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BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION  
NOTICE OF PROPOSED RULEMAKING

IN THE MATTER OF THE  
PROPOSED AMENDMENTS TO Case No.: 17-000265-TRP  
RULE 18.3, PARTS 2, 4  
AND 7 NMAC TO THE MOTOR  
CARRIER RULES.

TRANSCRIPT OF PROCEEDINGS  
PUBLIC COMMENT HEARING  
December 20, 2017  
2:00 p.m.  
Hearing Conference Room - Fourth Floor  
PERA Building  
1120 Paseo de Peralta  
Santa Fe, New Mexico

HEARD BEFORE: MR. AVELINO A. GUTIERREZ  
PRESIDING OFFICER FOR THE NMPRC

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219  
Bean & Associates, Inc.  
Professional Court Reporting Service  
201 Third Street, NW, Suite 1630  
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A P P E A R A N C E S

For the New Mexico Public Regulation Commission:

MS. JUDITH E. AMER  
Associate General Counsel  
NM Public Regulation Commission  
P.O. Box 1269  
Santa Fe, New Mexico 87504-1269  
judith.amer@state.nm.us

ALSO PRESENT: Ms. Amanda Gray, PRC  
Transportation Economist

ATTACHMENTS TO THE RECORD:

1. Affidavit of Publication - Albuquerque Journal
2. Affidavit of Publication - New Mexico Register
3. Sign-In Sheet

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1           PRESIDING OFFICER: Good afternoon. My  
2 name is Avelino A. Gutierrez. And our court  
3 reporter today is Cindy Chapman.

4           And I am here as a result of a single  
5 signature order signed by a Commissioner on  
6 December 19, 2017, to act as the Presiding Officer  
7 in this matter, which is captioned as, "In the  
8 Matter Of the Proposed Amendments to the Motor  
9 Carrier Rules, Case No. 17-00265-TRP."

10           The purpose of this hearing is to receive  
11 public comment to the proposed rules contained in  
12 Order Granting Transportation Division's Petition  
13 for Issuance of a Notice of Proposed Rulemaking and  
14 Notice of Proposed Rulemaking, entered on  
15 November 1st, 2017.

16           As a housekeeping matter, I would like to  
17 hand the court reporter two documents. The first is  
18 an Affidavit of Publication evidencing that the  
19 Notice of Proposed Rulemaking for this docket was  
20 published one time in the Albuquerque Journal on  
21 November 10th, 2017.

22           The second document is largely in the form  
23 of an Affidavit of Publication, evidencing that the  
24 Notice of Proposed Rulemaking for this docket was  
25 published in the New Mexico Register on November

1 14th, 2017, in Volume XXVIII, Issue 21.

2 We have a sign-in sheet, as well, that I  
3 would like to give to the court reporter. And I  
4 will note that there are no names appearing on the  
5 sign-in sheet.

6 MS. AMER: I can sign in.

7 PRESIDING OFFICER: Okay. And -- but I  
8 will also state that there are two additional  
9 persons here in the room. One is Amanda Gray, Staff  
10 Economist for the Transportation Division. And the  
11 other one is Judith Amer -- the other person is  
12 Judith Amer -- Associate General Counsel? --

13 MS. AMER: Yes.

14 PRESIDING OFFICER: -- for the Public  
15 Regulation Commission. There were no additional  
16 persons here.

17 I will also, for the record, state that  
18 this hearing is being held in the glass room across  
19 from the Fourth Floor Hearing Room, and that an  
20 announcement was made at 2:10 p.m. by the Chair of  
21 the Commission, who is conducting the weekly Open  
22 Meeting in the Fourth Floor Hearing Room, stating  
23 that if anybody wanted to attend the Transportation  
24 rulemaking hearing, that that hearing was being held  
25 across the hall in the glass room.

1 Nobody -- I will also state for the record  
2 that no one got up to come to the glass room, and  
3 that the four of us here, which include the court  
4 reporter, are the only persons in the glass room at  
5 the present time.

6 MS. AMER: And the only thing I would say  
7 is the notice did state that the hearing would take  
8 place across the hall in the Open Meeting room; but  
9 the Open Meeting has run late, and so that's the  
10 reason that we have had to move the hearing from the  
11 Open Meeting room to this glass room across the  
12 hall.

13 But there's no one out in the hall,  
14 either, that appears to be looking for a hearing.

15 PRESIDING OFFICER: Yes. I would concur  
16 with that.

17 So I will also note that the -- the order  
18 granting Transportation Division's petition that I  
19 identified earlier states that the record will  
20 remain open until December 30th, 2017, and that the  
21 setting of the record closure date will permit the  
22 Commissioners and Commission counsel to conduct  
23 follow-up discussions with parties that have  
24 submitted initial or response comments to the  
25 Commission's proposed amendments to the rule or any

1 responses to any Bench requests.

2 And it also stated that the extended date  
3 for the closing of the record should not be  
4 construed or interpreted as extending the time  
5 during which parties may file comments or response  
6 comments or allowing the filing of other types of  
7 documents in this case.

8 MS. AMER: And the only thing I would add  
9 is that there have been no comments --

10 PRESIDING OFFICER: Yes.

11 MS. AMER: -- filed in this docket, no  
12 initial comments and no response comments.

13 PRESIDING OFFICER: Yes. With that, does  
14 anybody want to add anything?

15 MS. GRAY: No.

16 PRESIDING OFFICER: I think we're  
17 adjourned. Thank you.

18 (Proceedings concluded at 2:16 p.m.)  
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REPORTER'S CERTIFICATE

I, Cynthia C. Chapman, RMR, CCR #219, Certified  
Court Reporter in the State of New Mexico, do hereby  
certify that the foregoing pages constitute a true  
transcript of proceedings had before the said  
PRESIDING OFFICER, held in the State of New Mexico,  
County of Santa Fe, in the matter therein stated.

In testimony whereof, I have hereunto set my  
hand on December 27, 2017.

*Cynthia Chapman*  
Cynthia C. Chapman, RMR-CRR, NM CCR #219  
BEAN & ASSOCIATES, INC.  
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