

NEW MEXICO PUBLIC REGULATION COMMISSION

RESOLUTION NO. 01-09-25

A RESOLUTION ADOPTING AN ANNUAL OPEN MEETINGS POLICY FOR 2025

WHEREAS, THE NEW MEXICO PUBLIC REGULATION COMMISSION (“the Commission”) met in regular session at the 2nd floor hearing room of the Bokum Building, which is located at 142 W Palace Ave., Santa Fe, NM 87501 on January 9, 2025 at 10 a.m.; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 4) states that all meetings of a quorum of members of the Commission held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Commission are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Commission to determine annually what constitutes reasonable notice of its public meetings.

NOW, THEREFORE, BE IT RESOLVED by the NEW MEXICO PUBLIC REGULATION COMMISSION that:

1. All meetings shall be held at the 2nd floor hearing room of the Bokum Building, which is located at 142 W Palace Ave., Santa Fe, NM 87501 at 10:00 a.m. or at such other location as may be indicated in the meeting notice. Any person who wishes to attend any open meeting of the Commission shall be allowed to attend and listen to the discussions, proceedings and deliberations when the meeting is held in person, except those portions of meetings properly closed pursuant to NMSA 1978 Section 10-15-1(H). If a meeting is held remotely via a virtual communications platform, a webcast of the meeting will be available to the general public. Information on obtaining access to the webcast will be published on the Commission’s website; any person who wishes to provide public comment may do so via Zoom, or by telephone. Individuals wishing to comment must sign up to do so by

emailing public.comment@prc.nm.gov or calling (505) 490-7910 by 5pm the day before the meeting. Any party to a proceeding or other person that is identified on the agenda for a Commission meeting can also attend the meeting telephonically or via virtual communications platform by contacting Patrick Rodriguez at public.comment@prc.nm.gov or 505-490-7910 by no later than 3:00 p.m. on the day before the meeting.

2. Unless otherwise specified, regular meetings shall be held bi-weekly at 10 a.m. on Thursdays beginning January 9, 2025. The agenda will be available at least seventy-two (72) hours prior to the meeting conspicuously posted at the front door of the Bokum Building, which is located at 142 W Palace Ave., Santa Fe, NM 87501, or the location where the meeting will be held (when possible), and on the Commission's website, <https://www.prc.nm.gov/>.
3. Open special meetings outside of the biweekly meetings regular schedule may be called by a majority of the Commission upon three days' (72 hour) notice. The notice for a special open meeting shall include an agenda for the meeting or information on how a copy of the agenda may be obtained. The agenda will be available at least seventy- two (72) hours before the meeting and posted on the Commission website at <https://www.prc.nm.gov/>.
4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. Emergency meetings will be avoided whenever possible but may be called by a Commissioner with as much notice as possible given the circumstances, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of acting on any emergency matter, the New Mexico Department of Justice will be notified of the actions taken and the circumstances creating the emergency, unless a declaration of a state or national emergency caused the emergency meeting. At the next regularly scheduled open meeting after the emergency meeting, the emergency shall be documented and any actions taken during the emergency meeting discussed.
5. Notice requirements are met for all meeting types when notice of the date, time, place and agenda of the meeting is posted at the front door of the Bokum Building, located at 142 W Palace Ave., Santa Fe, NM 87501, or the location where the meeting will be held (when possible) and on the Commission's web site, <https://www.prc.nm.gov/>. Notice also will be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
6. In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, or for a summary or other type of accessible format of public documents, please contact the Office of Director of Administrative Services of the Commission at (505) 827-8019 as soon as possible prior to the meeting.
7. Closed Meetings:

- i. The Commission may conduct closed meetings as needed to discuss matters specifically excepted from the Open Meetings Act.
 1. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Commission taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
 2. If a closed meeting is needed when the Commission is not in an open meeting, any Commissioner may call for the closed meeting, and the closed meeting will not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the general public.
- ii. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
- iii. Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Commission in an open public meeting.

**ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 9th
day of January, 2025.**

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Gabriel Aguilera, electronically signed

GABRIEL AGUILERA, COMMISSIONER

/s/ Greg Nibert, electronically signed

GREG NIBERT, COMMISSIONER

/s/ Patrick J. O'Connell, electronically signed

PATRICK J. O'CONNELL, COMMISSIONER

