

**MINUTES OF THE OPEN MEETING
NEW MEXICO PUBLIC REGULATION COMMISSION
May 16, 2019**

TIME: 11:00 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 [telephonically]
Commissioner Cynthia B. Hall, District 1

Members Absent:

Staff Present:

Jason Montoya, Acting Chief of Staff
Judith Amer, Associate General Counsel
Russell Fisk, Associate General Counsel
David Black, Associate General Counsel
Marc Martínez, General Counsel's Office
John Bogatko, Legal Division
Avelino Gutierrez, Transportation Division Director
Fidel Archuleta, Transportation Investigations
Carolyn Glick, Hearing Examiner
Dhiraj Solomon, Utility Division

Others Present

Carl Boaz, Stenographer

CALL TO ORDER

The Open Meeting was scheduled at 11:00 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 11:00 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 State Salute to the Flag were recited.

2. INTRODUCTION OF SPECIAL GUESTS

Commissioner Espinoza introduced Damian Lara, an attorney from Albuquerque who is a candidate for PRC.

3. CONSIDERATION AND APPROVAL OF AGENDA

Commissioner Espinoza asked to move public comment at the end of the agenda. She explained there was no time to meet with attorneys. The agenda should move quickly, and she thought not many had signed up for public comment.

Mr. Fisk checked and said no one signed up.

Mr. Black asked for an amendment. On the agenda posted downstairs under Consent, the first case was listed as 18-000239 and should be 18-000238. And under Transportation, for Pipeline Safety, the wrong docket was listed. It should be 19-000113-PL.

Commissioner Espinoza moved, seconded by Commissioner Byrd, to approve the agenda as amended. The motion was approved by unanimous (5-0) voice vote.

4. CONSIDERATION AND APPROVAL OF THE MEETING MINUTES

§ Minutes of the Regular Open Meeting for April 3, 2019

Commissioner Espinoza moved, seconded by Commissioner Byrd, to approve the minutes for the April 3, 2019 open meeting as presented. The motion was approved on a unanimous (5-0) voice vote.

5. PRESENTATION

§ Mr. Luis Reyes, Kit Carson Electric Cooperative

Mr. Reyes said Kit Carson Electric Cooperative (KCEC) is unique. It is headquartered in Taos with 30,000 members in three counties and two pueblos. It operates a broadband company with fiber optics, and a propane company with 3,100 customers. It was incorporated in 1944 and has offered propane since 2000. In 2016, KCEC left its agreement with Tri-State. By 2022, the goal is 100% daytime solar electricity with battery storage/backup. It was a member decision. KCEC will deploy storage and charging stations so members can use electric cars.

Commissioner Espinoza asked how the propane company is doing.

Mr. Reyes said it is coming along. We were hoping that could include Chama area.

Mr. Reyes said they have accounts in northern Santa Fe County and Abiquiu and at one time had some in Chama. All prices are within a nickel with each other.

Commissioner Espinoza understood propane sometimes spikes.

Mr. Reyes said the coop makes some money on propane and needs a margin to continue. During winter there is a spike that might not be related to market prices. As natural gas expands to rural areas, the price is more economical. Someone has to pay for the connection from the meter to the home. KCEC works with the gas company to expand service to Peñasco, Angel Fire, and Questa. In those studies, it was not cost effective for gas companies to invest in the needed infrastructure. They had discussions with Picuris. They would like natural gas, but the gas company has not moved to go to that area.

Commissioner Espinoza noted that KCEC has worked closely with Picuris to improve their infrastructure and have hired Native American workers to do the work on solar panels with groundbreaking a few years ago. And NMGC has a project and maybe they could give an update on that. That is something they have done a good job with.

Mr. Reyes said it is a joint project with NMGC to the Village of Taos Ski Valley. KCEC does have a lot of relationships with NMGC to facilitate more gas to northern New Mexico.

He said KCEC is the only coop to serve our own RPS requirements with renewables that we bring into the area. We now have an agreement with Guzman - the world is going to change so we always shop for the best price, so the agreement has a short span. We work with entities that have energy as drivers and we want to be more nimble in developing partnerships with our members. With the Town of Taos, we have three projects and also with UNM at Taos and Taos Municipal Schools. We try to live what we preach.

Mr. Reyes believed these engagements make the Board and CEO more accountable. Challenge makes us more competitive. KCEC is not a part of the New Mexico Association of coops. PRC sent inquiries to the New Mexico Association that leaves out Jemez Electric and KCEC.

Commissioner Espinoza asked what the benefit is by removing their membership.

Mr. Reyes explained that the association dues were \$143,000 per year and their insurance cost was \$200,000. The other benefit is that our Board has control over the legislative agenda. We can serve our members better with people elected by our Board. It became a value proposition and members have the same service. But when the two largest coops don't get notifications, it hurts.

KCEC has fiber-optic that ties everyone to highspeed internet service. We have about 22 solar arrays and 28,000 smart meters. Fiberoptic cabling is a great tool for electric operations. We must have better ways to communicate and fiber helps. Our speeds are faster than the bigger cities in New Mexico and the basic package costs half as much. There are 9,000 connections and it has enhanced cellular operations. 39 towers serve KCEC. We are also helping other coops. Continental Divide - all the way to Grants. We are strong enough to create a state-wide fiber network. People are leaving rural areas so there is no community growth and people get the idea we are dying on the vine. But that is not true. We recently received a national solar award.

Finally, regarding policy, we advocate for regulation reform. Our people are elected by the same people that elected the PRC Commissioners. We posed the question to the State and the PRC for economic development, that we should have an option. We actively have supported appointed commissioners.

Mr. Reyes said he has been with KCEC for 27 years. He pointed out that the PRC has never been fully staffed and asked how the PRC can regulate 22 electric companies without staffing. Coops are small compared with the IOUs.

Chair Becenti Aguilar interrupted to say we are elected to take our job seriously.

Mr. Reyes clarified that these are the issues of KCEC. There are no surprises when we stand up in public. I would rather tell you directly our position. We will be very active and in some places, we have been treated unfairly. These policies as discussed will help advance our programs going forward, rather than people just hearing them on the street. I did want to work with the PRC to make sure the KCEC members get the best rates. He appreciated what Chair Becenti Aguilar was saying but wanted to be clear.

Chair Becenti Aguilar said the PRC does want to understand there is a power of separation. The purpose of the coops is to serve their citizens. She said she traveled to the Continental Divide Coop. Robert Castillo is doing tremendous work and they are now entering broadband service. We want coops to create opportunities for the people. And we do understand the executive line.

Commissioner Espinoza thanked Mr. Reyes for being here and being brave with his comments. She wondered how many KCEC members want to see deregulation.

Mr. Reyes said it is mixed. There is concern about territorial protection. We have a very active coop; very diversified. It depends on the issues. I just gave you our position. If there was an opt out provision - it would be fine. That is prevalent in the coop world. Texas has no regulations for coops and Colorado has an opt out provision.

Commissioner Hall also thanked Mr. Reyes for coming here and it is fascinating to hear how it has grown with innovation.

6. DIVISION DIRECTOR'S REPORT

§ Transportation Division

Mr. Gutierrez reported and provided a handout on their activity, including the status of Investigations from the Inspection Bureau. He said they conducted joint operations with the State Police March 18-22 in Rio Rancho. They inspected 133 vehicles, completing Level 1 and PRC did vehicle and driver records audits on them. The Police placed two drivers and 31 vehicles out of service. The PRC found 21 carriers non-compliant with vehicle and driver audits. They used a fire station in Rio Rancho for the inspections.

A video showed their inspection work with semis and other motor vehicles, interviews with drivers, etc.

Mr. Gutierrez said there are currently no vacancies and Economist B was recently

hired and clerk position interviews are scheduled. They received 91 applications for the positions. He also announced a new vacancy after June 30 when he is retiring.

Commissioner Espinoza asked about working with the Federal Railroad Bureau.

Mr. Gutierrez said when the Staff find violation or defect, we pass that along to them as mandated in the 200-299 CFR regs.

7. PUBLIC COMMENT

There was no public comment.

8. CONSENT ACTION

A. Transportation Matters:

- 1) 18-00239-TR-M **IN THE MATTER OF THE APPLICATION OF OCCUPATIONAL HEALTH AND SAFETY INTERNATIONAL, LLC, D/B/A OHSI, LLC FOR A PERMIT TO PROVIDE AMBULANCE SERVICE (David Black)** **POTENTIAL ORDER GRANTING MOTION TO DISMISS AND CLOSING DOCKET**

B. Utilities Matters:

- 2) 19-00072-UT **IN THE MATTER OF THE APPLICATION OF NORTHERN RIO ARRIBA ELECTRIC COOPERATIVE, INC. FOR APPROVAL AND AUTHORIZATION FOR FINANCING OF A CERTAIN AMOUNT TO BE PAID PURSUANT TO NMSA 1978, '62-6-7. NORTHERN RIO ARRIBA ELECTRIC COOPERATIVE, Applicant. (Anthony Medeiros) (Judith Amer)** **RECOMMENDED DECISION POTENTIAL ORDER ADOPTING RECOMMENDED DECISION**

Commissioner Espinoza moved, seconded by Commissioner Byrd to approve the orders for both consent action items. The motion was approved on a unanimous 5-0 voice vote. **So Ordered.**

9. REGULAR ACTION AND DISCUSSION

A. Transportation Matters:

**3) 18-00115-PL IN THE MATTER OF THE APPROVAL OF PIPELINE SAFETY
FEES FOR FISCAL YEAR 2019
(David Black) POTENTIAL ORDER APPROVING FISCAL
YEAR 2020 PIPELINE SAFETY FEE
CALCULATIONS AND PREVIEW OF THE FISCAL
YEAR 2019 PIPELINE SAFETY FUND**

Mr. Black provided a handout on fee calculations to the Commissioners. He explained that Exhibits A and B are on the e-docket and attached to the request by the Pipeline Safety Bureau. This case comes every year to request the Commission to set the 2020 Pipeline safety fees that fund the Bureau. By law, the Commission is required to provide a review of last year's safety fund.

Mr. Montoya said the Bureau provides this annual report on fees collected up to July 1 to fund the Bureau. The FY 10-FY20 fees report shows the last three fiscal years are balanced. The Legislature approved two more FTEs, so the fee might be increased for next year by approximately 10%. We have maintained a good fund balance during that time. The fees are basically the same as the previous year.

Mr. Black reiterated that the version on e-docket had a wrong caption but is correct in the record.

Commissioner Espinoza moved, seconded by Commissioner Byrd to approve the report. The motion was approved by unanimous 5-0 voice vote. So Ordered.

**4) 19-00022-TR-M IN THE MATTER OF MOUNTAINAIR FIRE & RESCUES
REQUEST FOR A VARIANCE FROM NMPRC
TRANSPORTATION RULE 18.3.14.11 (A)(1) NMAC
(David Black) POTENTIAL ORDER GRANTING
RESTRICTED VARIANCE**

Mr. Black presented information to the Commission regarding this matter. He said this version has no problems in it. They are asking for a variance on the number of EMTs at a site. Staff recommended approval of the variance for one year. He added that this type of EMT variance in rural areas is not unusual. It is so they can get the training needed.

Commissioner Espinoza moved, seconded by Commissioner Hall, to approve the order. The motion was approved by unanimous (5-0) voice vote. So Ordered.

B. Utility Matters:

- 5) 18-00353-UT **IN THE MATTER OF THE APPLICATION OF PACIFIC WIND DEVELOPMENT LLC FOR APPROVAL OF THE LOCATION OF THE LA JOYA WIND PROJECT AND 345 KV GEN-TIE LINE IN TORRANCE COUNTY, NEW MEXICO PURSUANT TO NMSA ' 62-9-3; AND RIGHT-OF-WAY WIDTH DETERMINATION PURSUANT TO NMSA ' 62-9-3.2**

(Carolyn Glick)
(Judith Amer)

RECOMMENDED DECISION
POTENTIAL ORDER ADOPTING
RECOMMENDED DECISION

Ms. Glick presented her Recommended Decision which recommended three approvals: the La Joya Wind location; the transmission line/switching station and the authority to operate it. It is located 10 miles east of Estancia in Torrance County on 25,000 acres that have five owners. The renewable energy connects to PNM at the Clines Corner switching station. The land on which the project is located is used for livestock grazing and one residence. The only parties were the wind company and PRC Staff. Staff recommended approval. She quoted the law and parts of the RD.

Ms. Glick found that the operators would be in compliance with all pollution control standards and said the Commission should grant approval for the wind project. She also found that the proposed gen-tie facilities would not impair the environment. And thirdly, she found the ROW width determination, under the Public Utility Act was appropriate. Pacific Land had determined that 150 feet was needed for the ROW. 150 feet is sufficient for the line, but the maximum span given would actually require 151 feet. She recommended approval with the change to 151 feet for the ROW.

Ms. Amer said the proposed order adopts the RD in its entirety.

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

- 6) 18-00243-UT **IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR APPROVAL OF A 345 KV TRANSMISSION LINE AND ASSOCIATED FACILITIES PURSUANT TO THE PUBLIC UTILITY ACT**
(Judith Amer) **POTENTIAL ORDER ON MOTIONS FOR REHEARING**

Ms. Amer presented information regarding this matter to the Commission. She said she would not read the memo, but the proposed order denies all motions for rehearing. The reason is because the final order adopted the RD and it was based on substantial information. She explained that several motions for rehearing were filed by the King Ranch and CCAE. The King Ranch position was to deny all of the transmission line. The statute states that motions for rehearing shall be decided within 20 days and if the Commission takes no action, it is denied. The Commission could affirmatively deny the rehearing request, or take no action, which would deny, or approve the request.

Commissioner Hall understood the request was based on information that is not in the record. So is PNM asking to reopen the record to consider the request?

Ms. Amer said they did not request to reopen the record.

Commissioner Hall asked if it is based on the record.

Ms. Amer agreed. It is based on substantial evidence in the record.

Commissioner Fischmann pointed out that the argument they raised has issues that require reopening the record and he could not approve any of those motions, based on that act alone. There are no changes in the record to reconsider the decision. If new facts came to light, we could consider that. But their motions do not support that.

Commissioner Espinoza moved, seconded by Commissioner Byrd, to approve the order to deny a rehearing.

Commissioner Byrd commented that there might be information out there, but the case would have to be reopened to consider that.

Chair Becenti Aguilar said there was a record and in order to have a rehearing, there would need to be new evidence. We take it all seriously and if there is no new evidence, there is no reason to reopen.

The motion was approved on a unanimous (5-0) voice vote. So Ordered.

**7) 07-00316-UT IN THE MATTER OF A COMMISSION INQUIRY INTO THE
RATES AND CHARGES OF INSTITUTIONAL OPERATOR
SERVICE PROVIDERS
(Russell Fisk) POTENTIAL ORDER CLOSING DOCKET**

Mr. Fisk presented information regarding rates and charges when institutional operators provide service to inmates of prisons and jails. Mr. Fisk recommended closing

the docket. He included some history. In the proposed motion, they said staff opposed the motion, but staff never filed in opposition.

So he had prepared an order to grant the motion but no longer recommended that. We need more information from Securus. They recommended the docket be closed but he did not know all the issues. He pointed out that there were two RDs in the past that were never filed.

Commissioner Espinoza noted that there are a lot of issues that remain. They were charging the inmates and families a lot of money like \$5 per minute which is outrageous. She thought the Commission should look at it further before closing it. They said they look to the PRC to protect them and their families.

Mr. Fisk said he needs staff's position on how to go forward. That is not described.

Mr. Ripperger came forward and reported that Staff members agree with what Mr. Fisk said. We had objected to closing of the docket. It is a voluminous issue and would like to be part of that response. He thought he could do it in two weeks.

Mr. Fisk said they could just set a date for staff and for Securus and Staff could present their position in this docket.

He pointed out that the HE could hear that all the rates were unreasonable, but she did not.

Commissioner Fischmann asked Mr. Fisk if there was any process to get back to a new RD by a time certain.

Mr. Fisk said no hearing was scheduled. The Commission could appoint an HE in the matter and get more information.

Commissioner Fischmann thought the Commission could expedite it as much as possible. He asked Mr. Fisk to bring a resolution on this.

Mr. Fisk agreed and said he just needs the entities to say they could do that in two weeks.

Commissioner Fischmann suspected with this docket still open, that there is all the testimony and probably a voluminous record there. He asked if that was reasonable.

Mr. Fisk thought it was possible.

Chair Becenti Aguilar asked if Staff are working hard on the matter.

Mr. Fisk agreed and said, if the Commission wants they could vote on an order that he could write.

Commissioner Hall moved, seconded by Commissioner Byrd, to approve the order. The motion passed by unanimous (5-0) voice vote. So Ordered.

10. CONSIDERATION AND POSSIBLE ACTION REGARDING ADVICE NOTICES

§ CBG Maintenance, Inc. - Advice Notice No. 6

Mr. Martínez presented the advice notice No. 6, which included a notice to public and Commission on revised rate 1 and revised rate 2, pursuant to Rule 570. The need for the rate increase was to offset increased costs. Their last rate increase was eight years ago and requested an 8% increase and increase the charge for reconnection. All are within the limits of Rule 570. The general meter charge applies to all meters. The monthly meter charge is going to \$28.73/month and water use would go to \$4.12 for 7,000 gallons. E2 - is \$437.50 for connection charge and \$21.00 for reconnection. Staff determined the advice notice is compliant and no protests were filed. He recommended allowing this by operation of law.

Commissioner Fischmann asked when last rate increase was.

Mr. Martínez said it was eight years ago.

11. COMMUNICATIONS WITH CHIEF OF STAFF

Mr. Montoya reported he scheduled a meeting with Superintendent of Insurance and CYFD to revisit building security.

He worked with Utilities Division and IT and will eliminate the 888 number for outages and decrease the number of steps. The utilities have all been notified.

Commissioner Espinoza thanked him for doing that.

Chair Becenti Aguilar said Mr. Montoya provided three emails on how they are making adjustments. He held a division director's meeting. That is a good way to manage our agency. And we can contact him when there is a discrepancy or to make

improvements. We have given trust to him as acting Chief of Staff and was getting good responses.

12. COMMUNICATIONS WITH GENERAL COUNSEL

There were no communications with General Counsel.

13. COMMUNICATIONS WITH COMMISSIONERS

Commissioner Fischmann noticed a press conference is scheduled with CenturyLink. He was not sure what it is about. For future reference, it is a good idea to have all Commissioners respond. Not to consider as endorsement. We need to know what is coming and have a chance to say whether we should do it or not.

Chair Becenti Aguilar said every Commissioner is responsible to their constituents. She did not need approval of another Commissioner to do her job. Each one has the ability to have a press release whether in our building or in our district.

Commissioner Fischmann said it is clear that this is basically the Chair and CenturyLink but not a position of the Commission as a whole.

Chair Becenti Aguilar said she is part of the Commission. Any Commissioner can have a town hall meeting and orchestrate their own agenda.

Commissioner Fischmann agreed. He clarified that he was just saying it is essentially your endorsement of what has been going on with CenturyLink and not of the Commission as a whole and he was comfortable with that.

Chair Becenti Aguilar noted that there are several communities who are pleased with CenturyLink.

Commissioner Espinoza was pleased to be invited.


Commissioner Byrd said he had a press release for his district and was pleased with it.

Commissioner Espinoza thanked CenturyLink for providing broadband in rural districts. She thanked CenturyLink for that work and for their response when we have a complaint.

14. ADJOURNMENT

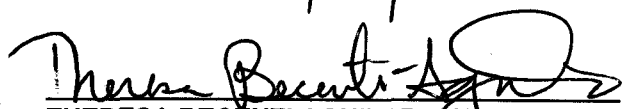
The open meeting was adjourned at 12:37 p.m.

ATTEST:

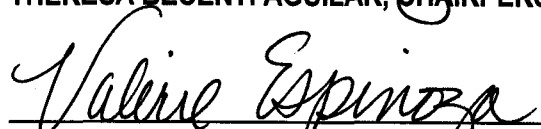


Carl Boaz, Stenographer

APPROVED: 6/26/19



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: May 16, 2019

SIGN-IN SHEET

NAME	COMPANY NAME (if any)	PHONE NUMBER
Maude Grantham Richards		505-221-1745
Michael D. Antonio	KEEL ENERGY	505-681-0446
Ryan Jensen	PNM	505-221-4264
Mark Fenton	PNM	505-241-2498
Alisa Lauer	Spence Law Firm / RKK	505-832-6363
Damian Lara		(505) 514-1612
Bob Wang		
Abram H. Paine	NORA	505-903-0241
Leo Baca	Centurylink	505-250-4393
Chris D	KIT Carson	575-770-7817
Steven Cordova	NMCC	505-697-3559

Thank you for attending this meeting.



NEW MEXICO PUBLIC REGULATION COMMISSION

RESCHEDULED
NOTICE OF OPEN MEETING
NEW DATE AND TIME

OPEN MEETING: REGULAR WEEKLY MEETING

Thursday, May 16, 2019

11:00 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 April 3, 2019
- V. PRESENTATION**
 - Presentation by Luis Reyes of Kit Carson Electric Cooperative
- VI. DIVISION DIRECTOR'S REPORT**
 - Transportation Division
- VII. PUBLIC COMMENT**
- VIII. CONSENT ACTION**

A. Transportation Matters:

1)	18-00239-TR-M David Black	IN THE MATTER OF THE APPLICATION OF OCCUPATIONAL HEALTH AND SAFETY INTERNATIONAL, LLC, D/B/A OHSI, LLC FOR A PERMIT TO PROVIDE AMBULANCE SERVICE <u>POTENTIAL ORDER GRANTING MOTION TO DISMISS AND CLOSING DOCKET</u>
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B. Utility Matters:

2)	19-00072-UT Judith Amer Anthony Medeiros	IN THE MATTER OF THE APPLICATION OF NORTHERN RIO ARRIBA ELECTRIC COOPERATIVE, INC. FOR APPROVAL AND AUTHORIZATION FOR FINANCING OF A CERTAIN AMOUNT TO BE PAID PURSUANT TO NMSA 1978, §62-6-7 NORTHERN RIO ARRIBA ELECTRIC COOPERATIVE, Applicant. <u>POTENTIAL ORDER ADOPTING RECOMMENDED DECISION</u>
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IX. REGULAR ACTION AND DISCUSSION

A. Transportation Matters:

3)	18-00115-PL David Black	IN THE MATTER OF THE APPROVAL OF PIPELINE SAFETY FEES FOR FISCAL YEAR 2019 <u>POTENTIAL ORDER APPROVING FISCAL YEAR 2020 PIPELINE SAFETY FEE CALCULATIONS AND PREVIEW OF THE FISCAL YEAR 2019 PIPELINE SAFETY FUND</u>
4)	19-00022-TR-M David Black	IN THE MATTER OF MOUNTAINAIR FIRE & RESCUE'S REQUEST FOR A VARIANCE FROM NMPRC TRANSPORTATION RULE 18.3.14.11 (A)(1) NMAC <u>POTENTIAL ORDER GRANTING RESTRICTED VARIANCE</u>

B. Utility Matters:

5)	18-00353-UT Judith Amer Carolyn Glick	IN THE MATTER OF THE APPLICATION OF PACIFIC WIND DEVELOPMENT LLC FOR APPROVAL OF THE LOCATION OF THE LA JOYA WIND PROJECT AND 345 KV GEN-TIE LINE IN TORRANCE COUNTY, NEW MEXICO PURSUANT TO NMSA § 62-9-3; AND RIGHT-OF-WAY WIDTH DETERMINATION PURSUANT TO NMSA § 62-9- 3.2 <u>POTENTIAL ORDER ADOPTING RECOMMENDED DECISION</u>
6)	18-00243-UT Judith Amer	IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR APPROVAL OF A 345 KV TRANSMISSION LINE AND ASSOCIATED FACILITIES PURSUANT TO THE PUBLIC UTILITY ACT <u>POTENTIAL ORDER ON MOTIONS FOR REHEARING</u>
7)	07-00316-UT Russell Fisk	IN THE MATTER OF A COMMISSION INQUIRY INTO THE RATES AND CHARGES OF INSTITUTIONAL OPERATOR SERVICE PROVIDERS <u>POTENTIAL ORDER CLOSING DOCKET</u>

X. CONSIDERATION AND POSSIBLE ACTION REGARDING ADVICE NOTICES

- CBG Maintenance, Inc. - Advice Notice No. 6

XI. COMMUNICATIONS WITH CHIEF OF STAFF

XII. COMMUNICATIONS WITH GENERAL COUNSEL

XIII. COMMUNICATIONS WITH COMMISSIONERS

XIV. ADJOURNMENT

To obtain a copy of this agenda please log in the Commission's website at www.nmstate.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

RESCHEDULED NOTICE

Open Meeting: Regular Weekly Meeting Agenda

Thursday, May 16, 2019

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EXHIBIT 2
PRC - May 16, 2019

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.

NEW MEXICO PUBLIC REGULATION COMMISSION

OPEN MEETING: CASE MANAGEMENT MEETING

Date: May 16, 2019

PUBLIC COMMENT SIGN-IN SHEET

[illegible]

Thank you for attending this meeting.

EXHIBIT 3
PRC - May 16, 2019