

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?

A Public Regulation Commissioner must join regional discussions on power markets and interstate transmission as a core responsibility of the position. This is due to our State's renewable energy capabilities/potential and our geographic positioning, which will facilitate the transmission of low-cost renewable resources to neighboring states.

Commissioners need further engagement in Regional Transmission Organizations (RTOs) and Independent System Operators (ISOs). They are the organizations that are most considering interstate transmission now.

I predict that the present-day transmission permitting and approval process will change. It must change, as the enormous cost of disasters accumulate due to the consequences of past decisions we live with now. To achieve our national goals in the face of increasing environmental danger, transmission will eventually be more regulated at the Federal level, similar to the Interstate Highway legislation of the 1950's.

New Mexico must take a more active leadership role, as it is not currently part of a RTO/ISO (notwithstanding Southwestern Public Service's participation in the Southwestern Power Pool (SPP)). We need to be engaged in the creation of new market structures to enhance interstate electricity trade in every possible forum, such as the Western Transmission Expansion Coalition (WTEC) and the Committee on Regional Electric Power Cooperation (CREPC). These are the best forums we have now.

I do not believe I am presently best-suited to engage in these regional forums. Many of the other PRC Commissioner candidates seem to have extensive experience at the regional and national level. That said, it hasn't been accomplished yet, so my skills, drive and experience may be the missing ingredients. Throughout my career, I've proven the ability to comprehend the most complex business problems, find solutions, lead collaboratively, seek out, engage and listen to all stakeholders, build frameworks that are underpinned with data, and for always exhibiting a bias for action.

My position, when interacting with our neighboring states and regional energy organizations, is to encourage a clean energy future, be an advocate for environmental sustainability, promote economic justice for communities affected by the energy transition, and negotiate the most favorable positions available to New Mexico.

2. 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?

The role of a Commissioner in resource procurement is by defining and enforcing strong regulatory frameworks, many of which are already in place. Then, utility-owned and independent producers can compete on equal footing, with the result of protecting ratepayers, ensuring the safety and reliability of the grid, and recognizing the long-term effects of the choices.

Integrated Resource Plans (IRPs) guide utilities in planning their future resource needs, and all procurements should align with an approved IRP. The process should ensure that considerations of renewable integration, carbon reduction, and grid modernization are factored into the resource procurement strategy. IRPs need to be designed to deliver the lowest-cost, best-suited resources for consumers, while meeting the goals of the Energy Transition Act (ETA).

My platform is as a proponent for a total life cycle cost perspective for every procurement. This economic evaluation method calculates the total cost of owning and operating a power agreement over its lifetime, including cleanup and disposal costs, and consequences to the environment. As a society, we pay for it all, although it may not be represented in the cost per kWh or therm, or even considered by most rate-payers. This perspective creates opportunities for clean energy projects to compete on equal footing with more traditional generation, ensuring that environmental benefits are part of the procurement evaluation criteria.

For over 150 years, the true life-cycle cost of fossil fuels has been ignored, or at least greatly underestimated. The true cost is much higher than the market price because they have many, and now well-known, negative environmental and health impacts. Poisoning air, land and water, increased illness and mortality, and loss of biodiversity are just a few of these impacts. I don't find many climate change deniers anymore –just obstructionists– but even their antics are being exposed. Now, even the most ardent supporters of fossil fuels accept the need for adaptation to climate change. It is real and it is now.

If the true cost of fossil fuels was recognized decades ago, we would be much further along with the public choosing alternative fuels, which presume a much lower need for adaptation than we are experiencing now. Yet, we must deal with the problems ahead of us, not in the past. Significant increases in energy costs, although justified when using a life-cycle cost perspective for fossil fuels, may be an impediment to the required speed

of change, especially for our low-income communities. As a society, and as a Commission, we must balance these factors. Fossil fuels will be with us for decades into the future, so minimizing the continuing damage of their use is required until alternatives are in place.

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

"Public interest" refers to the broad goals and values that regulators and policymakers promote when overseeing public utilities. Utility regulation in the public interest involves balancing various factors to ensure that essential services are delivered in a way that benefits society as a whole, whilst ensuring that utilities are able to sustain their operations responsibly. The most basic responsibilities of a public utility are reliability, system safety, and customer affordability. Universal access, environmental stewardship, efficiency of utility operations are additional considerations.

In New Mexico, the legislature provided these broad goals and values with the Energy Transition Act of 2019. This legislation sets targets and goals, but their achievement requires interpretation by the Public Regulation Commission through many discrete decisions, compromises and continuous stakeholder input.

Part of the public interest is that the PRC represents all New Mexicans. The composition of the PRC has changed significantly over the past few years, and mostly for the better. Statutory requirements for education and experience of Commissioners are good, especially given the behavior of unqualified Commissioners in the recent past. Ensuring that Commissioners are not all from the same political party is also good. Yet, there is a risk of leaving out large rural constituencies when the District construct was eliminated. Now, all Commissioners are appointed by the Administration, and all Commissioners represent all of New Mexico. Specifically, Northern New Mexico is not well represented, although it is where some of the most forward-thinking and advanced implementations towards satisfying the ETA are happening.

I am a proponent of returning to 5 Commissioners, one from each District, representing multiple political parties, and all appointed by the Governor. This is in the public interest.

There is a conundrum facing New Mexico that the PRC has a central part in overcoming. A significant portion of the State budget is from royalties derived from oil & gas extraction, yet the extraction of oil & gas is poisoning the future of our State and the planet. We must move faster towards decarbonization, whilst creating a replacement revenue stream for the State, and while maintaining the reliability and resilience of the grid. This is in the public interest and central to the change management aspects of the energy transition.

Luckily, there is a straightforward way to assist this transition now, without the years presently necessary for permitting and navigating DISIS regulatory queues for new generation and transmission:

- The National Renewable Energy Laboratory (NREL) estimates that over 2/3rds of all energy produced in New Mexico does not result in useful work. Admittedly, much of this is lost heat by burning fossil fuels, but waste in residential buildings (35%), and commercial and industrial buildings (30%) represent an enormous opportunity to lower demand while making buildings safer and more comfortable. The cheapest and cleanest kWh or therm is one that is never used.
- The existing energy efficiency programs need to be enhanced for the three Investor-Owned Utilities (IOUs) in New Mexico. Similar programs need to be implemented for the 430,000+ New Mexicans whom receive their power from rural electric cooperatives. Rural New Mexicans are more likely to be low-income, live in aging building stock and experience energy burdens much higher than urban areas.
- Energy efficiency programs provide excellent entry-level clean energy jobs and economic development opportunities for rural counties.

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

Electric utilities play the central role in decarbonizing the economy because the energy sector, particularly electricity generation, is one of the largest sources of greenhouse gas emissions. Utilities are responsible for shifting from fossil fuel-based electricity generation to cleaner energy sources (guided by the Renewable Portfolio Standard), modernizing the grid, and actively reducing demand through energy efficiency programs. Utilities facilitate the electrification of other sectors of the economy (e.g., transportation, industrial processes, housing) by providing reliable power.

The Public Regulatory Commission (PRC) assists in developing policy frameworks, manages the regulatory processes (e.g., approving Integrated Resource Plans (IRPs)), and overseeing the follow-on utility procurements that satisfy the IRP. The PRC must continually and collaboratively engage the utilities to ensure that their behavior satisfies the Energy Transition Act. The PRC ensures that this transformation happens effectively, affordably, and in the public interest.

The public interest is also served by innovation within the utilities, and PRC encouragement (and funding) to evaluate promising new technologies quickly, is needed. Electric utilities have a responsibility to consider novel solutions in their IRP. For example, procurements aimed at vehicle-to-grid bidirectional charging to alleviate storage constraints, cybersecurity leadership to protect energy delivery and fire

mitigation given the aridification of New Mexico and tribal lands by climate change. Utilities have the professional staff, the industry knowledge and the management structures to add innovation hubs for testing many of the advances one hears about at symposia and in the press. They must be protected from criticism when some projects invariably fail. Innovation testing of advanced storage, alternative fuels and other future technologies will sometimes fail. If they didn't, then we are not innovating enough fast enough.

My position is that utilities require more regulatory oversight, both Investor-Owned Utilities and Rural Electric Co-ops. If the required transformation would occur solely due to market forces, this may not be necessary. But it hasn't, and it won't. It took our Administration and Legislature's strength of conviction, a thorough evaluation and acceptance of facts, and recognition of our State's large renewable energy resources to pass the Energy Transition Act. Most utilities will not do it on their own, potentially due to 'first-mover' fear, lack of resources, and continued influence of the oil & gas market participants.

That said, New Mexico does have a true 'first-mover' in Kit Carson Electric Cooperative (KCEC), who achieved 100% daytime renewable energy in 2022. Although there were many reasons for this transition besides environmental concerns, KCEC members enjoy one of lowest electric rates in the state. Their previous power provider is now tasked with essentially replicating what KCEC pioneered over a decade ago. This is a model for all rural cooperatives in New Mexico.

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

I believe this question should follow the next one (Question 6), as the discussion of '...should providers of broadband be regulated...?' is a foundation to ensuring broadband is universally available.

Yes, providers of broadband should be regulated and broadband should be universally available, especially for those providers that may need encouragement to operate in rural New Mexico. If there was a market-driven incentive to provide broadband to all New Mexicans, it would have happened by now. The digital divide must now be bridged through regulatory guidance.

Universal access requires funding and investments by broadband providers, yet this is difficult for a private company to accept if it is not profitable. The PRC can continue to coordinate federal and state funding aimed at expanding broadband access, such as the Federal Communication Commission's (FCC) Universal Service Fund (USF), the Rural Digital Opportunity Fund (RDOF), or broadband-specific funding from the Infrastructure

Investment and Jobs Act (IIJA). The PRC can support creation of new funding sources and help oversee how it is used, and insure it targets areas most in need.

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

Yes, especially for rural areas of New Mexico.

If there was a market-driven incentive to provide broadband to all New Mexicans, it would have happened by now. The digital divide must now be bridged through regulatory guidance. The market-driven approach is simply not moving fast enough, and PRC regulation is now needed.

Broadband is a public necessity. It is not an industry with rapid innovation anymore when compared to decades past. Broadband is now in a position in a product maturity life-cycle where improvements are still constant, but incremental. It is stable, secure and proven.

Remote employment, education, healthcare, finance, retail, communications and many other sectors of our economy are now based online, with many solely online. These industries have been slowly transitioning for decades as technologies became available, but it was greatly accelerated by the pandemic. As were the technologies. We saw the presumable future need for broadband access very quickly.

When broadband is regulated as a utility, providers can be required to ensure universal access (see answer to Question 5), including those in rural and underserved areas, allowing remote communities to participate in the modern economy. Under PRC regulation, broadband would be treated as a public good, aligning its provision more closely with public interest goals such as equity, access, and affordability, rather than solely based on profitability in the open market.

Regulation can establish service and quality standards, and provide pricing oversight to guard against excessively high rates, especially in areas where providers have a monopoly or oligopoly. As a regulated utility, broadband providers may receive support for infrastructure investments, which will also help expand broadband access to underserved areas in rural New Mexico.

Rural New Mexico has a model to follow by emulating the creation and success of Kit Carson Internet (KCI) in Northern New Mexico. Through dogged pursuit of Federal and State grant programs, KCI has provided fiber optic connections to remote areas (my property) at an affordable cost.

7. 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 PRC should fully consider social, cultural and environmental externalities when making rate setting decisions. And every other factor pertinent to the regulatory decision. I hesitate to call them 'externalities' as they should be termed 'factors' in all life-cycle cost analyses used by regulators. They are factors in a trade-off analysis, and their influence is defined by relative importance weighting. They are requirements, constraints, outputs and unintended consequences, but consequences nevertheless. Every known factor that impacts, or is impacted by a regulatory decision, must be considered.

We are experiencing climate change because externalities were ignored for decades. Pollution was free, waste was accepted and energy equity was not a consideration. A life-cycle cost approach was not used. The vast portfolio of Environmental Protection Agency Superfund sites should be enough to convince anyone of our societal attitudes towards pollution at that time. The staggering number of orphaned oil & gas wells and the millions of gallons of fresh water that is now polluted (but politely termed 'produced water') are evidence of present-day attitudes. We are all paying for it now because 'externalities' were not considered then.

To be candid, I was taken aback by this question. The short answer is simply 'Yes, of course'.

Another way to say it, in the opposite, could be 'Should we ignore pertinent factors when making a decision?' Framed this way, the answer is clear for this or in any other decision in life.

Please see comments for Question 2 as they are pertinent to this question also.

8. 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.

Commissioners have the ultimate decision-making authority within the PRC, but must not make a decision without consultation with PRC staff and other stakeholders. Commissioners are fully responsible to ensure that all actions taken by the PRC are supported by policy.

Commissioners must be able to absorb information of significant complexity, understand both broad and deep subject matter, and identify the most efficient manner to achieve policy. They listen. They research. They challenge their own biases by trying to stand in others shoes. They strive to be recognized as the leader because of merit, ongoing performance and results. They earn the right to be a leader, although their leadership title is by appointment.

Commissioners lead the organization by creating the environment for high-performing teams to excel. They delegate fairly. They trust staff to perform without micro-management. They mentor all staff so that everyone feels valued and has the opportunity to reach their full potential. They suggest performance improvement as encouragement and never as criticism.

Commissioners operate PRC processes as designed, recommend improvements when necessary, and provide the sponsorship of any improvement projects.

PRC staff have the technical expertise that a Commissioner could never possess, as they have not spent the years, maybe decades, focused on a specific area of expertise. Staff members often have specialized knowledge in areas of regulation, and analysis experience required to support decision-making. Their input is welcome, expected and always considered.

Staff members are responsible for ensuring decisions are implemented effectively. When meeting with stakeholders such as utilities and advocacy groups, staff must feel empowered to offer insight with the full backing of Commissioners. This can only happen if Commissioners communicate continuously with staff.

A Commissioner retains final decision-making on all major issues and is ultimately accountable and responsible for it, and any fallout that may follow. They are either the star or the dunce, or somewhere in between, for every major decision, and sometimes they are both at the same time, depending on the constituency you ask. Staff is celebrated for a decision's success, and protected from any negative fallout of a decision that may need modified. Commissioners must bear the brunt of any criticism of the organization.

My platform is as an experienced senior executive that has led complex organizations of hundreds of employees, mostly large-scale business transformation projects with the world's largest corporations. I will earn a leadership role in the PRC from all stakeholders after appointment.

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

The most important factor is compliance with the Energy Transition Act (ETA) and any other legislative decisions impacting the industries under regulation. It is the best policy we have, but still not fast enough. I recognize that change cannot happen overnight as all stakeholder needs must be considered, costs must remain affordable and service must be reliable. Many technologies are immature and need time to advance. I am, however, professionally impatient.

The PRC supports and protects the public interest and balances the needs of all stakeholders throughout the life cycle of any regulatory decision. Typical factors include consumer protection, economic viability of the utility, reliability of service, environmental impact, compliance with legal and regulatory frameworks, and decarbonization and infrastructure modernization necessary to effect the change.

The factors I would choose for any regulatory decision are the mix that most accelerates the actions resulting from policy defined in the ETA, balancing the needs of all stakeholders. Our global climate is a key stakeholder.

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

As the question asks for a single State, my choice is California. Although California is missing key pieces of a clean energy policy portfolio that other States excel at, their position as the 'first-mover' has shown its leadership for decades.

California is a clear leader in clean energy policy and climate action regulation. My first introduction to California was when they set aggressive automotive greenhouse gas emission reductions beyond what was mandated by Corporate Average Fuel Economy (CAFE) standards over 2 decades ago. California mandated the 'maximum feasible and cost-effective greenhouse gas emission reductions' for passenger vehicles, requiring automakers to improve their performance.

I was consulting on product development improvement with one of the largest US automotive corporations prior to and at the time of this decision. California's requirements were well known in the automotive design community and they were core design requirements for all vehicles. This would have never happened organically within that client. Fuel economy required regulation and California provided it.

The mandate was eventually overturned by the Environmental Protection Agency, and then mostly overturned again in California's favor a year later. Their regulatory authorities eventually won out with dogged determination and verifiable facts. This

bold mentality was prescient. California was the ‘first mover’ and paved the way for other States to follow, including New Mexico, without dealing with the litigation from automotive manufacturers that inundated California at that time.

California showed forward thinking by identifying climate change as a public health concern in 2002. California created the first multi-sector cap-and-trade program in North America in 2012, years before a consortium of East Coast states and Washington State did so.

Although not the first to do so (Hawaii), California created a Renewable Portfolio Standard (RPS) of 100% carbon-free electricity by 2045, just as New Mexico. Their interim milestones are more aggressive, with a requirement of 60% renewable electricity by 2030.

California’s solar energy adoption and legislation for distributed energy resources is further along than in New Mexico. The infrastructure for electric vehicle charging is the best in the nation. California is ahead in addressing grid modernization, although it must, as grid reliability is particularly acute in California with just the present demand.

Where California can learn is in expanding energy efficiency programs using Massachusetts as a model. Massachusetts has invested heavily in demand reduction and these programs are regulated by their version of a PRC. The benefits of formal energy efficiency programs go far beyond the energy savings. The safety of low-income households in areas of high energy burden is improved. These citizens face choices between paying for energy and paying for food, medicine or any other essential need. Efficiency programs offer citizens comfort to live a productive life, worrying less about basic needs, simply by stopping the waste and putting an estimated 35% of their energy bill back in their pocket each month.

New Mexico can also learn from Massachusetts, as roughly a fifth of New Mexico citizens do not have access to an energy efficiency/demand reduction program. Most rural cooperatives are not fully regulated by the PRC and thus haven’t had a mandate to provide for a program in their rates.

My experience is that a portfolio of energy efficiency programs pays for itself, so there isn’t really an economic argument to settle. I struggle to find a single reason why an energy efficiency program does not exist everywhere energy is used. Since energy efficiency programs barely exist in rural New Mexico, and if was going to happen organically, it would have happened by now. It is the responsibility of the PRC to satisfy this goal of the ETA with regulation. Massachusetts provides a good model to emulate.

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

I have no experience, beyond formal training within a Master of Science program in Technology and Science Policy, in utility rate setting and promulgating regulations. My understanding of regulatory topics derived from the Energy Transition Act (ETA) is described in both this answer and in answers to the other questions.

Experience is a great teacher. Though, in this case, I consider my lack of experience as an advantage.

The clean energy future, and all the actions to achieve it, is relatively new. We spent decades letting the ‘deniers’ have an equal say in public discourse, when the evidence of climate change was clear and overwhelming. We are late. We may have been late decades ago.

The existing processes of the Public Regulation Commission (PRC) may be built for the days of utility rate cases, federal permitting queues, and operated by poor leadership in the past. I do not see poor leadership occurring now and we are well beyond those days. The Energy Transition Act is one of the reasons. Still, we are late – not compared to other States, as New Mexico is a leader – but to the needs of our global society. Being first in a slow race might make us feel better, but there is an existential threat to our global society that demands us to move much, much faster.

Of course, rate cases must be approved, balancing fairness to customers whilst assuring utilities are financially viable and are able to provide reliable services. Integrated Resource Plans must be negotiated and approved. Existing business processes of the PRC must be staffed and operated. These regulatory processes are presumably well defined and operating at the pace they were designed for. The existing PRC leadership and staff are either operating them successfully, complaining about them, or both. I have researched many of them, as one would expect to when seeking an appointment. They are core business processes, specific to an industry, but similar to what is found in any complex organization. They should be followed until it is clear they are inadequate for the job and then improved.

There are new processes for the PRC to address that are implied in the ETA and will assist with navigating the change. These include workforce development, energy equity, and economic development in under-served, rural communities. I am deeply engaged in supporting these areas through participation on EMNRD consulting engagements and working groups, supporting rural counties to win Grants, and with thought leadership on rural energy needs.

As a Commissioner, I will operate these processes as designed, observe any shortcomings and offer suggestions to improve their efficiency and speed. I will engage my colleagues in contributing to the improvement, and sponsor all efforts that the team approves. The streamlining of PRC processes using advanced toolsets such as enterprise resource planning (ERP) and customer relationship management (CRM) systems, supported by artificial intelligence, are additional areas in which I offer my experience.

12. 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?

Each of New Mexico's 23 Pueblos and Tribes function as a sovereign entity with its own government, laws, and decision-making processes. This sovereignty is recognized by the U.S. Constitution and documented in treaties, federal statutes, and executive orders. Tribes may do whatever they feel is best for their members. Tribes have the authority to regulate all activities, maintain control over economic development and natural resource management, including those related to utilities and energy on tribal lands without state interference.

As is with any economic development opportunity on Pueblo and Tribal lands, the numbers must 'pencil out' when it comes to power generation, rights of way, alternative energy and energy efficiency programs. My experience is that Pueblos and Tribes are led by capable individuals that will consider or suggest any reasonable proposal that assists their people.

Adding multiple government entities into the planning and implementation of a project is always difficult as policy conflicts invariably arise. It adds to the existing patchwork of State and Federal regulations, and utility desires, required for success. It slows even a project with broad consensus. Yet, this is how business is done, and we can work through it as efficiently as possible.

Many New Mexico Pueblo and Tribal leaders recognize the benefits resulting from actions supporting the Energy Transition Act. They participate in the clean and advanced energy stakeholder meetings around the State. They desire full electricity access, clean water in their homes and the infrastructure required to provide it. Why there are still New Mexico/tribal citizens without these basic services has been a question I have asked myself many times. I would prioritize asking the tribal nations for their ideas on providing these services, find the funding and resources to do it, and then help make it happen.

Many Pueblos and Tribes change leadership every year which makes it difficult to maintain continuity on decisions that may take multiple years to implement. Here, the

buildup of trust is critical, with early and often communication. Maintain trust, negotiate fair commitments and deliver on those commitments.

My familiarity with the tribal/state/utility relationship includes:

- Managing the Public Service Company of New Mexico (PNM)/New Mexico Gas Company (NMGCO) Residential Energy Efficiency programs for the San Felipe and Cochiti Pueblos. For this effort, we engaged Tribal Leaders at their annual joint meeting, engaged organizations that had the trust of the leaders due to their delivery of other services, and delivered flawlessly to build the trust to households so that they refer the program to other residents.
- Assisting with the EMNRD Community Energy Efficiency Development (CEED) Block Grant proposal that Taos County submitted and was awarded over \$2M in April 2024. Taos Pueblo and Picuris Pueblos are included in the scope of this effort. The blueprint for rural energy efficiency that underpinned the Taos County application was reviewed by the then Sustainability Manager of Picuris Pueblo.
- Kit Carson Electric Cooperative, Renewable Taos and other stakeholders regularly discuss the renewable energy installations Taos Pueblo and Picuris Pueblo desire. For example, the creation of a micro-grid on Picuris Pueblo is well underway, and the installation of a photovoltaic array on Taos Pueblo was recently announced. Recently funded initiatives such as the Questa Green Hydrogen project are well communicated by Kit Carson Electric Cooperative (KCEC) leadership to our local Pueblo leadership.
- Tribes are eligible entities for grants and other assistance from many federal and state sources. Yet, many tribes do not have the experience applying for these grants, nor the capabilities to deliver them if awarded. I have participated in the Department of Energy's Office of Indian Energy Policy and Programs workshops to understand the opportunities and mitigate the barriers to tribal clean energy initiatives.

13. 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.

The Public Regulation Commission's (PRC) authority is based on regulatory oversight rather than policymaking. Regulation follows policy. Regulation follows legislative actions. Regulation is developed and enforced within the constraints of the policy. Regulations are actionable and enforceable, and in the case of the Energy Transition Act (ETA), must achieve the targets clearly described in the Act.

The policy informs what goals need to be achieved, and regulation decides how to achieve them. Regulators are accountable for ensuring that the implementation of these policies follow the PRC processes, including transparent trade-off analyses, and underpinned by the requirement to protect the public interest.

In sectors regulated by the PRC, regulation directly affects policy outcomes, as we simply do not yet fully understand the mix of technological capabilities, economic development programs, and social programs required to meet the targets and mandates of the ETA. The New Mexico administration, legislature and regulatory bodies are learning by doing, and on-going clarifications are expected.

Many discrete decisions will have to be made, and sometimes modified or wholly remade, to achieve the goals. The role of the PRC is to develop a regulatory framework to satisfy the ETA until it reaches the boundaries of money, social change and economic development. And if that is not enough, then we need to do something different, or report to the Administration and Legislature that the policy goals are not attainable.

Thus, the line between policy and regulation is not a line at all, and one could think of it more as a circle. A circle of communication and collaboration amongst government bodies, especially when policy is vague or the intent requires interpretation.

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

The adoption and implementation of the Energy Transition Act (ETA) in 2019.

The ETA underpins the entire state's energy policy and regulatory framework, and its details bring a clean energy future more into focus. The PRC is executing this framework to achieve the policy intent.

The ETA has clean energy goals that are well-defined with actual, quantifiable targets. It describes mandates for renewable energy and emissions reduction, with interim milestones to evaluate progress. There are dates and there are numbers! The measurement and verification implied in the Act allows for transparent understanding of progress and, if necessary, provide evidence to redirect regulated entities. The PRC has the tools of integrated resource planning, procurements, rate cases, regulation 'tuning', and encouragement. The ETA (and having qualified commissioners) reshaped the PRC's regulatory focus to a more proactive role in facilitating and managing the transition to renewable energy.

Although the ETA demands technological innovation to achieve the Renewable Energy Portfolio Standard (more dates and numbers!), the Act is fundamentally a change management roadmap. Every citizen will be required to take some action, low-income residents will need assistance, workforce development must be aggressive and pillars of

knowledge – our labs, universities and private industry – must collaborate. The pace of change must quicken, so over-preparing all stakeholders is required.

And, although everyone will be affected by these changes, some are being affected abruptly. Our coal-dependent communities lost an enormous part of their economic foundation. The ETA addresses this clearly, the problem is well-defined, the money is available, and the programs are at various levels of maturity, but mostly operating.

Our aging building stock that houses many low-income New Mexico residents require significant upgrades now. These are upgrades that these households simply cannot afford on their own. But the costs of wasted energy, the safety and comfort lost with this waste, would pay for much of the improvements. Energy efficiency and demand response programs are described in the ETA, yet a state-wide, coordinated program is not in place, as it doesn't include a fifth of our population served by rural cooperatives.

Recently, in energy symposia throughout the State, I noticed some oil & gas industry representatives publicly using the term 'net-zero' to describe the 2045 target in the ETA policy. I don't believe the term 'net-zero' appears in legislative bills or other documents enacting the ETA. The target is 100% zero carbon by 2045. Not 'net' zero. The target is zero.

They could be confused as there is the present federal administration's policy to achieve net-zero greenhouse gas emissions by 2050. The oil & gas industry could achieve net zero right now by buying carbon credits, although I've never researched if there is even enough available. Yet, in theory, if there are enough credits, and the industry had enough money, they could achieve 'net zero' now. Again, the goal for New Mexico is not 'net-zero'. The goal is 100% carbon free. Zero.

The ETA will have lasting effects on New Mexico's energy landscape, influencing energy production, consumption, and policy for decades to come. Its success or challenges will affect the state's environmental footprint, economic opportunities, and the wellbeing of all New Mexico communities.

15. 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.)

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

Skip to subsection b.

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?

Yes, a Master of Science in Technology and Science Policy from Georgia Institute of Technology.

- ii. 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.**

Yes, or Maybe, deferring to the PRC Nominating Committee for their final decision on what constitutes pertinent experience.

- 1982-1990 – Aerospace Engineering professional in government, academia and corporate roles.
- 1990-2020 – Business Transformation and Enterprise Systems Consultant supporting worldwide clients with their most complex business issues, based in Detroit, London (UK), Dallas and Albuquerque, employed by a leading international consulting firm and my own firms, with a short stint preparing a PNM division for successful spinoff.
- 2020 – present – Leadership of cost-effective utility scale energy efficiency programs, and advocacy for rural/low-income participation during the energy transition. Certified Measurement and Verification Professional (CMVP) awarded by the Association of Energy Engineers.

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.

Registered Independent since 1976.

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.

A handwritten signature in black ink, appearing to read "Stephen D. Meyer", written over a horizontal line.

Candidate Signature of Affirmation