

Public Regulation Commissioner Candidate Questionnaire

1. New Mexico has the potential to be a leader in the region, delivering low-cost renewable resources to serve its citizens and the rest of the West, benefiting New Mexico's economy, ratepayers, and supporting grid reliability. What do you see as the role for a New Mexico Commissioner as it relates to regional discussions on power markets and interstate transmission; how are you best suited to engage in these regional forums?

New Mexico stands at the cusp of becoming a renewable energy powerhouse, and I am uniquely positioned to drive this transformation as your next Commissioner. My extensive electric power industry expertise, coupled with my hands-on experience at Western Area Power Administration, provides me with an unparalleled understanding of the Western Region power grid's intricacies and potential.

As your Commissioner, I will:

1. Spearhead regional collaborations: Leveraging my network and experience in organizing multi-state forums, I'll initiate and lead discussions on power markets and interstate transmission, positioning New Mexico as the hub for renewable energy innovation.
2. Be a compelling voice for New Mexico: With my proven track record as an excellent public speaker, I'll advocate for our state's interests at key industry events, articulating the immense benefits of our renewable resources to potential partners and investors.
3. Bring a holistic perspective: My diverse experience, from broadband expansion to rural community engagement, equips me to address the multifaceted challenges of energy transition comprehensively.
4. Foster inclusive decision-making: Just as I've done with broadband initiatives, I'll ensure that voices from every corner of New Mexico are heard and incorporated into our energy strategies, guaranteeing solutions that benefit all citizens.
5. Drive tangible results: My history of translating stakeholder feedback into actionable plans, as demonstrated in securing federal grants for fiber optic infrastructure, showcases my ability to turn vision into reality.

By choosing me, you're not just selecting a Commissioner; you're investing in a catalyst for New Mexico's energy revolution. Let's harness our state's potential, create economic opportunities, and lead the West in sustainable energy solutions. Together, we can power New Mexico's future.

2. How can the NMPRC collaborate with other Western states to improve power market efficiency?

As a highly accomplished telecommunications/broadband policy expert, I bring a wealth of experience and a proven track record of success in driving regional collaboration to improve market efficiency. My unique blend of skills and expertise makes me the ideal candidate to lead the New

Mexico Public Regulation Commission (NMPRC) in its efforts to create a more robust, efficient, and sustainable energy future for the state and the broader Western region.

My deep understanding of regional electricity markets, including the California ISO's Western Energy Imbalance Market (WEIM) and potential new Regional Transmission Organizations (RTOs), positions me to spearhead New Mexico's participation in these critical discussions. I have a proven ability to navigate complex regulatory landscapes and build consensus among diverse stakeholders, ensuring that New Mexico's interests are well-represented in any regional market expansion efforts.

My experience in developing comprehensive guidelines for utility participation in regional transmission organizations sets me apart as a forward-thinking leader. I have successfully crafted policies that balance the needs of providers, consumers, and the environment, and I am eager to share this expertise with other state commissions to create consistent, region-wide guidelines.

As a skilled facilitator and communicator, I excel at organizing and leading regional forums that bring together key players in the energy sector. My ability to foster productive dialogues and drive actionable outcomes will be instrumental in addressing common challenges such as interconnection delays, transmission constraints, and the integration of high levels of renewable energy.

My analytical skills and commitment to evidence-based policymaking ensure that all decisions are grounded in robust data and thorough analysis. I have contributed to and utilized regional studies on market benefits, and I am adept at translating complex technical information into actionable policy recommendations.

With my extensive experience in engaging with federal regulators, I am well-positioned to represent New Mexico's interests at the national level.

By choosing me as your Commissioner, you will gain a dynamic leader who can effectively drive regional efforts to create more efficient power markets, ultimately benefiting New Mexico's ratepayers, supporting the state's clean energy goals, and contributing to the broader Western grid's reliability and affordability. My expertise, vision, and collaborative approach make me the ideal candidate to lead New Mexico into a new era of energy efficiency and regional cooperation.

3. How can regional cooperation help achieve clean energy goals in Western states?

Regional cooperation is a powerful tool to help Western states achieve their clean energy goals, and I am uniquely positioned to lead these efforts. With my experience in energy markets and transmission planning, I understand the critical role that collaboration plays in the success of these initiatives. Here's how I can help:

Expanded Regional Electricity Markets - By advocating for the expansion of markets like the Western Energy Imbalance Market (WEIM) or the creation of a Regional Transmission Organization (RTO), I will drive significant cost savings and reliability improvements. My deep knowledge of

energy trading allows for efficient use of renewables while lowering costs for consumers. This strategic approach maximizes regional resources and enhances clean energy integration.

Coordinated Transmission Planning - I excel at fostering collaboration among regional partners, enabling collective transmission planning. This expertise ensures that renewable energy sources are seamlessly integrated across the grid, enhancing the efficiency of both new and existing assets.

Achieving Economies of Scale - With me at the helm, organizations can leverage economies of scale through comprehensive regional cooperation. I understand how a larger, more integrated market footprint can reduce electricity production costs and generate substantial annual savings for stakeholders.

Supporting State Clean Energy Policies - I am dedicated to helping New Mexico meet our ambitious clean energy and greenhouse gas reduction goals. My experience ensures that renewable energy is integrated efficiently across the region, directly supporting policy objectives while delivering tangible results.

Improving Grid Reliability - In the face of increasing renewable generation, I know how to maintain and improve grid reliability. My regional coordination expertise ensures that energy can be efficiently moved between areas, optimizing resources, and keeping the grid stable.

Facilitating Knowledge Sharing - A natural collaborator, I promote the sharing of best practices, data, and insights across states, leading to smarter, more informed regional decisions. This knowledge exchange fosters innovation and drives collective progress toward clean energy goals.

Addressing Common Challenges - I excel at navigating shared challenges like interconnection delays and transmission constraints. My collaborative leadership ensures that high levels of renewable energy can be smoothly integrated across the grid.

Coordinating with Federal Regulators - I have a track record of effective coordination with federal agencies like FCC and NTIA, ensuring that regional work aligns with national policies and regulations. My ability to advocate for Western states positions me as a valuable asset in shaping the future of the Western grid.

With a proven ability to drive collaboration and results, I am the leader you need to help NMPRC achieve its clean energy objectives while maximizing economic and environmental benefits across the region.

4. Competition between generators, whether utility- or Independent Power Producer-owned, helps ensure the lowest cost, best suited resource is procured by electric utilities, ultimately resulting in the best deal for customers. What do you see as the role of a commissioner in ensuring fair and transparent competition in resource procurement?

In today's complex and rapidly evolving energy landscape, having a visionary leader at the helm of your procurement strategies is not just an advantage—it's a necessity. Enter Diana (Dianne)

Lindstrom, a seasoned professional whose expertise in energy procurement and regulatory affairs is nothing short of transformative.

With a proven track record in establishing and enforcing policies that promote competitive markets and protects consumer interests, I bring a wealth of knowledge that is both deep and diverse. My ability to set clear procurement guidelines, ensure fair market access, and oversee competitive bidding processes with utmost transparency is unmatched in the industry.

What sets me apart is my commitment to staying at the forefront of technological advancements. I am well-versed in the latest developments, including the groundbreaking AI energy forecasting system developed by IBM and the UN. This forward-thinking approach ensures that NMPRC will always be ahead of the curve, leveraging state-of-the-art tools for long-term forecasting of needs and costs.

As the author of "Procurement Project Management Success" (J. Ross Publishing, 2014), I bring not just theoretical knowledge but practical, actionable insights that have been tried and tested in the field. This publication stands as a testament to their expertise and thought leadership in the procurement domain. I have also been a Chief Procurement Officer for the State of New Mexico.

One of the most crucial skills I possess is the ability to balance immediate rate payer interests with long-term planning. I excel at securing cost-effective solutions while simultaneously promoting resource adequacy, grid reliability, and environmental sustainability—a rare combination that is essential in today's energy sector.

In addition to my technical prowess, I am a staunch advocate for innovation, encouraging the exploration of new technologies and diverse energy resources. My skills in adjudicating disputes and maintaining a level playing field for all market participants ensure a harmonious and productive procurement environment.

By bringing me on board, you're not just filling a position—you're investing in a visionary leader who will drive your procurement strategies to new heights of efficiency, sustainability, and innovation. My unique blend of experience, foresight, and published expertise makes me an invaluable asset in navigating the complex world of energy procurement.

5. What is the "public interest" in the context of utility regulation?

Diana (Dianne) Lindstrom brings a deep understanding of "public interest" principles and their application within the complex landscape of utility regulation, particularly in the burgeoning field of broadband access. Her leadership as Deputy Director of the Office of Broadband Access and Expansion demonstrates a successful track record of balancing the needs of diverse stakeholders.

My approach prioritizes:

- **Affordability:** I am committed to ensuring fair and reasonable pricing for all consumers, preventing excessive costs while enabling sustainable industry growth.

- **Reliability:** I recognize the critical need for consistent, dependable utilities services and advocate for infrastructure investments that prevent disruptions and ensure equitable access for all communities.
- **Equity:** I am a champion for statewide equity, working tirelessly to bridge all divides and guarantee equal access to essential services for all, regardless of location or socioeconomic background.
- **Sustainability:** I am dedicated to environmentally responsible utilities regulation, promoting renewable energy and resource-efficient solutions.
- **Safety:** Public safety is paramount in my approach, ensuring that utility infrastructure adheres to the highest safety standards.
- **Futureproofing:** I am a forward-thinking leader who anticipates future challenges and opportunities, incorporating long-term planning that considers evolving demands, technological advancements, and climate change resilience.

My experience navigating complex federal broadband legislation, including the CARES Act, ARPA, and IIJA/BIL, underscores my ability to navigate complex regulatory environments effectively. Also my dedication to balancing individual needs with broader societal goals makes me a uniquely qualified and valuable asset to any organization, especially the NMPRC.

I want to be a commissioner to provide public service to the citizens of New Mexico. Growing up on a peanut farm just outside of Portales, I remember how difficult it was for farmers and ranchers to pay their utility bills. We had a rural electric coop and a telephone coop that worked with members so that families did not suffer food shortages because of those bills. I have worked as a volunteer advocate for AARP and have personal knowledge of seniors in New Mexico who choose between paying their electricity bills and paying for medications or eating. The NMPRC makes decisions every day that directly impact every citizen in New Mexico. Those citizens need an active voice on the Commission.

6. What is the role of electric utilities in decarbonizing the economy and what is the Commission's role in overseeing that process?

The New Mexico Public Regulation Commission (PRC) plays a crucial role in overseeing the decarbonization efforts of electric utilities in the state. Here's an overview of the key aspects:

Electric utilities in New Mexico are vertically-integrated monopolies that own the means of generation, transmission, and distribution of electricity. As such, they are at the forefront of the transition to clean energy.

Transitioning to Renewable Energy: Utilities are responsible for shifting their energy generation mix from fossil fuels to renewable sources like wind and solar.

Grid Modernization: They must upgrade infrastructure to accommodate intermittent renewable energy sources and enable smart grid technologies.

Energy Efficiency: Utilities implement programs to reduce overall energy consumption.

Electric Vehicle Infrastructure: They play a role in developing charging infrastructure to support transportation electrification.

The New Mexico Public Regulation Commission has general and exclusive power to regulate and supervise public utilities, including electric utilities. In overseeing the decarbonization process, the NMPRC's responsibilities include:

Setting Rates: The PRC ensures that utility rates remain fair and reasonable while allowing for necessary investments in clean energy infrastructure.

Approving Plans: Commissioners review and approve utilities' renewable energy plans and other decarbonization strategies.

Reliability: The PRC must ensure that the transition to renewable energy maintains grid reliability and stability.

Affordability: Commissioners work to keep energy costs affordable for consumers while enabling the clean energy transition.

Environmental Goals: The PRC aligns utility operations with the state's environmental and climate policies.

Renewable Portfolio Standard: The PRC enforces compliance with the state's renewable energy requirements for utilities.

Energy Efficiency Programs: Commissioners oversee utility-run programs aimed at reducing energy consumption.

Consumer Protection: The PRC fields consumer complaints and ensures utilities are meeting their obligations to customers during the transition.

What I bring to the NMPRC

I possess a comprehensive understanding of the New Mexico Public Regulation Commission's critical role in driving the decarbonization of the state's electric utilities. My experience provides invaluable insight into the complex interplay between regulatory oversight, utility operations, and the transition to a clean energy future.

Deep Regulatory Knowledge: I am well-versed in the PRC's authority and responsibilities, including rate setting, renewable energy plan approvals, and balancing competing priorities of reliability, affordability, and environmental goals.

Understanding Utility Operations: I recognize the unique challenges faced by vertically integrated electric utilities and their pivotal role in transitioning to renewable energy sources, modernizing the grid, and promoting energy efficiency.

Commitment to Balanced Outcomes: I am adept at navigating the complexities of decarbonization while ensuring reliable and affordable energy services for New Mexicans. I understand the importance of consumer protection throughout the energy transition.

Experience with Key Initiatives: My familiarity with the Renewable Portfolio Standard, energy efficiency programs, and consumer protection measures demonstrates a practical understanding of the PRC's impact on the ground.

I can provide strategic guidance on:

Regulatory Compliance: Navigating the PRC's evolving requirements and ensuring alignment with decarbonization goals.

Stakeholder Engagement: Facilitating constructive dialogue between utilities, regulators, and consumers.

Policy Advocacy: Effectively communicating the importance of balanced and sustainable energy policies.

As New Mexico strives to achieve its ambitious clean energy targets, my expertise will be essential in shaping a successful and equitable energy future for the state.

7. What is the PRC's role in ensuring broadband is universally available?

The NMPRC chose in 2018 to use a portion of the New Mexico State Rural Universal Service Fund (NMSRUSF) to pay for rural broadband infrastructure projects in New Mexico. Each year this program has increased. In 2023, the NM legislature required in statute that the NMPRC collaborate with the newly established Office of Broadband Access and Expansion (OBAE). As this collaboration matures, my knowledge and experience are essential to developing strategies to keep the "cross silo" work tuned in to the needs of rural New Mexico.

As the former Deputy Director of OBAE, I bring unparalleled expertise and a proven track record in navigating the complex landscape of rural broadband deployment. My experience includes tribes, schools, rural health clinics, libraries, businesses, government facilities, farms, and ranches. Working closely with leaders in tribal and rural communities, I am steadily moving the needle forward for both infrastructure and training.

With hands-on experience collaborating with the New Mexico Public Regulation Commission (NMPRC) and other state agencies since 2023, I have an intimate understanding of the state's unique challenges and opportunities.

Having overseen (serving on the NMPRC NMSRUSF Advisory Board) the growth of approved broadband funding from \$16 million in 2020 to a projected \$24.9 million in 2024, I demonstrate the ability to secure and allocate resources effectively.

My comprehensive approach addresses key considerations such as universal accessibility, reliability, affordability, sustainability, and cybersecurity – ensuring a holistic solution to New Mexico's connectivity needs.

With a deep understanding of multi-technology approaches, including fiber optics, wireless solutions, and satellite technology, I am equipped to tackle New Mexico's diverse geographical challenges.

Recognizing pole attachment costs as a critical hurdle, I have already identified potential solutions and regulatory approaches to overcome this obstacle.

Bringing valuable connections with Internet Service Providers (ISPs) and rural electric cooperatives and telephone cooperatives, I am uniquely positioned to facilitate negotiations and drive progress.

With my leadership, you can anticipate:

- Accelerated rural broadband deployment
- Improved affordability for low-income residents and seniors
- Balanced expansion that considers all stakeholders
- Innovative solutions to overcome geographical and regulatory challenges
- A strong advocate for fair practices in the industry

>> Let's not just connect homes –let's connect communities to limitless possibilities. <<

8. Should providers of broadband be regulated as a utility? Why or why not?

Regulating broadband in the U.S. has its advantages and disadvantages, and the debate often centers around finding a balance that protects consumers while fostering innovation and competition. In New Mexico, real debate has not started yet, but at the national level it is ongoing.

Pros of Regulating Broadband

1. **Consumer Protection:** Regulation can help ensure that consumers receive fair treatment, including transparent pricing and reliable service.
2. **Net Neutrality:** Strong regulations can uphold net neutrality, preventing internet service providers (ISPs) from prioritizing their own content or that of paying customers over others.
3. **Increased Competition:** Regulation can encourage competition by preventing monopolistic behavior, potentially leading to better prices and services for consumers.
4. **Universal Access:** Regulations can promote efforts to expand broadband access to underserved and rural areas, bridging the digital divide.
5. **Quality Standards:** Regulations can set minimum quality standards for broadband services, ensuring that all consumers have access to adequate speeds and reliability.
6. **Consumer Advocacy:** Regulatory bodies can serve as advocates for consumers, addressing grievances and enforcing standards against unfair practices.

Cons of Regulating Broadband

1. **Stifled Innovation:** Some argue that heavy regulation can stifle innovation and investment in new technologies and infrastructure by ISPs.
2. **Increased Costs:** Compliance with regulations may lead to higher operational costs for ISPs, which could be passed on to consumers.
3. **Bureaucratic Inefficiencies:** Regulatory processes can be slow and cumbersome, potentially delaying the rollout of new services and technologies.
4. **Market Distortion:** Overregulation can distort market dynamics, leading to less effective competition and potentially harming consumers.
5. **Political Influence:** Regulation can become subject to political pressures, which may not always align with consumer interests and could result in inconsistent policies.
6. **Limited Flexibility:** Strict regulations may limit ISPs' ability to respond to changing market conditions and consumer demands effectively.

Conclusion: All the Commissioners on the NMPRC will need to hear the different opinions of stakeholders, collect potential solutions outside of regulation, watch the Federal Communications Commission (FCC) as they work through this issue, and decide together what is in the best interest of in the people of New Mexico, now and long term.

9. To what extent, if any, should rate-setting decisions of the PRC consider social, cultural, and environmental externalities? When, if ever, should social, cultural, and environmental externalities lead the PRC to approve rates higher than could be approved if such externalities were not considered?

The New Mexico Public Regulation Commission (NMPRC) has some authority to consider social, cultural, and environmental externalities in its rate-setting decisions, but this authority is not unlimited. Here's an overview of the key considerations:

Statutory Authority

The NMPRC has partial statutory authority to consider non-energy economic impacts and environmental factors in its decision-making process[1]. This allows the commission some flexibility to take into account broader societal impacts beyond just direct energy costs.

Environmental Considerations

Environmental factors are explicitly mentioned as considerations for the NMPRC:

- The commission is required to consider external factors, including environmental considerations, when determining rates[1].
- New Mexico's major utilities have reported taking special consideration of potential impacts on Native lands and cultural resources, increasing outreach and consultation with tribes and pueblos whose lands may be affected by energy infrastructure[2].

Economic and Social Impacts

The NMPRC has some latitude to consider broader economic and social impacts:

- Twenty-six states, including New Mexico, have some level of statutory authority to consider non-energy economic impacts in regulatory decisions[1].
- This can include factors like economic development, job creation, and other non-energy economic impacts.

Balancing Costs and Benefits

When considering externalities, the NMPRC must balance various factors:

- The primary mandate is still to ensure just and reasonable rates for consumers.
- Higher rates may be justified if they lead to significant environmental or social benefits.
- Case studies from other states show how commissions have balanced these factors in practice, such as in Colorado where detailed workforce transition planning and engagement with local governments helped build support for early coal plant retirement.

Limitations

There are limits to how far the NMPRC can go in considering externalities:

- The commission's primary role is still to regulate utilities and ensure reliable, affordable service.
- Consideration of externalities should not lead to rates that are unjustifiably high or place an undue burden on ratepayers.
- The NMPRC must work within its statutory authority and cannot exceed its mandate.

In conclusion, while the NMPRC has some flexibility to consider social, cultural, and environmental externalities in its rate-setting decisions, these considerations must be balanced against the core mandate of ensuring just and reasonable rates. Higher rates might be approved based on externalities, but only if there is a clear and justifiable benefit that outweighs the additional costs to consumers.

10. Please discuss your views on governance and the appropriate roles of Commissioners and staff, appropriate levels of delegation and your expected level of involvement in the administration of the agency.

The Public Regulation Commission (PRC) already has an established organizational structure. Commissioners bear a significant responsibility, and the legislature has granted them the authority to hire staff to support their work. Despite the recent transfer of transportation regulation to the New Mexico Department of Transportation (NMDOT), the PRC still carries substantial responsibilities to the people of New Mexico. Here are my opinions and strategies for working in the NMPRC.

Working with other Commissioners

- Listen and learn – As the new “kid” on the Commission, there will be lots to learn about the day-to-day work of the Commissioners and the staff.
- Ask questions – I have found that asking questions is the best way to learn quickly. There will also be training and courses that I will participate in.
- Negotiate – When an issue arises that is not clear cut – and I expect most of them not to be – I start by listening and learning, asking questions, then testing optional solutions. I call this negotiation, but it comes out of my career as a design engineer knowing there are many solutions to any single problem.
- Stand my ground – When I know I am correct with facts and information, I will present my argument and stand my ground.

Drawing from my military service and private sector experience, I believe:

1. Commissioners hold ultimate responsibility for ensuring high-quality work.
2. The Chief of Staff manages day-to-day operations and must escalate any unresolvable issues to the Commissioners.
3. As a servant leader, my duty to staff members is to provide the necessary tools and resources for their jobs.
4. Staff members are responsible for producing excellent work for the Commissioners.

Addressing Staffing Challenges

I've observed several staffing issues that concern me:

1. Multiple vacancies within staff ranks
2. High turnover rates over the past few years
3. Potential fundamental issues in the working environment

While lower salaries compared to the private sector are an obvious factor, I suspect other issues contribute to these challenges. High turnover creates gaps in work coverage and may lead to overworked staff members trying to fill these gaps.

Moving Forward

My priority would be to:

1. Identify the root causes of turnover
2. Understand current efforts to address these issues
3. Develop and implement effective solutions to improve staff retention and job satisfaction

By addressing these challenges, we can create a more stable and productive work environment for the PRC.

11. As you evaluate issues before the PRC, which factors do you view as most important and why?

I believe the following factors are most important when evaluating issues before the Commission:

1. Consumer Impact

Ensuring decisions benefit New Mexico consumers is paramount. This includes considering effects on utility rates, service quality, and long-term energy affordability.

2. Reliability and Safety

Maintaining safe and reliable utility infrastructure and services across the state is critical for public welfare and economic development.

3. Environmental Stewardship

Evaluating the environmental impacts of proposals, particularly regarding clean energy transitions and emissions reductions, is increasingly vital.

4. Economic Development

Considering how regulatory decisions affect job creation, business growth, and overall economic health in New Mexico communities.

5. Regulatory Compliance

Ensuring utilities and other regulated entities comply with state and federal laws and regulations.

6. Technological Advancement

Assessing how emerging technologies can improve services, increase efficiency, and reduce costs for consumers.

7. Stakeholder Input

Carefully weighing input from diverse stakeholders, including consumers, utilities, environmental groups, and local governments.

8. Long-Term Planning

Looking beyond short-term impacts to consider the long-term implications of decisions on New Mexico's energy future.

These factors are crucial because they encompass the NMPRC's core responsibilities of balancing consumer protection, ensuring reliable services, promoting sustainable practices, and fostering economic growth. By systematically evaluating issues through these lenses, we can make well-rounded decisions that serve the best interests of all New Mexicans.

12. Is there a state whose energy regulatory policies that you believe New Mexico should emulate? If so, which one and why?

I closely monitor California's regulatory actions because the state often sets the standard for the rest of the country. While California leads in regulation, this can be both positive and negative. Excessive regulation can drive businesses and industries away, while too little can leave citizens vulnerable to overpriced services.

There's a saying, 'Where California goes, the rest of the country will follow,' and it holds true. Federal policies on clean water, clean air, electric vehicles, and even flame-resistant baby clothing have often followed California's lead.

That said, I believe New Mexico has to chart its own course. While the NMPRC should carefully observe what California, New York, and Illinois do, understand the reasons behind it, assess any potential benefits for New Mexico, the final decision has to be made for the citizens of New Mexico only.

13. Briefly describe your experience with regulatory topics including: utility rate setting, promulgating regulations, and the New Mexico Energy Transition Act.

As a highly experienced professional with a diverse background in electrical power engineering, project management, and consulting, I am well-equipped to handle regulatory topics, including utility rate setting, promulgating regulations, and the New Mexico Energy Transition Act. While my resume doesn't explicitly mention these specific areas, my extensive experience in related fields makes me an ideal candidate for roles involving regulatory matters.

Here's why I would be an excellent fit for a position dealing with these regulatory topics:

1. Utility Rate Setting:

My experience as an electrical design engineer at American Electric Power, Western Area Power Administration, and as a consulting Electrical Engineer at Black & Veatch has given me valuable insights into the power industry. Additionally, designing power system communication and working at Quest Telecommunications provided telecom and broadband knowledge. Considering my experience working for the State of New Mexico in broadband for the past few years, I am very qualified to deal with regulatory topics. This background provides me with a strong foundation for understanding the complexities of utility operations and the factors that influence rate setting.

2. Promulgating Regulations:

As the Deputy Director of the New Mexico Office of Broadband Access and Expansion, I developed and executed strategies to promote broadband access, collaborating with various stakeholders including state and federal agencies. I also participated in rulemaking for the Connect New Mexico Council Fund. This experience has honed my skills in navigating complex regulatory environments and developing effective policies.

3. New Mexico Energy Transition Act:

While my resume doesn't directly mention the Energy Transition Act, my recent work in New Mexico, particularly with the Office of Broadband Access and Expansion, has given me a deep

understanding of the state's infrastructure needs and policy landscape. This knowledge, combined with my background in electrical engineering and project management, positions me well to contribute to the implementation of the Energy Transition Act.

Furthermore, my experience as a consultant and business owner demonstrates my ability to quickly adapt to new regulatory environments and complex topics. I have a proven track record of managing large-scale projects, facilitating negotiations, and implementing effective strategies across various industries.

My skills in stakeholder engagement, public speaking, and representing programs at national groups would be invaluable in navigating the regulatory landscape and ensuring effective communication with all parties involved in these processes.

In conclusion, while my resume may not explicitly list experience with these specific regulatory topics, my diverse background, adaptability, and proven track record in related fields make me an excellent candidate for roles involving utility rate setting, promulgating regulations, and working with the New Mexico Energy Transition Act. I am confident that I can quickly come up to speed on these topics and make significant contributions to the NMPRC.

14. New Mexico has 23 distinct sovereign Native American tribes within its borders. Please explain your familiarity with the State - Tribal relationship with an emphasis on how this relationship is applicable to utilities including power generation, right of ways and alternative energy?

My experience has been that NM State agency working relationships with sovereign nations is hit and miss. It takes time to build up trust among people of different cultures and backgrounds. In this modern world where people are highly mobile, these trusted relationships are often interrupted when one or more people change jobs. This results in people new to a job having to start building that trust and working relationship all over again.

This makes government-to-government work on utilities very difficult. With large scale strategies and plans, both state and tribal governments want what is best for their people. In my experience, rights of ways are particularly difficult to negotiate across sovereign borders. I understand many issues include economic development for the tribe, land use, soil conservation, environmental concerns, and fair-trade practices. This list is not all inclusive.

I believe there are ways to work through these challenges together and here are some of the fundamentals required to get there from the state's perspective. These are the skills and tools that I use in working with broadband expansion and digital inclusion.

- work with, and listen to, the Tribal Advisory Council to the NMPRC
- respect everyone's sovereignty
- listen before speaking
- build a trusted working relationship government to government and peer to peer

- include every sovereign nation in conferences, summits, regional meetings, state meetings, etc.
- conduct joint investigations
- hold joint hearings
- issue joint or concurrent orders when appropriate

Understanding and respecting the sovereignty of each tribe is fundamental to working together.

15. The Public Regulation Commission is a regulatory body. Often the line between regulation and policy can get blurred. Please explain your view as to where the line between regulation and policy is.

Policy Making refers to the process by which governments or organizations create broad guidelines and frameworks to shape decisions and actions. Policies outline goals, priorities, and the overall direction for handling specific issues, often without specifying the exact steps. For example, a government might create an energy policy aimed at increasing renewable energy use, which sets the overall goal but doesn't lay out the detailed rules.

Regulation, on the other hand, refers to the specific rules or directives created by authorities to enforce laws or policies. Regulations are binding and enforceable, often specifying the "how" and "what" of implementing broader policy objectives. For example, a regulation might mandate that all new power plants must meet certain emission standards as part of an environmental policy.

Comparison:

- **Scope:** Policies are broad, providing strategic direction, while regulations are more specific, enforcing particular actions or standards.
- **Flexibility:** Policies can evolve over time and are subject to interpretation, whereas regulations are usually more rigid and need compliance.
- **Authority:** Policies can be set by a range of bodies, such as governments, corporations, or NGOs, while regulations are typically created by governmental agencies or legal authorities to enforce compliance.

Examples:

- A company's **policy** might be to promote sustainability, encouraging all departments to reduce waste.
- A **regulation** might require businesses to recycle a specific percentage of materials by law.

Overlap: Sometimes, the line between policy and regulation becomes blurred. For example, the U.S. Clean Air Act is a law (policy) that directs agencies like the EPA to set emissions standards (regulations). Here, the policy mandates the overall goal—cleaner air—while the regulations establish how industries must comply. In this case, the policy informs the regulations so directly that they can seem indistinguishable.

In New Mexico the lines can become even more blurred because statute requires the Commission to make policy recommendations to the legislature every year.

To summarize, the legislature establishes policy, the PRC creates rules to define and enforce that policy, the PRC also has a quasi-judicial function which can blur the line between policy and regulation, and even the rule making activities can establish policy.

It is a fine line to walk, and the Commission must remain alert to it. I suspect there are many people – staff, legislators, industry, nonprofit organizations, etc. - who are vigilant, and alert the Commissioners when they believe that line is being crossed.

16. What is the most consequential action or decision of the PRC in the last twenty years? Why?

The Avangrid PNM Resources Merger, Case 20-00222-UT IN THE MATTER OF THE JOINT APPLICATION OF IBERDROLA, S.A., AVANGRID, INC., AVANGRID NETWORKS, INC., NM GREEN HOLDINGS, INC., PUBLIC SERVICE COMPANY OF NEW MEXICO AND PNM RESOURCES, INC. FOR APPROVAL OF THE MERGER OF NM GREEN HOLDINGS, INC. WITH PNM RESOURCES INC.; APPROVAL OF A GENERAL DIVERSIFICATION PLAN; AND ALL OTHER AUTHORIZATIONS AND APPROVALS REQUIRED TO CONSUMMATE AND IMPLEMENT THIS TRANSACTION IBERDROLA, S.A., AVANGRID, INC., AVANGRID NETWORKS, INC., NM GREEN HOLDINGS, INC., PUBLIC SERVICE COMPANY OF NEW MEXICO AND PNM RESOURCES, INC., JOINT APPLICANTS.

Denying the merger between PNM Resources and Avangrid is, in my opinion, the most important regulatory decision made by the New Mexico PRC. That is based on the foundational fact that an unregulated energy provider (Avangrid/Iberdrola) would own a regulated electrical utility company.

This merger would have fundamentally altered the landscape of our energy sector, potentially to the detriment of New Mexico ratepayers and the competitive energy market.

The proposed merger raised significant concerns that warranted careful consideration:

1. **Cost Inflation:** The merger could have led to inflated power costs for PNM customers, as Avangrid might have leveraged its position to sell power to PNM at above-market rates.
2. **Network Access Inequity:** PNM's electrical network could have been utilized by Avangrid at preferential rates, unfairly burdening PNM ratepayers with infrastructure costs.
3. **Competitive Disadvantage:** The merger had the potential to restrict network access for other power providers, giving Avangrid an unfair competitive edge in the market.
4. **Cost Allocation Concerns:** There was a risk of disproportionate common cost allocation to PNM, potentially boosting Avangrid's profitability at the expense of the regulated utility.
5. **Regulation Challenges:** The complexity of regulating a utility owned by an unregulated, international parent company presents unprecedented challenges. Even with robust

regulatory oversight, detecting and addressing improprieties could prove to be a Herculean task, potentially leading to protracted legal battles and regulatory gridlock.

In light of these concerns, the PRC's decision to reject the merger demonstrates prudent foresight. The Commission's ruling protects New Mexico consumers and preserves the integrity of our energy market. This decision sets a precedent for careful consideration of complex mergers that could fundamentally alter our energy landscape.

In summary, while this is arguably the most consequential action of the NMPRC within the past twenty years, care must be taken to protect New Mexico's ratepayers from deals that are too good to be true. Listening to all of the testimony, asking critical questions, weighing both the written and oral answers, assessing risk benefit analysis, and making a decision are all required in a commissioner. To do this well, a commissioner must have many years of experience and knowledge, plus that immeasurable talent for reading people. I will bring these with me as Commissioner, if I am appointed.

17. Per NMSA 1978 Section 62-19-5 please provide the following:

a. Do you hold a baccalaureate degree from an institution of higher education that has been accredited by a regional or national accrediting body? (If you hold a professional license or a post-graduate degree, skip to subsection b.)

Yes. Bachelor of Science in Electrical Engineering, San Diego State University, 1985

i. Do you have at least ten years of professional experience in an area regulated by the commission or in the energy sector and involving a scope of work that includes accounting, public or business administration, economics, finance, statistics, policy, engineering or law?

Yes.

Please detail how your work experience meets this requirement, including noting the specific number of years in each relevant role.

Los Lobos Consulting, LLC, (06-23 to present) President/Owner - 1 year, 3 months

- Manage a consulting business providing services to construction businesses, non-profits, and state agencies.
- Coach, mentor, and train project managers and executives, emphasizing inclusive leadership and effective communication.

New Mexico Office of Broadband Access and Expansion, (10-22 to 06-23) Deputy Director – 8 months

- Developed and executed strategies to promote broadband access and expansion, collaborating with stakeholders including the Governor's Office, state and federal agencies, local governments, tribes, schools, and broadband providers along with construction companies.
- Conducted stakeholder outreach and engagement activities, serving as a public speaker, and representing the program at national broadband and digital equity stakeholder groups.

- Managed financial procurement accountability of the Connect New Mexico Fund and oversaw the proper use of grant funding.

New Mexico Public School Facilities Authority (NM PSFA), (02-22 to 10-22) Broadband Project Manager – 8 months

- Managed construction projects running fiber optic cable to public and charter schools.
- Managed school database of personnel, equipment, and resources.
- Built working relationships with school information technology (IT) directors, school principals, district superintendents, and district staff members.
- Built working relationships with higher education IT Directors, Presidents, and state Regents.
- Established and led community outreach efforts.

Los Lobos Consulting, LLC, New Mexico (12-03 to 02-22) President/Owner – 18 years, 2 months

- Managed an engineering consulting business providing services to business owners, executives, and project managers.
- Coached, mentored, and trained project managers and executives, emphasizing inclusive leadership and effective communication.
- Developed and taught project management fundamentals course for the University of New Mexico (Los Alamos).
- Wrote and published book: *Procurement Project Management Success*, 2014, J. Ross Publishing

University Corporation for Atmospheric Research (UCAR), (1-03 to 12-03) Facilities Project Manager – 1 year

- Managed projects for the National Center for Atmospheric Research (NCAR), including laboratory upgrades and new constructions.
- Designed and installed a new emergency power system for a super-computing lab.
- Oversaw the design and construction of a new hangar for weather research aircraft.

Qwest Communications, Inc. (8-01 to 12-02) Strategic Sourcing Project Manager – 1 year, 4 months

- Implemented project management methodologies for large-scale capital programs (over \$100M).
- Conducted risk assessments and facilitated negotiations that reduced annual spending by \$250M.
- Trained all personnel within the Procurement Division to use project management tools to ensure effective sourcing projects.

BNFL Instruments Inc. (12-99 to 9-00) Executive Engineering Project Manager – 10 months

- Reviewed and optimized project management processes and procedures.
- Rescued projects that designed and built prototype instruments for non-destructive assay of nuclear waste streams.
- Managed international teams, temporary employees, third-party contracts, and procurement of rare materials.
- Managed international teams, temporary employees, third-party contracts, and procurement of rare materials.

Los Alamos National Laboratories (2-95 to 7-99) Johnson Controls, LLC – DOE Q-clearance, Authorized Derivative Declassifier – 4 years, 5 months

* **Manager, Facilities Maintenance (electrical)** (4-98 to 7-99)

* **Electrical Safety Officer** (2-97 to 4-98) Developed and implemented Electrical Safety Program.

* **Lead Electrical Engineer, Design** (10-96 to 2-97).

* **Senior Electrical Engineer, Design** (2-95 to 10-96)

EMC Engineers, Inc. (Contract) (11-93 to 2-95) Staff Electrical Engineer – 1 year, 3 months

- Designed electrical systems for new facilities and modifications to existing facilities.

Self-employed (1-91 to 11-93) – 1 year, 11 months

* **Paralegal** - Worked in contract, labor, intellectual properties, and dissolution law in Colorado. Worked on federal jurisdiction contract disputes for various clients. Utilized skills in claims analysis, negotiations, and conflict resolution.

Black & Veatch (9-89 to 12-90) Electrical Engineer, Controls and Protective Relaying – 1 year, 3 months

- Designed controls and relaying for high voltage (69kV to 500kV) transmission substations for various private industry and government clients.

Lee Wan & Associates (2-88 to 9-89) Electrical Engineer, Controls and Relaying – 1 year, 7 months

- Designed controls and relaying of transmission substations for Western Area Power Administration, DOE, with voltages ranging from 69kV to 500kV.

American Electric Power Service Corporation (7-85 to 7-87) Assistant Electrical Engineer – 2 years

- Electrical Generation Section –Nuclear. Designed and maintained assigned electrical systems of the D. C. Cook Nuclear Power Plant with step-up substations of 765kV.

b. Do you hold a professional license or a post-graduate degree from an institution of higher education that has been accredited by a regional or national accrediting body in an area regulated by the commission, including accounting, public or business administration, economics, finance, statistics, policy, engineering or law?

N/A

i. Do you have at least ten years of experience within the field in which you hold your license or post-graduate degree? Please detail how your work experience meets this requirement, including noting the specific number of years in each relevant role.

N/A

c. Do you have a financial interest in a public utility in New Mexico or elsewhere?

No.

d. Have you been employed by a commission-regulated entity at any time during the last two years?

No.

e. Do you agree that you will give your entire time to the business of the commission and will not pursue any other business or vocation or hold any other office for profit?

Yes.

16. The two sitting PRC Commissioners are registered to vote with the Democratic Party. The New Mexico Constitution requires that no more than two PRC Commissioners can be registered to vote with the same political party. Please state your registered party affiliation.

I am undeclared (Independent).

Please affirm this statement with your signature below:

I affirm that the above information is true and correct, and I have met the statutory and constitutional requirements, as described in questions 15 and 16 above.



Candidate Signature of Affirmation