

**MINUTES OF THE
REGULAR OPEN MEETING
NEW MEXICO PUBLIC REGULATION COMMISSION
November 6, 2012**

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:

Commission Chairman Patrick H. Lyons
Commissioner Vice Chair Theresa Becenti-Aguilar
Commissioner Ben L. Hall
Commissioner Jason A. Marks
Commissioner Douglas J. Howe

Members Absent:

Staff Present

Johnny Montoya, Chief of Staff
Robert Parker, Chief of Staff for Legal Affairs
Sandra Skogen, Associate General Counsel
Rick Blumenfeld, Associate General Counsel
Michael C. Smith, Associate General Counsel
Avelino Gutierrez, Acting Transportation Division Director
Bill Herrmann, Hearing Examiner
Dwight Lamberson, Utility Division Director
Jim Brack, Utility Division
Patrick López, Legal Division Director
Arthur Bishop, PIO

Others Present

Carl Boaz, Stenographer

CALL TO ORDER

The Regular 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. Commission Chairman Patrick Lyons called the Regular 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 Regular Open Meeting is incorporated herewith to these minutes as Exhibit 1.

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

1. PLEDGE OF ALLEGIANCE

2. INTRODUCTIONS

There were no introductions.

3. MISCELLANEOUS ANNOUNCEMENTS

There were no miscellaneous announcements.

4. CONSIDERATION AND APPROVAL OF THE AGENDA

Commissioner Howe moved to approve the agenda as presented. Commissioner Becenti-Aguilar seconded the motion and it passed by unanimous (5-0) voice vote.

5. CONSENT ACTION

A. Transportation Division

12-00297-TREN IN THE MATTER OF THE FORMAL COMPLAINT OF HENRY AND GEORGIA
ROMERO AGAINST ANAYA'S ROAD-RUNNER WRECKER SERVICE INC.
AND BOB'S TOWING.
(Sandra Skogen) Order

Commissioner Marks moved to approve the order. Commissioner Howe seconded the motion and it passed by unanimous (5-0) voice vote. So Ordered.

6. REGULAR ACTION

A. Utility Division

11-00218-UT IN THE MATTER OF THE COMMISSION ESTABLISHING A STANDARD
METHOD FOR CALCULATING THE COST OF PROCURING RENEWABLE

**ENERGY, APPLYING THAT METHOD TO THE REASONABLE COST
THRESHOLD, AND CALCULATING THE RATE IMPACT DUE TO ALL
RENEWABLE ENERGY PROCUREMENTS.**

(Rick Blumenfeld) Order

Mr. Blumenfeld presented information regarding this matter to the Commission. It was tabled at the previous meeting in Tse Bonito. It was strictly a procedural matter and the Commission could go with the current schedule or grant the motion by the AG and supported by NMIEC but no one else. The main brief was due November 26 and responses by December 10. There was also a request to expand briefs from 10 pages to 25 pages.

There were no witnesses presented at the evidentiary hearing. The rule was based on the new energy act and constitution.

Commissioner Howe said he addressed this at the last meeting. This matter had been here 17 months and the NOPR for 11 months. He reviewed the history. The evidentiary hearing was held seven months after filing. He couldn't see it in any other way than stalling. The RCT issue needed to be settled. Right now there were really two competing rules out there, both published by the PRC that differed in substantial ways but parties lined up with each one.

He found no reason why the sixth extension should be granted. He didn't think the AG had made a case for extending it again and the issues were relatively few.

Commissioner Marks said the AG, in his request for two rounds of briefing and an extended schedule cited to a rule where he laid out a procedural schedule and asked Mr. Blumenfeld if the rule said that was not applicable to rulemaking.

Mr. Blumenfeld said what the AG cited in Section 36 was not applicable to the rulemaking.

Commissioner Marks said the Commission did have a rule on rule making from 2002 in the Utility Division and that rule provided there could be evidentiary hearings. Mr. Blumenfeld agreed.

Commissioner Marks added that it didn't say anything about briefing after a hearing.

Mr. Blumenfeld agreed.

Commissioner Marks said that rule turned out to be applicable either because this was not the PUA but the REA. So what the AG was asking for was very extraordinary. Typically rule making did not allow post hearing briefs. Unlike adjudicatory cases, it didn't put in a briefing schedule. He asked how many post-hearing briefs there had been in the last five years.

Mr. Blumenfeld said there were none in the last two years.

Commissioner Marks thought there were only two in the last 8 years - one was on non-attorney representation where the Commission realized it after the hearing.

Mr. Parker said that was before he was at the PRC.

Commissioner Marks said the Commission normally did not do any post-hearing briefs and in an abundance of caution, when Mr. Taylor asked at the end of the hearing for post-hearing briefs he allowed Mr. Taylor to file by November 16th and the PRC arranged to have the transcripts ready so he would have plenty of time. The Commission should deny this motion. It was extraordinary and the amount of time already granted to the Attorney General and NMIEC was more than was granted in any other rule making. There was no good reason for it other than to delay this. He got the AG's response from earlier and quoted from it. "Many of the Attorney General's objections to the Commission's proposed rule are resolved in the draft circulated by staff, although there are a few provisions that the Attorney General opposes."

This was not about substance. They've gone on record as mostly supporting what staff put forward. They didn't put any witnesses on. The differences were on the diversity target. Mr. Gould asked questions. In a 280 page transcript there were less than 2 pages of questions from Mr. Taylor. Their dispute was not a matter of law but of policy. The Commission spent about six hours conducting the hearing and allowing parties to put on their cases and allowed for one round of briefing.

Commissioner Marks moved to deny the AG's motion and leave it with the November 16 brief.

Chairman Lyons asked Commissioner Marks if he agreed with staff on the substance of the rule.

Commissioner Marks said not necessarily. As Commissioner Howe pointed out there were two competing rules. He leaned toward the staff rule but there might be a couple of things from the other rule the Commission could pull in. The Commission was not issuing a final order today. The Commission would decide after November 16. He was agreeing with Mr. Blumenfeld today. There was no need to stretch it out. The Commission had another rule making and went through a year on it and 3-4 months before this one. The Commission closed the first one. It's really been going on for three years.

Mr. Blumenfeld said the Commission could do it either way legally.

Commissioner Marks asked what reason there would be to grant the motion.

Mr. Blumenfeld said he had three bullet points in his proposed order and read them.

Chairman Lyons asked, if they had to June 15, 2013, why the Commission would want to limit to ten pages what people could say. And he wondered why the Commission would want to bar people from responses. The Commission wanted to hear from people.

Commissioner Marks said it was because people had said they didn't have any great need to tell us something and the AG and NMIEC had plenty of time. The AG and NMIEC didn't like renewable energy. They could have put witnesses on.

Chairman Lyons said the problem was that PNM had a big rate case and everyone agreed to it in those 80 pages and Commissioner Marks substituted a brand new bill that dealt with avoided costs. The Commissioners were worried about him putting in a bill with avoided costs in it.

Commissioner Marks responded that the Commission should then cut the procedural schedule short so Mr. Blumenfeld could bring an order on it. The PNM order passed with three votes. Commissioner Marks said he was not trying to hustle anything here but some people were trying to prevent the Commission from doing anything.

Commissioner Hall said everybody had an opinion on renewables but this was not just about renewables. If the AG needed more time to represent the people he should have it. This was merely a matter of informing the public. The Commission needed to have all the public input the Commission could get and not rush through it. He didn't know why it was still hanging around. The Commission still had 8 months left to evaluate it so he didn't have a problem with giving the AG more time.

Commissioner Becenti-Aguilar said the Commission was way behind Colorado and Arizona in regard to renewables. They were talking about structure and careful analysis. She spent an hour with two people talking about renewables and comparing New Mexico with other states. Secondly, the constitutional amendment before us today that was passed during the past year wanted to transfer PRC legal staff to the AG's office. She believed Mr. Taylor was the only one working on energy related issues to cover the whole state of New Mexico. So if he asked for more time she would grant it.

Commissioner Marks said the AG's main concern was to eliminate the diversity requirement, not avoided costs. That was what his comments addressed. He thought the Commission should consider it on the merits - whether it made sense to have only one target. Solar energy had created jobs in this state but the AG and NMIEC want to get rid of it entirely or at least to reduce it. Solar had been very successful. To support this was to vote again solar in this state.

He thought the Commission could accommodate legitimate input from parties and it could be back before the end of December but if the Commission voted for 25 page briefs it was voting to kill the solar industry. He invited the Commissioners to prove him wrong.

Chairman Lyons disagreed. He didn't know if the Commission could get to it in December and he didn't want to vote to kill solar.

Commissioner Marks suggested then to change the procedural schedule to vote on it in December and the Commission could vote its conscience and constituents or let the clock run out on it.

Chairman Lyons didn't believe the Commission should eliminate briefs.

Commissioner Marks noted Chairman Lyons was in Supreme Court last week to get bigger lease payments and he commended the Chair for that. But here there was no legal requirement for briefs whatsoever so supporting it would delay the process.

Commissioner Marks's motion died for lack of a second.

Commissioner Becenti-Aguilar disagreed that supporting this would be voting to not allow solar industry here in New Mexico.

Commissioner Becenti-Aguilar moved to grant the order. Commissioner Hall seconded the motion and it passed by majority (3-2) voice vote with Commissioner Howe and Commissioner Marks voting against. So Ordered.

Commissioner Hall said this Commission had no intention to kill solar or wind.

Commissioner Marks hoped the Commission proved him wrong on it.

**12-00360-UT IN THE MATTER OF THE APPLICATION OF ZIA NATURAL GAS COMPANY, A
DIVISION OF NATURAL GAS PROCESSING CO. FOR CONTINUED USE OF
ITS PURCHASED GAS ADJUSTMENT CLAUSE.
(Michael C. Smith) Order**

Mr. Smith presented information regarding this matter to the Commission. Each four years the gas companies file for continued use of their gas adjustment clause to recover gas costs on a rolling basis each month and to levelize those gas costs on a continuing basis instead of at year end.

He now was asking the Commission to appoint a HE to see if this factor was proper and according to the statutes. This would suspend the automatic approval clause in the rules so it was not considered automatically approved 30 days after filing.

Commissioner Marks moved to approve the order. Commissioner Becenti-Aguilar seconded the motion.

Chairman Lyons asked if there had been problems with the clause.

Mr. Smith was not aware of any. He proposed a hearing because this was only done every four years. Staff have not given any opinion on it but this had been the practice in the past. The Commission could wait until staff gives an opinion on it.

Chairman Lyons didn't see why the Commission should drag a company through a hearing if there was no problem or no complaints. He disagreed with sending it to a HE.

Mr. Smith said it was to preserve the Commission's ability to act instead of automatically allowing it to happen.

Ms. Stevens said she reviewed the submission by Zia and found it completely adequate. The Commission did a thorough review four years ago and they agreed to a certain methodology and applied it and it was acceptable to staff.

Chairman Lyons said that was what he was talking about. The Commission was left in the dust because of over-regulation and demanding a hearing when there was not even a problem.

Commissioner Marks asked how any public who wanted could speak up about it.

Chairman Lyons repeated that there have not been any complaints and Staff was fine with it.

Commissioner Howe asked Mr. Lamberson if staff had reviewed it.

Mr. Lamberson said Phyllis Stevens was reviewing it.

Mr. Smith said today was the expiration date for the AG to file something in opposition.

Commissioner Becenti-Aguilar said she had seen the AG file something on the last day at 4:45 before.

Mr. Smith offered to put it on the next agenda if that was the position the Commission wanted to take. It could have an expedited hearing and he didn't want it to just lapse by operation of law.

Commissioner Hall asked if the Commission would be getting into a bind by rushing things with a vote on Thursday without knowing if there were problems or not.

Mr. Smith said he had not had opportunity to discuss this with staff.

Commissioner Hall wanted to make sure the fuel costs had not changed. The Commission was assuming nothing had changed in four years.

Mr. Parker said he would know by 5:00 whether anyone had objected to it and could bring it back on Thursday and Mr. Smith could talk with Phyllis Stevens about it in the meantime.

Commissioner Hall thought that would be okay.

Chairman Lyons moved to table this order until Thursday. Commissioner Hall seconded the motion and it passed by unanimous (5-0) voice vote.

7. DISCUSSION/ACTION

A. Transportation Division

**11-00382-TREN IN THE MATTER OF STAFF'S PETITION FOR ORDER TO SHOW CAUSE WHY ROBERT L. SEEDS, D/B/A SEEDS TOWING SERVICE, LAURA SEEDS, D/B/A FAIRVIEW WRECKER SERVICE, AND ROBERT'S TOWING SERVICE were NOT IN VIOLATION OF THE MOTOR CARRIER ACT AND PRC RULES, TO REVOKE THE WRECKER SERVICES' WARRANTS, AND FOR OTHER RELIEF.
(William J. Herrmann, Bob Parker) Certification of Stipulation**

Mr. Parker reported that Mr. Seeds and PRC staff have settled the matter and Mr. Herrmann would

explain the settlement.

Mr. Herrmann said while the companies were not in violation of the Motor Carrier Act, there were three major allegations: The first was that the three companies acted in common control with the same phone, same address, same tax ID, and same insurance policy.

Seeds voluntarily surrendered his warrant and the other two agreed to separate the businesses with separated lots, separate phone, separate tag id and separate insurance policies. And they proposed they would do everything they could to separate themselves from each other.

Secondly, Robert's Towing operated 28 days without insurance. Robert Seeds agreed to pay a \$2,000 fine. He ran his son's company while his son was out of the country. The insurance policy was only \$650.

The third main issue was overcharging for a non-consensual tow. A 1991 truck was towed and there was a dispute on the charge and the police had a hold on the vehicle.

Robert Seeds paid \$1,500 to the owner and he sold the vehicle for \$400.

Commissioner Howe asked if there was any relationship between Laura Seeds and Robert Seeds.

Mr. Herrmann said they were not married but they have some relationship. There was no question that they were not technically married and never have been married.

Mr. Gutierrez explained that New Mexico did not recognize common-law marriage - They might be living together but Laura Marker legally changed her last name to Seeds. They have not ever been legally married.

Commissioner Howe asked if that made the law operate differently.

Mr. Gutierrez agreed. The matter of common control did not apply.

Mr. Herrmann said Laura Seeds purchased Fairview and Robert Seeds had been in business for 40 years.

Commissioner Howe asked if they were satisfied with the stipulation.

Mr. Herrmann said Mr. Seeds had agreed to tender the amount to PRC Transportation staff and the former truck owner Mr. Salazar could choose to do something different but had not contested it.

Commissioner Marks moved to adopt the certification. Commissioner Hall seconded the motion.

Chairman Lyons asked about how they resolved the second charge.

Mr. Herrmann said they would have separate addresses, phones, tax id and insurance policy. He

believed that was sufficient.

Chairman Lyons wanted to add a \$500 fine to number 1. There had to be some kind of retribution.

Mr. Herrmann said there would be no record for that.

Chairman Lyons disagreed. They clearly had violated the motor carrier act.

Mr. Herrmann said there was nothing to support a fine.

Mr. Gutierrez said there was an argument by Seeds and the only remedy for common control was to relinquish one of the authorities. A fine was not an allowable remedy under the Motor Carrier Act. Or at least that was their contention. They argued that and staff believed that argument had some merit so they didn't seek a fine for that.

Commissioner Hall asked what would keep them from going back to that original arrangement.

Mr. Herrmann said staff inspected annually. They had to have separate insurance and the Division could monitor that. There were others in the state and some were in the same area as Seeds.

Commissioner Hall felt there was no deterrent here.

The Commission briefly discussed the Commission's ability to fine them

Mr. Herrmann said it would be easier to fine them on violating a Commission order.

Mr. Parker said the Commission could have all the same fines.

Commissioner Marks asked if the Commission could order Seed to pay \$1500 to the Salazars. Mr. Parker said no.

Commissioner Marks said the PRC had been on their backs for two years and it had cost them thousands in legal expense. If they did it again, the Commission should slam them hard. But the agreement does provide relief to the Salazar family.

Mr. Parker said this was settled in closed session and was the hardest the PRC has come down on any towing company.

Commissioner Howe said if the Commission wanted to impose a fine it would be advisable to have a record to support it.

Mr. Parker said it was the discretion of the Commission.

Commissioner Howe said the issue was beyond just separating the companies.

Mr. Parker agreed and the PRC was going to argue that in the Supreme Court.

Chairman Lyons asked if the insurance provision in the statute was part of the fine too.

Mr. Gutierrez said it was Section 12. The insurance requirement was applicable to Robert's Towing Service. It was for one month having no insurance and \$650 was the cost of a one-month premium. The common control provision was different from the financial provision. It was different from any other motor carrier act.

Commissioner Hall pointed out that if the Commission fined them more, the stipulation would be off and that would have to be redone. Mr. Parker agreed.

Chairman Lyons said this sets a precedent because there were six companies in Albuquerque with the same address. He didn't know what kept them separated and it didn't make sense.

Commissioner Marks said if it was only the issue of separating companies he agreed with the settlement but this one involved damage to a family.

Chairman Lyons thought the Commission should fine them.

Commissioner Marks explained the Commission didn't have legal authority to force them to give the money to the family.

Commissioner Howe said the Commission agreed on the principle that there should be a disincentive in the future. He didn't think \$500 would stand in their way. Chairman Lyons agreed.

Chairman Lyons asked if Salazars were present and they were not.

Mr. Herrmann said the Commission could accept the \$2000 fine in the stipulation and say it was part of the remedy for the first violation. Chairman Lyons agreed with that.

Commissioner Marks changed his motion - to accept the stipulation but add to it that the Commission believes that they were operating multiple authorities under common control and the \$2000 fine included that violation.

Chairman Lyons asked if the Salazars had been approached.

Mr. Gutierrez agreed. Their truck was used for a firewood business and it was worth a lot more to them than that. He explained to the Commission that they could not regain lost profits. The amount in the stipulation would allow them to purchase another one.

Chairman Lyons said that it was over 30 years old. It was an antique and worth a lot more. He disagreed with the value.

Mr. Gutierrez didn't think Salazars felt it was unfair to replace their vehicle.

Commissioner Marks didn't think a good attorney would advise them to sue. This would give them some measure of compensation. It didn't foreclose anything on their side.

Commissioner Hall seconded the revised motion.

Commissioner Becenti-Aguilar asked if the annual inspections were in the stipulation.

Mr. Herrmann said it was in his certification of stipulation so the order would order staff to monitor that company.

Commissioner Becenti-Aguilar said this was clearly a violation. Staff have been giving it attention for over two years. It was not just an insurance violation. They needed to be accountable by fine. The costs of the proceedings by the Seeds were their own decision and not the Commission's issue. She thought \$2000 was too little.

The motion passed by majority (4-1) voice vote with Chairman Lyons voting against. So Ordered.

B. Utility Division

**12-00057-UT IN THE MATTER OF POSSIBLE CHANGES TO THE FILING REQUIREMENTS
FOR RENEWABLE ENERGY PORTFOLIO PROCUREMENT PLANS,
EFFICIENT USE OF ENERGY REPORT AND INTEGRATED RESOURCES
PLANS.
(Commissioner Douglas J. Howe) Order**

Commissioner Howe deferred to bring this matter back on Thursday with some kind of an order.

C. Administrative Matters

**Undocketed SEPARATION OF OGC AND LEGAL DIVISION
(Johnny Montoya)**

Mr. Montoya presented this matter to the Commission. He received an opinion from the AG as requested by Commissioner Marks and would work with OGC to proceed accordingly.

8. PUBLIC COMMENT

Mr. Rob Hurst spoke on the RCT on renewables which was vital for long term planning of resources in New Mexico. We need to have a balance of sources in our grid. Without fixing that problem it prevents us from responsible long term planning. New Mexico independent power producers want to be helpful.

Chairman Lyons said Commissioner Marks will hold our feet to the fire on it.

9. COMMUNICATIONS WITH DEPUTY CHIEF OF STAFF FOR LEGAL AFFAIRS, BOB PARKER

There were no communications with Deputy Chief of Staff for Legal Affairs.

10. COMMUNICATIONS WITH CHIEF OF STAFF, JOHNNY MONTOKA

Discussion of (HJM 9) House Joint Memorial 9, bill amending Rural Telecommunications Act, and bill amending the Utility and Carrier Inspection Fee.

Mr. Montoya said they we asked the committee not to take an opinion on it. He had met with several carriers on the RTA to keep what was best for rural consumers. He would like direction from the Commission on Thursday about how to proceed.

Chairman Lyons said Ms. Skogen was the expert witness. He didn't know what they would ask. It was streamlined time wise and didn't bother him that much. They could meet with the telecom industry.

Mr. Montoya recalled the Commission voted last week not to support it as presented.

Commissioner Marks asked when the PRC portion of the hearing would be.

Mr. Montoya said it was scheduled for 11:00 but didn't know what room.

Commissioner Hall asked if Mr. Lamberson was going to talk with Charley Farrell about it.

Mr. Lamberson said he was trying to arrange that.

Commissioner Marks asked Ms. Skogen if under federal law the Commission was allowed to put taxes on ordinary providers but not specifically to regulate VOIP and probably not wireless either. He wanted to know if the inspection fee was something states could legally apply.

Ms. Skogen said that was very contentious and the PRC has been asked to open a docket on it.

Commissioner Marks said as a purely legal issue it seemed the Commission should try to figure out the answer and share it with the legislature regardless of dockets here.

Ms. Skogen said the suggestion was in the ECT docket and would be in the hearing.

Commissioner Marks said the legislature should advise the Commission whether it was legal or not.

Chairman Lyons agreed.

11. COMMUNICATIONS WITH COMMISSIONERS

Commissioner Hall thanked Commissioner Becenti-Aguilar for having the Commission on Navajo land last Thursday. She took Commissioners to see the Window Rock and he was grateful. Because there was no cell phone service he came to the conclusion that the Commission needed to determine where those USF dollars were going and the Navajo Nation had no service in lots of places. The Commission needed to make sure the companies provided cell service there.

Chairman Lyons agreed and asked to open up a docket on allocation of New Mexico USF.

Commissioner Hall thought the Commission should do it on federal USF also.

Commissioner Marks said the Commission has a docket open on federal USF now and the Commission could review it to see if they were doing what they should. Chairman Lyons agreed.

Commissioner Marks said by law they didn't have to provide a dial tone to one customer to get those funds. That was from the law in 2005.

Commissioner Hall wanted to see if they were using those funds wisely.

Commissioner Marks agreed to bring something in next couple of weeks.

Commissioner Becenti-Aguilar said a constituent didn't like the fact that the Commission didn't approve USF for Sacred Wind and while she was chairing, part of her points were spoken in Navajo and indicated to Navajo Nation that if they wanted to have an open discussion, they needed to introduce legislation through the Tribal Council to open a dialog and be able to speak with all telecommunications companies to see how the Commission could measure where USF should be funded. She thought that would happen in the near future. Or the Navajo Nation might veto it.

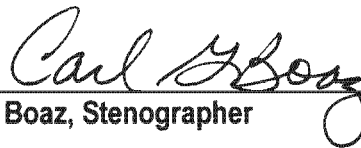
Chairman Lyons had a great time there and thanked Commissioner Becenti-Aguilar.

12. ADJOURNMENT

Commissioner Marks moved to adjourn the meeting. Commissioner Becenti-Aguilar seconded the motion and it passed by unanimous (5-0) voice vote.

The meeting was adjourned at 11:10 a.m.

ATTEST:


Carl Boaz, Stenographer

APPROVED: 12/04/2012

TELEPHONICALLY APPROVED
PATRICK H. LYONS, CHAIRMAN


THERESA BECENTI-AGUILAR, VICE CHAIR


JASON A. MARKS, COMMISSIONER


BEN L. HALL, COMMISSIONER


DOUGLAS J. HOWE, COMMISSIONER

SIGN-IN SHEET

DATE: November 6, 2012

[illegible]

Thank you for attending this meeting.



NEW MEXICO PUBLIC REGULATION COMMISSION

**REGULAR OPEN MEETING
Tuesday November 6th, 2012**

**9:30 A.M.
PERA Building, 4th Floor Hearing Room
1120 Paseo de Peralta, Santa Fe, NM 87501**

AGENDA

- 1. PLEDGE OF ALLEGIANCE**
- 2. INTRODUCTIONS**
- 3. MISCELLANEOUS ANNOUNCEMENTS**
- 4. CONSIDERATION AND APPROVAL OF THE AGENDA**
- 5. CONSENT ACTION**

A. Transportation Division

12-00297-TREN Sandra Skogen	IN THE MATTER OF THE FORMAL COMPLAINT OF HENRY AND GEORGIA ROMERO AGAINST ANAYA'S ROAD-RUNNER WRECKER SERVICE INC. AND BOBS TOWING. Order
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6. REGULAR ACTION

A. Utility Division

11-00218-UT Rick Blumenfeld	IN THE MATTER OF THE COMMISSION ESTABLISHING A STANDARD METHOD FOR CALCULATING THE COST OF PROCURING RENEWABLE ENERGY, APPLYING THAT METHOD TO THE REASONABLE COST THRESHOLD, AND CALCULATING THE RATE IMPACT DUE TO ALL RENEWABLE ENERGY PROCUREMENTS. Order
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12-00360-UT Michael C. Smith	IN THE MATTER OF THE APPLICATION OF ZIA NATURAL GAS COMPANY, A DIVISION OF NATURAL GAS PROCESSING CO. FOR CONTINUED USE OF ITS PURCHASED GAS ADJUSTMENT CLAUSE. Order
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7. DISCUSSION/ACTION

A. Transportation Division

11-00382-TREN William J. Herrmann Bob Parker	IN THE MATTER OF STAFF'S PETITION FOR ORDER TO SHOW CAUSE WHY ROBERT L. SEEDS, D/B/A SEEDS TOWING SERVICE, LAURA SEEDS, D/B/A FAIRVIEW WRECKER SERVICE, AND ROBERT'S TOWING SERVICE ARE NOT IN VIOLATION OF THE MOTOR CARRIER ACT AND PRC RULES, TO REVOKE THE WRECKER SERVICES' WARRANTS, AND FOR OTHER RELIEF. Certification of Stipulation
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B. Utility Division

12-00057-UT Commissioner Douglas J. Howe	IN THE MATTER OF POSSIBLE CHANGES TO THE FILING REQUIREMENTS FOR RENEWABLE ENERGY PORTFOLIO PROCUREMENT PLANS, EFFICIENT USE OF ENERGY REPORT AND INTEGRATED RESOURCES PLANS. Order
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C. Administrative Matters

Undocketed Johnny Montoya	SEPARATION OF OGC AND LEGAL DIVISION.
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8. PUBLIC COMMENT

9. COMMUNICATIONS WITH DEPUTY CHIEF OF STAFF FOR LEGAL AFFAIRS, BOB PARKER

10. COMMUNICATIONS WITH CHIEF OF STAFF, JOHNNY MONTOKA

**Discussion of (HJM 9) House Joint Memorial 9, bill amending Rural
Telecommunications Act, and bill amending the Utility and Carrier Inspection Fee.**

11. COMMUNICATIONS WITH COMMISSIONERS

12. ADJOURNMENT

The Commission will make reasonable efforts to post the agenda on the Commission's website 36 hours before the open meeting, but the inability to do so within the 36 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 (827-4084) AS SOON AS POSSIBLE PRIOR TO THE COMMENCEMENT OF THE OPEN MEETING.