



**NOTICE OF REGULAR MEETING**  
**Thursday, November 16, 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](mailto:public.comment@prc.nm.gov). Go to <https://www.prc.nm.gov/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. EMPLOYEE OF THE MONTH
- VII. APPROVAL OF PRIOR MEETING MINUTES
  - Minutes for October 19, 2023, Regular Meeting
  - Minutes for November 2, 2023, Regular Meeting
- VIII. CONSENT ACTION ITEMS

**A) Transportation Matters**

1)	23-00189-TR-M Kaythee Hlaing	<b>IN THE MATTER OF APPLICATIONS FOR CERTIFICATE          AUTHORIZATIONS</b>  <b><u>POTENTIAL ORDER CLOSING DOCKET</u></b>
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2)	23-00348-TR-M Kaythee Hlaing	IN THE MATTER OF APPLICATIONS FOR CERTIFICATE AUTHORIZATIONS  <u>POTENTIAL ORDER CLOSING DOCKET</u>
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**B) Utility Matters**

1)	19-00106-UT Erika Avila Stephanz	IN THE MATTER OF APPLICATIONS FOR 2020 BROADBAND PROGRAM SUPPORT FROM THE STATE RURAL UNIVERSAL SERVICE FUND, AS PER 17.11.10.31 NMAC  <u>POTENTIAL ORDER ON WINDSTREAM'S REQUESTS FOR DISBURSEMENT</u>
2)	20-00099-UT Erika Avila Stephanz	IN THE MATTER OF APPLICATIONS FOR 2021 BROADBAND PROGRAM SUPPORT FROM THE STATE RURAL UNIVERSAL SERVICE FUND, AS PER 17.11.10.31 NMAC  <u>POTENTIAL ORDER ON ROOSEVELT'S REQUEST FOR DISBURSEMENT</u>  <u>POTENTIAL ORDER ON SMITH BAGLEY'S VARIANCE REQUEST</u>  <u>POTENTIAL ORDER ON WINDSTEAM'S VARIANCE REQUEST</u>  <u>POTENTIAL ORDER ON CONTINENTAL DIVIDE'S VARIANCE REQUEST</u>
3)	23-00280-UT Erika Avila Stephanz	IN THE MATTER OF THE STATE RURAL UNIVERSAL SERVICE FUND 2024 PER-CONNECTION CHARGE AND FUND SIZE CALCULATIONS  <u>POTENTIAL ORDER REGARDING THE SRUSF PER-CONNECTION CHARGE AND FUND SIZE CALCULATIONS</u>
4)	21-00182-UT Alejandro Rettig y Martinez	IN THE MATTER OF AN INQUIRY INTO PUBLIC SERVICE COMPANY OF NEW MEXICO'S SAN JUAN GENERATING STATION JUNE 30, 2021, COOLING TOWER COLLAPSE  <u>PROPOSED ORDER CLOSING DOCKET</u>

5)	23-00337-UT Kaythee Hlaing	<p>IN THE MATTER OF THE FORMAL COMPLAINT OF DEWAYE BEAGLES AGAINST TIMBERON WATER AND SANITATION DISTRICT</p> <p><u>POTENTIAL NOTICE OF FORMAL COMPLAINT AND ORDER REQUIRING ANSWER</u></p>
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**IX. REGULAR ACTION ITEMS:**

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

**A. Utility Matters:**

1)	23-00353-UT Robert Lundin	<p>IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR APPROVAL OF A PURCHASED POWER AGREEMENT, ENERGY STORAGE AGREEMENTS, AND A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR SYSTEM RESOURCES IN 2026</p> <p><u>PROPOSED INITIAL ORDER SETTING DEADLINES, APPOINTING HEARING EXAMINER, AND GRANTING INTERVENTIONS</u></p>
2)	20-00104-UT Russell Fisk	<p>IN THE MATTER OF THE APPLICATION OF EL PASO ELECTRIC COMPANY FOR REVISION OF ITS RETAIL ELECTRIC RATES PURSUANT TO ADVICE NOTICE NO. 267</p> <p><u>POTENTIAL ORDER CONCERNING EL PASO ELECTRIC COMPANY'S CALCULATIONS AND RECOMMENDATIONS</u></p>
3)	23-00297-UT Russell Fisk	<p>IN THE MATTER OF THE APPLICATION BY RATON NATURAL GAS COMPANY FOR APPROVAL OF ITS 2024-2026 ENERGY EFFICIENCY PROGRAM PLAN AND FOURTH REVISED RATE NO. 6 IN ADVICE NOTICE NO. 56 PURSUANT TO THE NEW MEXICO PUBLIC UTILITY ACT AND THE EFFICIENT USE OF ENERGY ACT</p> <p><u>POTENTIAL ORDER DIRECTING STAFF TO PROVIDE RECOMMENDATION REGARDING RIDER</u></p>
4)	23-00196-UT Alejandro Rettig y Martinez	<p>IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S RENEWABLE ENERGY ACT PLAN FOR 2024 AND PROPOSED 2024 RIDER RATE UNDER RATE RIDER NO. 36</p> <p><u>PROPOSED FINAL ORDER</u></p>

5)	22-00309-UT Judith Amer	<p>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.</p> <p>NEW MEXICO GAS COMPANY, INC., APPLICANT.</p> <p><u>A POTENTIAL ORDER TO OBTAIN TECHNICAL SUPPORT FROM THE DEPARTMENT OF TRANSPORTATION-PIPELINE AND HAZARDOUS MATERIAL SAFETY ADMINISTRATION (PHMSA)</u></p>
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**X. DISCUSSION AND POTENTIAL ACTION**

1)	DISCUSSION ITEM Cholla Khoury	2023 Strategic Plan
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**XI. DISCUSSION**

1)	DISCUSSION ITEM Miranda Mascarenas	FY23 Audit
2)	DISCUSSION ITEM Cholla Khoury Scott Cameron	Rulemaking & End of Year Case Planning

**XII. COMMUNICATIONS WITH CHIEF OF STAFF**

**XIII. COMMUNICATIONS WITH COMMISSIONERS**

**XIV. ADJOURNMENT**

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

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) 827-8019 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](mailto: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.