



NOTICE OF REGULAR OPEN MEETING

Thursday, March 21, 2024

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 (505) 490-7910 or public.comment@prc.nm.gov no later than 5:00 p.m. the day before the meeting. 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
 - A. NM Gas Company Rate Case
 - B. General
- V. ANNOUNCEMENTS
 - A. Office of General Counsel
 - B. Commissioners
- VI. APPROVAL OF PRIOR MEETING MINUTES
 - Minutes for February 22, 2024, Regular Open Meeting
 - Minutes for March 7, 2024 Regular Open Meeting
- VII. CONSENT ACTION ITEMS

A) Transportation Matters

1)	24-00014-TR-EN Kaythee Hlaing	IN THE MATTER OF THE INVESTIGATION OF WARRANT HOLDERS FOR LACK OF FINANCIAL RESPONSIBILITY <u>ORDER ON STAFF'S PETITION TO CANCEL WARRANTS</u>
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B) Utility Matters

1)	24-00042-UT Alejandro Rettig y Martinez	IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR AUTHORIZATIONS PERTAINING TO THE PROPOSED AMENDMENT OF ITS \$400 MILLION REVOLVING CREDIT FACILITY AND TO ISSUE UP TO \$250 MILLION OF SENIOR UNSECURED NOTES <u>POTENTIAL FINAL ORDER</u>
2)	24-00043-UT Erika Avila Stephanz	IN THE MATTER OF SOUTHWESTERN PUBLIC SERVICE COMPANY'S APPLICATION FOR AUTHORITY TO: (1) ISSUE UP TO \$750 MILLION OF FIRST MORTGAGE BONDS DURING 2024; (2) RECOVER CERTAIN REFUNDING COSTS; (3) ENTER INTO AGREEMENTS IN SUPPORT OF INTEREST RATE HEDGING INCLUDING INTEREST RATE LOCKS AND SWAPS; (4) TO EXTEND THE REVOLVING CREDIT AGREEMENT FOR AN ADDITIONAL TWO YEARS; AND (5) INCREASE THE MAXIMUM AMOUNT OF ITS CREDIT AGREEMENT TO \$700,000,000. <u>POTENTIAL FINAL ORDER</u>
3)	24-00013-UT Keven Gedko	IN THE MATTER OF THE APPLICATION OF ROOSEVELT COUNTY ELECTRIC COOPERATIVE, INC. FOR CONTINUED USE OF ITS FUEL AND PURCHASED POWER COST ADJUSTMENT CLAUSE, AND TO CONTINUE TO APPLY ADDITIONAL AMOUNTS TO BALANCING ACCOUNTS OF PAYMENTS TO WESTERN FARMERS ELECTRIC COOPERATIVE, INC. ROOSEVELT COUNTY ELECTRIC COOPERATIVE, INC. APPLICANT. <u>POTENTIAL FINAL ORDER</u>
4)	24-00003-UT Keven Gedko	IN THE MATTER OF THE APPLICATION OF CENTRAL VALLEY ELECTRIC COOPERATIVE, INC. FOR CONTINUED USE OF ITS FUEL AND PURCHASED POWER COST ADJUSTMENT CLAUSE CENTRAL VALLEY ELECTRIC COOPERATIVE, INC. APPLICANT. <u>POTENTIAL FINAL ORDER</u>

5)	24-00029-UT Keven Gedko	IN THE MATTER OF THE APPLICATION OF FARMERS' ELECTRIC COOPERATIVE, INC. OF NEW MEXICO FOR CONTINUED USE OF ITS FUEL AND PURCHASED POWER COST ADJUSTMENT CLAUSE <u>POTENTIAL FINAL ORDER</u>
6)	18-00159-UT Russell Fisk	IN THE MATTER OF THE PETITION OF VIRGIN MOBILE USA, L.P. TO AMEND ITS DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER FOR LIFELINE SERVICES AND TO RECEIVE NEW MEXICO UNIVERSAL SERVICE SUPPORT <u>POTENTIAL ORDER CONCERNING ORDER RECOMMENDING DISMISSAL OF PROCEEDING</u>

C) Utility Matters

1)	16-00078-UT Robert Lundin	IN THE MATTER OF NEW ENERGY ECONOMY'S COMPLAINT AGAINST PUBLIC SERVICE COMPANY OF NEW MEXICO REGARDING ITS FAILURE TO TIMELY DISCLOSE ITS PARENT COMPANY'S AND SUBSIDIARY'S AGREEMENTS IN CONNECTION WITH THE PURCHASE OF THE SAN JUAN COAL MINE BY WESTMORELAND SAN JUAN, LLC, AND THE COAL AGREEMENTS BETWEEN PUBLIC SERVICE COMPANY OF NEW MEXICO, WESTMORELAND COAL COMPANY AND OTHER PARTIES <u>PROPOSED ORDER DISMISSING COMPLAINT AND CLOSING DOCKET</u>
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VIII. REGULAR ACTION ITEMS:

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

A. Transportation Matters

1)	24-00007-TR-EN Kaythee Hlaing	IN THE MATTER OF THE INVESTIGATION OF UNAUTHORIZED TRANSPORTATION SERVICES (INVALID AND EXPIRED PERMITS) <u>POTENTIAL NOTICE OF INTENT</u>
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B. Utility Matters:

1)	23-00364-UT Kaythee Hlaing	IN THE MATTER OF MCIMETRO ACCESS TRANSMISSION SERVICES LLC'S NOTICE OF DISCONTINUATION OF RESIDENTIAL AND SMALL BUSINESS LOCAL EXCHANGE SERVICES <u>POTENTIAL ORDER ACCEPTING STAFF'S RECOMMENDATION AND CLOSING DOCKET</u>
2)	23-00373-UT Keven Gedko	IN THE MATTER OF THE FORMAL COMPLAINT OF DUNG NGUYEN AGAINST PUBLIC SERVICE COMPANY OF NEW MEXICO <u>POTENTIAL ORDER ON THE FORMAL COMPLAINT OF DUNG NGUYEN AGAINST PUBLIC SERVICE COMPANY OF NEW MEXICO</u>
3)	24-00XXX-UT Russell Fisk	IN THE MATTER OF POTENTIAL AMENDMENTS TO THE COMMUNITY SOLAR RULE, 17.9.573 NMAC <u>POTENTIAL ORDER OPENING DOCKET AND REQUESTING INFORMATION AND RECOMMENDATIONS</u>

IX. DISCUSSION

The Commission will start this section at 1:30 p.m.

1)	DISCUSSION ITEM David Getts John Ryan	SouthWestern Power Group Presentation
2)	DISCUSSION ITEM	Presentation: Review of Uncontested Stipulation in Docket 23-00255-UT, In the Matter of the Application of the New Mexico Gas Company, Inc. for Approval of Revisions to It's Rates, Rules, and Charges Pursuant to Advice Notice No. 96
3)	DISCUSSION ITEM Arthur O'Donnell Meredith Tidwell	Presentation: Status of Distribution Interconnections and Community Solar Projects in particular, based on the Bench Order in 22-00020-UT

X. COMMUNICATIONS WITH CHIEF OF STAFF

XI. COMMUNICATIONS WITH COMMISSIONERS

XII. 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 by contacting Patrick Rodriguez at public.comment@prc.nm.gov or (505) 490-7910 as soon as possible 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.