; ELIA A. RIVERA D/B/A BUFFALO TRUCKING, #56027; CT TRANSPORTS LLC,
#57334; ANTHONY GARCIA D/B/A GARCIA LOCA TRUCKING CO, #53775; GOLD SPPED
TRUCKING LLC, #57044; GV LOGISTIC SOLUTIONS LLC, #57024; HOT SPRINGS TOWING
LLC, #56832; I GROUPS MEDICAL TRANSPORT LLC, #57390; JOHNSON & PIETZ LLC,
#57310; KCRJ TRUCKING LLC, #56605; LAJOYA TRUCKING LLC, #57081; MARK FRANZOY
D/B/A MARK ANTHONY FARMS, #55456; NOVA TRUCKING LLC, #56808; MERLE STRITE
D/B/A PURPLE SAGE TRANSPORT, #56977; R & E TRANSPORTATION LLC, #56306; RAUL
VERDUZCO, #55522; SAMUEL PAZ, #55245; S & P GIVENS LLC, #57112; LUIS MORALES
D/B/A THE VIRGINIAN CO, #57328; ZEKES TRUCKING LLC, #57248,**

RESPONDENTS.

IX. REGULAR ACTION AND DISCUSSION

A. Transportation Matters:

3)	19-00001-TR-EN Judith Amer	<p>IN THE MATTER OF THE REVOCATION OF OPERATING AUTHORITIES FOR FAILURE TO COMPLY WITH FINANCIAL RESPONSIBILITY REQUIREMENTS</p> <p>NEW MEXICO PUBLIC REGUALRION COMMISSION, TRANSPORTATION DIVISION,</p> <p>PETITIONER,</p> <p>v.</p> <p>ALPHA TRANSPORTATION, LCC, #57117; ANGEL’S TOWING LLC, #57335; BARRERA & COMPANY, #56176; BEELINE TRUCKING SERVICES LLC, #57202; BSK EVCAVATING LLC, #56870; ELIA A. RIVERA D/B/A BUFFALO TRUCKING, #56027; CT TRANSPORTS LLC, #57334; ANTHONY GARCIA D/B/A GARCIA LOCA TRUCKING CO, #53775; GOLD SPPED TRUCKING LLC, #57044; GV LOGISTIC SOLUTIONS LLC, #57024; HOT SPRINGS TOWING LLC, #56832; I GROUPS MEDICAL TRANSPORT LLC, #57390; JOHNSON & PIETZ LLC, #57310; KCRJ TRUCKING LLC, #56605; LAJOYA TRUCKING LLC, #57081; MARK FRANZOY D/B/A MARK ANTHONY FARMS, #55456; NOVA TRUCKING LLC, #56808; MERLE STRITE D/B/A PURPLE SAGE TRANSPORT, #56977; R & E TRANSPORTATION LLC, #56306; RAUL VERDUZCO, #55522; SAMUEL PAZ, #55245; S & P GIVENS LLC, #57112; LUIS MORALES D/B/A THE VIRGINIAN CO, #57328; ZEKES TRUCKING LLC, #57248,</p> <p>RESPONDENTS.</p> <p><u>POTENTIAL ORDER OF REVOCATION</u></p>
4)	88-0081-TR-M 12-00121-TR-M Russell Fisk	<p>IN THE MATTER OF THE APPLICATION OF LIVING CROSS AMBULANCE SERVICE, INC., FOR VOLUNTARY SUSPENSION OF ITS CERTIFICATE TO PROVIDE AMBULANCE SERVICE</p>

		<p>IN THE MATTER OF THE APPLICATION OF LIVING CROSS AMBULANCE SERVICE, INC., D/B/A LIVING CROSS AMBULANCE SERVICE FOR AN ENDORSEMENT TO ITS CERTIFICATE AND FOR TEMPORARY AUTHORITY</p> <p><u>POTENTIAL ORDER GRANTING APPLICATION FOR VOLUNTARY CANCELLATION</u></p>
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B. Utility Matters:

NONE

X. DISCUSSION AND POSSIBLE ACTION

5)	<p>15-00261-UT Michael Smith</p>	<p>IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF NEW MEXICO FOR REVISION OF ITS RETAIL ELECTRIC RATES PURSUANT TO ADVICE NOTICE NO. 513</p> <p>PUBLIC SERVICE COMPANY OF NEW MEXICO,</p> <p>Applicant.</p> <p><u>POSSIBLE ACTION ON REMAND</u></p>
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XI. EXECUTIVE CLOSED SESSION

- Pursuant to NMSA 1978, Section 10-15-1(H)(2) to Discuss Limited Personnel Matters
- PURSUANT TO NMSA 1978, SECTION 10-15-1(H)(7) - THREATENED AND PENDING LITIGATION MATTERS
 - *Great Divide Wind Farm 2 LLC v. Theresa Becenti Aguilar, Cynthia Hall, Jefferson Byrd, Valerie Espinoza and Stephen Fischmann, in their official capacities as the Commissioners of the New Mexico Public Regulation Commission; Federal District Court No. 1:19-cv-99-LF-CG*
 - *NM Industrial Energy Consumers v. NMPRC and New Energy Economy and PNM and CCAE; Supreme Court No. S-1-SC-36772*

XII. COMMUNICATIONS WITH CHIEF OF STAFF

XIII. COMMUNICATIONS WITH GENERAL COUNSEL

XIV. COMMUNICATIONS WITH COMMISSIONERS

XV. ADJOURNMENT

To obtain a copy of this agenda please log in the Commission's website at www.nmprc.state.nm.us.

The Commission will make reasonable efforts to post the agenda on the Commission's website at least 72 hours before the open meeting, but the inability to do so within the 72 hours prior, will not require the Commission to delay the meeting or to refrain from taking action on any agenda item on which it otherwise could act.

At any time during the Open Meeting the Commission may close the meeting to the public to discuss matters not subject to the New Mexico Open Meetings Act. The Commission may revise the order of the agenda items considered at this open meeting.

Notice is hereby given that the Commission may request that any party answer clarifying questions or provide oral argument with respect to any matter on the agenda. If the Commission makes such a request, any party present at the meeting, either in person or by telephone, shall have an equal opportunity to respond to such questions or argument. In the event a party whose case is on the agenda chooses not to appear, the absence of that party shall not cause such discussion or argument to become ex-parte communications.

PERSONS WITH DISABILITIES

ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-4042 AS SOON AS POSSIBLE PRIOR TO THE COMMENCEMENT OF THE OPEN MEETING.

PUBLIC COMMENT

All members of the public wishing to provide public comment must sign a sign-up sheet prior to the start of the meeting and identify their name and the name of the organization they represent (if any), and the topic or issue on which they desire to comment. The portion of the agenda allocated for public comment at any one open meeting shall be limited to a maximum of 30 minutes for all persons wishing to provide comment. The order of speakers will be based

on the order in which speakers sign up, but public officials may be taken out of order. If a speaker is not present at the time he or she is called to provide comment, that speaker shall forfeit their opportunity to speak. **Public comment by an individual or entity shall be limited to no more than three (3) minutes** unless the Commission acts to extend the period. If the number of individuals on the sign-up sheet desiring to provide comment would exceed the allotted 30-minute period, the Chairman may limit individual remarks to a shorter time period. Individuals represented by or representing a common organization or association may be asked to select one individual to act as spokesperson to speak for the group. Individuals who sign up to comment, but either fail to do so or choose to speak for less than their allotted time, may not cede or yield their time to another speaker. Written comments of individuals who cannot be physically present may not be read aloud at the meeting but may be submitted to the Commission.

The subject matter of public comments shall be relevant to matters within the Commission's jurisdiction. Public comment will not be permitted on matters that should be addressed appropriately as the subject of an informal or formal complaint before the Commission or on pending rulemaking proceedings before the Commission once the opportunity for public comment in those proceedings has closed. Public comment by parties to a proceeding or adjudication pending before the Commission will not be permitted where the comment concerns matters at issue in such proceeding. The Chairman shall retain the right to stop any speaker who raises an issue that is not under the Commission's jurisdiction or is subject to the restrictions above. Public comment will be received without Commission comment or response. However, individual Commissioners may at their option seek clarification or additional information from speakers through the Chairman. No speakers will be accommodated after the public comment portion of the agenda has closed. The Chairman retains the right to exercise discretion in the implementation of this policy and may override the above rules in case of emergency or other unforeseen circumstances.

Speakers providing comment shall at all times conduct themselves in accordance with proper decorum. Profane or vulgar language or gestures will not be tolerated. Audience members shall not disrupt an open meeting by speaking without being recognized by the Commission and shall not incite others to do so. The Commission retains the right to remove disruptive attendees and individuals who fail to conduct themselves in accordance with these provisions from the Commission meeting.