

**MINUTES OF THE OPEN MEETING
NEW MEXICO PUBLIC REGULATION COMMISSION
June 19, 2019**

TIME: 9:30 a. m.

**PLACE: PERA Building
4th Floor Hearing Room
1120 Paseo de Peralta
Santa Fé, New Mexico 87501**

A quorum was present as follows:

Members Present:

Commissioner Theresa Becenti Aguilar, Chairperson
Commissioner Valerie Espinoza, Vice-Chairperson
Commissioner Jefferson Byrd, District 2
Commissioner Stephen Fischmann, District 5
Commissioner Cynthia B. Hall, District 1 [telephonically]

Members Absent:

None.

Staff Present:

Michael Smith, Acting General Counsel
Jason Montoya, Acting Chief of Staff
Judith Amer, Associate General Counsel
Russell Fisk, Associate General Counsel
David Black, Associate General Counsel
Jim Williamson, Administrative Services Division Director

Others Present

Carl Boaz, Stenographer

CALL TO ORDER

The Open Meeting was scheduled at 9:30 a.m., pursuant to proper notice under NMSA 1978, 10-15-1(c), and the Commission's Open Meeting Policy. Commissioner Theresa Becenti-Aguilar, Chairperson, called the Open Meeting to order at 9:30 a.m., in the Fourth Floor Hearing Room, PERA Building, 1120 Paseo de Peralta, Santa Fé, New Mexico.

A copy of the sign-in sheet for the Case Management Open Meeting is incorporated herewith to these minutes as Exhibit 1.

A copy of the Agenda for the Case Management Open meeting is incorporated herewith to these minutes as Exhibit 2.

A copy of the Public Comment sign-in sheet for the Case Management Open Meeting is incorporated herewith to these minutes as Exhibit 3.

1. PLEDGE OF ALLEGIANCE/STATE PLEDGE

The Pledge of Allegiance and Salute to the State Flag were recited.

2. INTRODUCTION OF SPECIAL GUESTS

There were no introductions.

3. CONSIDERATION AND APPROVAL OF AGENDA

Mr. Smith asked the Commission to remove Case 15-00261-UT from this agenda.

Commissioner Espinoza moved, seconded by Commissioner Byrd, as amended with Case 15-00261-UT removed. The motion was approved on a unanimous 4-0 voice vote. Commissioner Fischmann was not present for the vote.

4. CONSIDERATION AND APPROVAL OF MINUTES

§ Minutes of the Regular Open Meeting for May 8, 2019

Commissioner Espinoza moved, seconded by Commissioner Byrd, to approve the minutes of May 8, 2019 as presented. The motion was approved by a unanimous (4-0) voice vote. Commissioner Fischmann was not present for the vote.

5. DIVISION DIRECTORS REPORT

Jim Williamson presented a report on the Administrative Services Division (ASD), using a Power Point. He mentioned that Donald Martínez is retiring.

Chair Becenti-Aguilar noted that Mr. Martínez has been here for 29 years and all of the cross training done.

Mr. Williamson said Mr. Martínez is leaving June 30.

Mr. Williamson said with vacancy savings, the Agency is purchasing new switches for the IT network. Agency laptops are being replaced, and the Records Bureau is getting a new scanner.

Commissioner Fischmann arrived at 9:36.

Mr. Williamson said phone coverage is now from 7:30 am to 9 pm and backup provided when someone is out.

We are compliant with IPRA and doing lots of training. For the time being, Brad Matthews and Mr. Williamson are assuming Donald Martínez=s duties. They will review all purchases before they are forwarded to DFA for payment including the key card purchases. Lodging is now payable with the Card.

Miguel Luján is working on the network and laptop installations.

The Division is currently meeting all deadlines and starting to meet every other week with bureau chiefs to collaborate for more efficient workflow. They have a goal of setting up the intranet for new employees to pick up all forms they need in one place. They are also training all staff on travel procurement to make it more efficient.

Chair Becenti-Aguilar said the IT Dept deals with highly confidential matters. Miguel Luján has been very professional with it but she asked Mr. Williamson to train all employees in the IT Department on the confidentiality procedures and what HR Directors train on annually.

Commissioner Fischmann suggested it would be useful to put together a summary of travel policies. He recalled at his first report, he was informed to bring restaurant receipts and was totally unaware of that requirement.

Mr. Montoya agreed. He and Mr. Williamson have talked about including Commissioners in the training.

Mr. Williamson said they are now preparing for the audit that covers carriers for receiving USF funds and recipients of Fire Protection Funds to make sure the funding is being used correctly.

Commissioner Fischmann thanked him for being proactive with those grants which has been long overdue and is about \$90 million.

Commissioner Espinoza agreed with Chair Becenti-Aguilar on the important points on confidentiality. She was all for full disclosure but copying everyone works against confidentiality. IPRA's are sent to about five employees now. It should be confined to those who truly need it.

She also recalled regarding the Fire Protection Fund that some of that fund was given to General Fund some time back and should not have happened. They need that money to deal with fires.

She also recalled that at one time, the Agency used the same auditor over and over again. And now approaching we are approaching the third year with the current auditor and need to prepare for a new contract.

Thirdly, she asked Mr. Williamson to deal with the vacant phone lines from people who have gone.

She also asked that people remember to turn off the lights when leaving.

Chair Becenti-Aguilar agreed. She came in on a Saturday and all the lights on all three floors were on.

Chair Becenti-Aguilar noted that we are streamlining the use of state vehicles and asked that the State Fire Marshal's office help determine how we can streamline that even further. She proposed transferring high mileage vehicles to fire departments who could still use them and reduce our number of vehicles in the parking lot and those which the employees use. There were problems with that in the past and we want to make sure that the privilege to take home when staff are on travel is carefully managed.

Mr. Montoya said he has been working with Mr. Williamson and Mr. Matthews on replacement of vehicles and looking at sending some of those high mileage vehicles back to GSD. They have the right of first refusal.

Chair Becenti-Aguilar thanked Mr. Williamson for the report.

6. PUBLIC COMMENT

There were no public comments.

7. CONSENT ACTION

A. Transportation Matters:

- 1) 19-00131-TR-R IN THE MATTER OF THE APPLICATION OF GRAVITAS
MOVING, LLC FOR A CHANGE TO ITS TARIFF
(David Black) POTENTIAL ORDER GRANTING MOTION
TO DISMISS AND CLOSING DOCKET

B. Utility Matters:

- 2) 19-00159-UT IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW
MEXICO=S RENEWABLE ENERGY PLAN FOR 2020 AND
PROPOSED 2020 RIDER RATE UNDER RATE RIDER 36.
PUBLIC SERVICE COMPANY OF NEW MEXICO.
(Michael Smith) POTENTIAL ORDER EXTENDING TIME FOR
HEARING TO 180 DAYS

Commissioner Espinoza moved, seconded by Commissioner Byrd, to approve the proposed orders for all consent cases.

Commissioner Byrd wanted to make sure about the lower rates for military personnel moving at Gravitas Moving. He observed that the State Statute indicated the PRC could not do that. Mr. Smith assured him that it could be done.

The motion was approved by a unanimous 5-0 voice vote. So Ordered.

8. PUBLIC HEARING

The Commission went on the record at 9:51 a.m. The proceedings of the Public Hearing were recorded and transcribed by a court reporter and are not part of these minutes.

Mr. Mahlon Wigton gave his appearance and introduced Ms. Kevan Bay-Borjorquez to the Commission for this public hearing.

Case No. 19-00001-TR-EN

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

IN THE MATTER OF THE REVOCATION OF OPERATING AUTHORITY 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 SPEED 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.**

During the public hearing, the following carriers were removed from the revocation list because they had come into compliance: BEELINE TRUCKING SERVICES LLC, #57202; ANTHONY GARCIA D/B/A GARCIA LOCA TRUCKING CO, #53775; GOLD SPEED TRUCKING LLC, #57044; GV LOGISTIC SOLUTIONS LLC, #57024; I GROUPS MEDICAL TRANSPORT LLC, #57390; LAJOYA TRUCKING LLC, #57081; NOVA TRUCKING LLC, #56808; MERLE STRITE D/B/A PURPLE SAGE TRANSPORT, #56977; S & P GIVENS LLC, #57112; LUIS MORALES D/B/A THE VIRGINIAN CO, #57328; ZEKES TRUCKING LLC. #57248

The Commission concluded the public hearing and went off the record at 10:08.

9. REGULAR ACTION AND DISCUSSION

A. Transportation Matters:

3) 19-0001-TR-EN IN THE MATTER OF THE REVOCATION OF OPERATING AUTHORITY 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; BSK EVCAVATING LLC, #56870; ELIA A. RIVERA D/B/A BUFFALO TRUCKING, #56027; CT TRANSPORTS LLC, #57334; HOT SPRINGS TOWING LLC, #56832; JOHNSON & PIETZ LLC, #57310; KCRJ TRUCKING LLC, #56605; MARK FRANZOY D/B/A MARK ANTHONY FARMS, #55456; R & E TRANSPORTATION LLC, #56306; RAUL VERDUZCO, #55522; SAMUEL PAZ, #55245; RESPONDENTS.
(Judith Amer) POTENTIAL ORDER OF REVOCATION

Ms. Amer explained the noncompliant carriers were in Exhibit 2.

Commissioner Espinoza moved, seconded by Commissioner Fischmann, to approve the order as amended. The motion was approved on a unanimous 5-0 voice vote. So Ordered.

NOTE: This motion was reconsidered and amended below by removing Barrera and Company from the list has having also come into compliance.

4) 88-0081-TR-M IN THE MATTER OF THE APPLICATION OF LIVING CROSS AMBULANCE SERVICE, INC. FOR VOLUNTARY SUSPENSION OF ITS CERTIFICATE TO PROVIDE AMBULANCE SERVICE 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
(Russell Fisk) POTENTIAL ORDER GRANTING APPLICATION FOR VOLUNTARY CANCELLATION

Mr. Fisk explained there are two dockets referenced. Living Cross is not under suspension, but they requested a one-year suspension after the Supreme Court case went against them for not providing adequate ambulance service.

They had a lot of problems so in the related case, Emergcare and AMR had applied for a certificate in the same territory. Living Cross fought it, but the Commission granted AMR the territory.

Living Cross stated that with the competitor in their territory, they could not operate properly. Living Cross therefore agreed to a voluntary cancellation of their certificate. AMR is providing adequate service in the area, but Living Cross was made unprofitable with AMR in the territory. In the Supreme Court case, the Justices were skeptical of the company=s ability to operate with \$1-2 million in company debt.

Consequently, Mr. Fisk recommended cancellation of the Living Cross certificate.

Commissioner Fischmann asked how we define adequate service. He assumed the definition included response times and other things.

Mr. Fisk replied that the issue raised was the MCA definition of fair and adequate service but that was not specific, and the PRC rule did not make it specific and needed to do so.

The HE approach was just an overall testimony from the City and County Departments that had complained. There was evidence in the record that they had fewer ambulances than claimed. So it was a circumstantial designation.

Commissioner Fischmann wondered what kind of criteria were established. His personal take was that it was not an accurate recording of what was going on, which was not good. But the Commission should have a litmus test in place and should establish some criteria.

Mr. Fisk recalled that the Commission did a rulemaking afterward. Another factor was the poor financial condition of the company. They owed the IRS and TRD. And at any time, the IRS and/or TRD could have seized the ambulances. That was another issue.

Commissioner Espinoza recalled related horror stories in the past about not having the full equipment in the back of the ambulance.

Commissioner Espinoza moved, seconded by Commissioner Byrd, to approve the order in Case 88-0081-TR-M for voluntary cancellation of authority for Living Cross Ambulance Service, Inc. The motion was approved on a unanimous 5-0 voice vote. So Ordered.

B. Utility Matters:

None.

10. DISCUSSION AND POSSIBLE ACTION

- 5) ~~15-00261-UT~~ ~~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. PUBLIC SERVICE COMPANY OF NEW MEXICO, Applicant. (Michael Smith)~~ POSSIBLE ACTION ON REMAND

This case was removed from the agenda under Approval of the Agenda.

11. 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)(8) - 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. 5-1-SC-36772*

Commissioner Espinoza moved, seconded by Commissioner Byrd, to go into closed executive session to discuss the matters listed on the agenda. The motion was approved on a roll call vote with Commissioner Byrd, Commissioner Hall, Commissioner Becenti-Aguilar, Commissioner Espinoza and Commissioner Fischmann voting in favor and none voting against.

The Commission went into closed executive session in Commissioner Byrd's office at 10:18 a.m.

The executive session ended at 11:01 a.m.

Commissioner Espinoza moved, seconded by Commissioner Fischmann, to return to open session. The motion was approved on a 4-0 voice vote. Commissioner Hall was not present for the vote.

Chair Becenti-Aguilar announced to the public that during the closed session, no actions were taken, and the only matters discussed were those listed on the agenda for limited personnel matters and threatened or pending litigation.

12. COMMUNICATIONS WITH CHIEF OF STAFF

Mr. Montoya shared the picnic details for Independence Day. July 10, 2019 was the date that was agreed upon.

Commissioner Espinoza noted that the PRC received an Adequate evaluation[@] for excavation recognition. Without Commission support, that would have been impossible to do. We are one of the few states that received an adequate evaluation.

Mr. Montoya announced from the SB 53 letter from Senator Padilla, that a hearing would be held here at 2:00 this afternoon.

Mr. Montoya reminded the Commission that there would be no meeting on July 3.

Commissioner Hall rejoined the meeting telephonically at 11:07 a.m.

13. COMMUNICATIONS WITH GENERAL COUNSEL

Ms. Amer announced that after voting on the revocation order (19-0001-TR-EN), a Fed Ex from Barrera Towing gave evidence that they had come into compliance and should have been excluded from the revocation order.

Commissioner Espinoza asked that we not charge them \$250.

Commissioner Espinoza moved, seconded by Commissioner Byrd, to reconsider the revocation vote above and remove Barrera & Company, #56176, from the revocation order. The motion was approved on a unanimous 5-0 voice vote. So Ordered.

Ms. Amer introduced the new paralegal in OGC, Mr. Isaac Sullivan-Leshin, who started on Monday.

Mr. Sullivan-Leshin said this is his first time working with the State, and he was excited to be working here.

The Commission welcomed him to the PRC.

14. COMMUNICATIONS WITH COMMISSIONERS

Commissioner Espinoza congratulated her sister upon her graduation as a Doctor and for earning achievement awards. Her family is so proud of her.

Commissioner Byrd announced the Fire Marshal Office Resolution will be going to the Commissioners this week.

Mr. Smith said the language is not quite ready.

Commissioner Byrd thanked Mr. Montoya and others who have worked on the language to make it compliant.

Mr. Montoya said the SM 114 Task Force has compiled information to review regarding the Fire Marshal=s Office. Their first meeting would be on July 9th.

Chair Becenti-Aguilar said she is working on the agenda for the Farmington Conference and has picked several Commissioners for participation in the conference on wireless development. Commissioner Byrd would lead the ROW system and design; Commissioner Hall would lead the Lifeline program; Telecomm companies would lead the workshop on native lines; Brian Harris would lead ETC status; and Commissioner Espinoza for rural area connectivity. She thanked all Staff for their work on panels and Eugene Evans for raising the level of awareness and his recommendations to make it all work. She also thanked Mr. Ripperger, who spearheaded the overall conference and what we will walk away with.

They all spent a tremendous amount of time. Miguel Luján was recruited two weeks ago for power points at the conference. She thanked Jennifer Baca for a super job because she dove right into the conference.

She also announced a live national radio show from 11 am to 2 pm for interviews with Commissioners at the conference. It will also be broadcast in Canada. All panelists have been finalized. This is the first time for such a conference, and it looks like we are good to go six weeks before the conference.

Commissioner Byrd said, "This may be the best conference ever I've attended with two lunches."

15. ADJOURNMENT

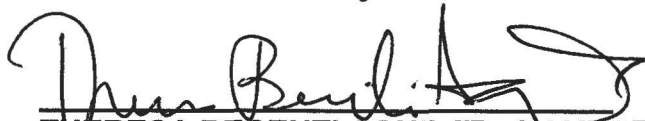
The Open Meeting was adjourned at 11:20 a.m.

ATTEST:

TELEPHONICALLY APPROVED

Carl Boaz, Stenographer

APPROVED: August 1, 2019


THERESA BECENTI AGUILAR, CHAIRPERSON


VALERIE ESPINOZA, VICE CHAIRPERSON


CYNTHIA B. HALL, COMMISSIONER


JEFFERSON BYRD, COMMISSIONER


STEPHEN FISCHMANN, COMMISSIONER

NEW MEXICO PUBLIC REGULATION COMMISSION

OPEN MEETING: CASE MANAGEMENT MEETING

Date: June 19, 2019

SIGN-IN SHEET

NAME	COMPANY NAME (if any)	PHONE NUMBER
MIKE D'ANTONIO	xcel energy	505-681-0946
Zoe E. Lees	xcel Energy	505-948-8660
Steve Schumblie	PNM	505-241-2881
Daryl Horvath	ABCWA	505-438-3885
Steven Cordova	NMCC	505-697-3559

Thank you for attending this meeting.



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> <u>HEARING TO 180 DAYS</u></p>
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VIII. PUBLIC HEARING

Case No. 19-00001-TR-EN

**Mahlon Wigton
Melchiorre 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.

OPEN MEETING: CASE MANAGEMENT MEETING

PUBLIC COMMENT SIGN-IN SHEET

[illegible]

EXHIBIT 3
PRC - June 19, 2019