



NOTICE OF REGULAR MEETING
Thursday, September 21, 2023
10:00 a.m.
HYBRID MEETING

Notice: This is a hybrid meeting which will be held in person and via Zoom. The public is welcome to attend the meeting in person at the Bokum Building, which is located at 142 W Palace Ave., Santa Fe, NM 87501. The public may also view the meeting remotely via a livestream on Youtube. Individuals wishing to provide public comment may do so via Zoom, or by phone; To sign up for public comment please contact Patrick Rodriguez at public.comment@prc.nm.gov. Go to <https://www.nm-prc.org/nmprc-open-meeting-agenda/> several minutes before the start of the meeting for a link to the livestream.

AGENDA

- I. CALL TO ORDER AND ROLL CALL
- II. PLEDGE OF ALLEGIANCE/ STATE PLEDGE
- III. CONSIDERATION AND APPROVAL OF THE AGENDA
- IV. PUBLIC COMMENT
- V. ANNOUNCEMENTS
 - A. Office of General Counsel
 - B. Commissioners
- VI. APPROVAL OF PRIOR MEETING MINUTES
 - Minutes for August 24, 2023, Regular Meeting
 - Minutes for September 7, 2023, Regular Meeting

VII. CONSENT ACTION ITEMS

A) Transportation Matters

1)	23-00111-TR-EN Erika Avila Stephanz	<p>IN THE MATTER OF THE INVESTIGATION OF WARRANT HOLDERS FOR LACK OF FINANCIAL RESPONSIBILITY</p> <p><u>POTENTIAL ORDER OF STAFF'S PETITION TO CANCEL WARRANTS</u></p>
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B) Utility Matters

1)	21-00098-UT Erika Avila Stephanz	<p>IN THE MATTER OF APPLICATIONS FOR 2022 BROADBAND PROGRAM SUPPORT FROM THE STATE RURAL UNIVERSAL SERVICE FUND, AS PER 17.11.10.31 NMAC</p> <p><u>POTENTIAL ORDER CONCERNING NTUA WIRELESS, LLC'S REQUEST FOR INITIAL DISBURSEMENT OF AWARD FOR THE BACA-PREWITT BROADBAND PROJECT</u></p>
2)	23-00158-UT Erika Avila Stephanz	<p>IN THE MATTER OF THE FILING OF THE 2023 ANNUAL REPORTS AND RELATED FCC FILINGS BY ELIGIBLE TELECOMMUNICATIONS CARRIERS</p> <p><u>POTENTIAL ORDER ON STAFF'S RECOMMENDATIONS FOR THE 2023 ETC RECERTIFICATION</u></p>
3)	23-00071-UT Russell Fisk	<p>IN THE MATTER OF THE TARIFFS, AGREEMENTS, AND FORMS PROPOSED BY QUALIFYING UTILITIES FOR THE COMMUNITY SOLAR PROGRAM</p> <p><u>POTENTIAL ORDER CONCERNING EL PASO ELECTRIC COMPANY'S MOTION TO WITHDRAW ADVICE NOTICE 279</u></p> <p><u>POTENTIAL ORDER CONCERNING PUBLIC SERVICE COMPANY OF NEW MEXICO'S NOTICE OF WITHDRAWAL OF ADVICE NOTICE 602</u></p> <p><u>POTENTIAL ORDER CONCERNING PUBLIC SERVICE COMPANY OF NEW MEXICO'S ADVICE NOTICE 608</u></p>
4)	11-00123-UT Scott Cameron	<p>IN THE MATTER OF THE RECONCILIATION OF THE ENERGY EFFICIENCY TARIFF RIDER OF PNM & ADVICE NOTICE NOS. 416 (PNM) AND 44 (PNM-TNMP SERVICES) & REQUEST FOR VARIANCE</p> <p><u>POTENTIAL FINAL ORDER CLOSING DOCKET</u></p>

5)	15-00219-UT Scott Cameron	IN THE MATTER OF EL PASO ELECTRIC COMPANY'S ADVICE NOTICE NO. 237 TO ADJUST ENERGY EFFICIENCY TARIFF RIDER PURSUANT TO RULES 17.7.2 AND 17.1.201 NMAC <u>POTENTIAL FINAL ORDER CLOSING DOCKET</u>
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VIII. REGULAR ACTION ITEMS:

The Commission may go into Executive Session to discuss these items pursuant to NMSA 1978 § 10-15- 1H(3) & (7), where applicable.

A. Transportation Matters

1)	23-00156-TR-P Erika Avila Stephanz	IN THE MATTER OF STAFF'S PETITION FOR RULEMAKING TO AMEND RULE 18.7.2 NMAC BOTH IN AN EMERGENCY (PHASE I) AND PERMANENTLY (PHASE II) <u>POTENTIAL ORDER ADOPTING RULE</u>
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B. Utility Matters:

1)	22-00309-UT Erika Avila Stephanz	IN THE MATTER OF NEW MEXICO GAS COMPANY, INC.'S APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A LIQUEFIED NATURAL GAS FACILITY <u>CONSIDERATION OF HEARING ON STIPULATION</u>
2)	18-00214-UT Russell Fisk	IN THE MATTER OF AN ORDER TO SHOW CAUSE AS TO WHY ROSA JOINT VENTURES, LLC, SHOULD NOT BE FOUND IN VIOLATION OF THE PUBLIC UTILITY ACT AND COMMISSION RULES <u>POTENTIAL ORDER REGARDING STAFF'S MOTION FOR STATUS DETERMINATION</u>
3)	23-00071-UT Russell Fisk	IN THE MATTER OF THE TARIFFS, AGREEMENTS, AND FORMS PROPOSED BY QUALIFYING UTILITIES FOR THE COMMUNITY SOLAR PROGRAM <u>POTENTIAL ORDER CONCERNING UNCONTESTED PHASE I STIPULATION</u>

4)	23-00291-UT Russell Fisk	IN RE THE COMMISSION'S 2023 REPORT TO THE LEGISLATURE ON THE STATUS OF THE STATE RURAL UNIVERSAL SERVICE FUND PER THE RURAL TELECOMMUNICATIONS ACT OF NEW MEXICO, NMSA 1978, SECTION 63-9H-6(R) <u>POTENTIAL ORDER ISSUING COMMISSION'S REPORT TO THE LEGISLATURE</u>
5)	S-1-SC-39440 Erin Lecocq	PNM v. NMPRC IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S ABANDONMENT OF SAN JUAN GENERATING STATION UNITS 1 AND 4, NMPRC CASE NO. 19-00018-UT <u>CONSIDERATION OF THE PROPOSED SETTLEMENT AGREEMENT</u>

IX. DISCUSSION AND POTENTIAL ACTION

1)	DISCUSSION ITEM Cholla Khoury Miranda Mascarenas	FY25 Supplemental and Special Appropriation Request
2)	PRESENTATION Arthur O'Donnell	Interconnection Updates
3)	PRESENTATION Cholla Khoury Ed Rilkoff Jason Montoya	Procedure Regarding Investigation of September 8, 2023 Potential Gas Incident

X. COMMUNICATIONS WITH COMMISSIONERS

XI. ADJOURNMENT

To obtain a copy of this agenda please log in to the Commission's website at <https://www.nm-prc.org/>.

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 an 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) 467- 9116 as soon as possible prior to the commencement of the open meeting.

PUBLIC COMMENT

All members of the public wishing to provide public comment may do so via Zoom, or by telephone. Individuals wishing to comment must sign up to do by contacting Patrick Rodriguez at public.comment@prc.nm.gov or (505) 490-7910 at least 2 hours before the start of the meeting. When sending an email to sign up for public comment please identify the name of the commentor(s), 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 should exceed the allotted 30-minute period, the Chair 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 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 Chair 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 Chair. No speakers will be accommodated after the public comment portion of the agenda has closed. The Chair 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.