



NOTICE OF REGULAR OPEN MEETING
Thursday, September 5, 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
- V. ANNOUNCEMENTS
 - A. Office of General Counsel
 - B. Commissioners
- VI. EMPLOYEE OF THE MONTH
- VII. APPROVAL OF PRIOR MEETING MINUTES
 - Minutes for July 9, 2024, Special Open Meeting
 - Minutes for August 8, 2024, Regular Open Meeting
- VIII. CONSENT ACTION ITEMS

A) Utility Matters

1)	23-00049-UT Erika Avila Stephanz	IN THE MATTER OF TIMBERON WATER AND SANITATION DISTRICT ADVICE NOTICE NO. 18 AND ADVICE NOTICE NO. 19 <u>POTENTIAL FINAL ORDER</u>
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2)	22-00097-UT Erika Avila Stephanz	IN THE MATTER OF APPLICATIONS FOR 2023 BROADBAND PROGRAM SUPPORT FROM THE STATE RURAL UNIVERSAL SERVICE FUND, AS PER 17.11.10.31 NMAC <u>POTENTIAL ORDER REGARDING NMSURF'S DISBURSEMENT REQUEST</u>
3)	23-00154-UT Erika Avila Stephanz	IN THE MATTER OF APPLICATIONS FOR 2024 BROADBAND PROGRAM SUPPORT FROM THE STATE RURAL UNIVERSAL SERVICE FUND, AS PER 17.11.10.31 NMAC <u>POTENTIAL ORDER REGARDING NMSURF'S DISBURSEMENT REQUEST</u>
4)	23-00337-UT Kaythee Hlaing	IN THE MATTER OF THE FORMAL COMPLAINT OF DEWYANE BEAGLES AGAINST TIMBERON WATER AND SANITATION DISTRICT <u>POTENTIAL ORDER ASSIGNING HEARING EXAMINER TO THE MATTER</u>
5)	22-00120-UT Russell Fisk	IN THE MATTER OF CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC. UPDATED CLEC APPLICATION <u>POTENTIAL ORDER CLOSING DOCKET</u>
6)	21-00019-UT 21-00021-UT Russell Fisk	IN THE MATTER OF THE FORMAL COMPLAINT OF KURT L. WINCHESTER AGAINST KIT CARSON ELECTRIC COOPERATIVE, INC. AND IN THE MATTER OF THE FORMAL COMPLAINT OF NANCY BRANNIN AGAINST KIT CARSON ELECTRIC COOPERATIVE, INC. <u>POTENTIAL ORDER ADOPTING STAFF FINDINGS AND CLOSING DOCKETS</u>

IX. REGULAR ACTION ITEMS:

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

A. Utility Matters:

1)	22-00124-UT Erika Avila Stephanz	<p>IN THE MATTER OF SOUTHWESTERN PUBLIC SERVICE COMPANY’S TRIENNIAL ENERGY EFFICIENCY PLAN APPLICATION REQUESTING APPROVAL OF: (1) SPS’S 2023-2025 ENERGY EFFICIENCY PLAN AND ASSOCIATED PROGRAMS;(2) A FINANCIAL INCENTIVE PLAN YEAR 2023; AND (3) CONTINUATION OF SPS’S ENERGY EFFICIENCY TARIFF RIDER TO RECOVER ITS ANNUAL PROGRAM COSTS AND INCENTIVES</p> <p><u>POTENTIAL ORDER REGARDING INTERRUPTIBLE CREDIT OPTION</u></p> <p><u>POTENTIAL ORDER REGARDING REQUEST FOR VARIANCE</u></p>
2)	20-00212-UT Russell Fisk	<p>IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO’S PETITION FOR A DECLARATORY ORDER REGARDING WHETHER THE EFFICIENT USE OF ENERGY ACT PERMITS A UTILITY TO IMPLEMENT A FULL REVENUE DECOUPLING MECHANISM; IN THE MATTER OF THE PETITION OF ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY AND BERNALILLO COUNTY FOR A DECLARATORY ORDER REGARDING WHETHER THE EFFICIENT USE OF ENERGY ACT MANDATES THE COMMISSION TO FULLY AUTHORIZE FULL DECOUPLING UPON PETITION BY A PUBLIC UTILITY</p> <p><u>POTENTIAL ORDER UPON ISSUANCE OF MANDATE</u></p>

X. DISCUSSION

1)	23-00294-UT Robert Lundin	<p>IN THE MATTER OF A RULEMAKING RELATED TO PUBLIC UTILITY COMPLIANCE WITH SECTION 62-18-10(D) OF THE ENERGY TRANSITION ACT</p>
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XI. COMMUNICATIONS WITH CHIEF OF STAFF

XII. COMMUNICATIONS WITH COMMISSIONERS

XIII. 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

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, or for a summary or other type of accessible format of public documents, please contact the Office of Director of Administrative Services of the Commission at (505) 827-8019 as soon as possible prior to the 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.