

MARGARET CAFFEY-MOQUIN

SANTA FE, NEW MEXICO

VIA EMAIL TO: SarahE.Valencia@prc.nm.gov

Re: Application to the Public Regulation Commission Nominating Committee

Dear Ms. Valencia:

I am writing to express my sincere interest in becoming a member of the Public Regulation Commission (PRC). I am qualified for office in accordance with the basic requirements because I have attained higher education resulting in a professional license in the field of law, and I have been a licensed attorney in New Mexico for over thirty years.

My experience with topics relating to the regulation of utilities and telecommunications providers includes direct involvement in the PRC's regulatory process by virtue of my long service as an attorney in the PRC Office of General Counsel (2000 through 2015). In that capacity, I enjoyed advising the Commission on a multitude of cases ranging from electric utility rate cases to regulatory compliance by telecommunications companies, and everything in between. I also enjoyed defending the Commission in cases on appeal when necessary. Best of all were the professional relationships that developed within the Commission as a whole – with Commissioners, Hearing Examiners, and Staff members. Their expertise and collegiality provided a rich regulatory environment within which to grow, learn, and succeed.

Before my work with the PRC, I was a consultant in the field of electric utility regulation at the national level for over five years. Long before that, during and after my graduate studies at the University of New Mexico, I was a field biologist in key areas of energy resources in northwestern New Mexico. As such, I have a first-hand understanding of what it takes to produce energy from natural resources and of the impacts on communities near energy production sites.

My political affiliation is with the Democratic Party. My resume is enclosed. I would be greatly honored to be considered by the PRC Nominating Committee. Please don't hesitate to reach out if there is any additional information that might be helpful.

With kind regards,

Margaret Caffey-Moquin

Encl.

MARGARET CAFFEY-MOQUIN

SANTA FE, NEW MEXICO

PRACTICE PROFILE

Principal Practice Areas: Energy, Telecommunications, and Insurance Law and Policy
Bar Admissions: New Mexico, Colorado (Inactive); United States Court of Appeals for the Tenth Circuit.

PROFESSIONAL EXPERIENCE IN LAW AND POLICY CONSULTING

HEARING OFFICER, Office of Superintendent of Insurance of the State of New Mexico, 2024-2026. Pursuant to professional services contracts, I conducted the hearings and authored the recommended decisions in a title insurance rate case, a title insurance rulemaking, and other matters including a confidential health insurance coverage case. (See OSI Docket Nos. 2024-0072, 2025-0001, 2025-0013). The Superintendent of Insurance approved and adopted all of these recommended decisions.

CHIEF STAFF COUNSEL, Office of Superintendent of Insurance of the State of New Mexico, 2016-2024. I led the team of attorneys that represented the 12 bureaus in the agency, which was formed in 2013 through a constitutional amendment separating insurance from other activities of the New Mexico Public Regulation Commission. The bureaus in the agency included Company Licensing, Examinations, Financial Audit, Insurance Fraud, Investigations, Life and Health, Managed Health Care, Producer Licensing, Property and Casualty and Title Insurance.

Activities of the Office of Staff Counsel included administrative litigation, enforcement actions, defense of premium tax collection actions, and rulemaking. We also played a key advisory role in formulating agency policy.

OFFICE OF GENERAL COUNSEL, New Mexico Public Regulation Commission, 2000-January 2016. As **Acting General Counsel** in the absence of the General Counsel, I provided leadership to the office, ensuring coordination of policy and administration with other key areas of the PRC. As **Attorney Manager** (starting in 2012), I participated on a daily basis in the management of the Commission's Office of General Counsel.

As **Associate General Counsel** (starting in 2000), I provided legal advice to the Commission on a variety of matters of law and policy within its jurisdiction. These included regulation of public utilities, telecommunications companies, motor carriers, and insurance companies to the extent necessary to provide just and reasonable rates and to assure reasonable, adequate and efficient service for the public. In that capacity, I independently reviewed the Hearing Examiners' Recommended Decisions and advised the Commission on whether to adopt, modify, or reject those recommendations. I also provided advice on special matters to the Commissioners.

As appellate counsel, I successfully defended the Commission in a number of important New Mexico Supreme Court and Federal lawsuits, including:

- Attorney General v. New Mexico Public Regulation Comm’n, 2015-NMSC-032 (affirming agency determinations on rate treatment of prepaid pension asset and cost recovery under Renewable Energy Act).
- Qwest Corp. v. New Mexico Public Regulation Comm’n, 2006-NMSC-042, 140 N.M. 440, 143 P.3d 478 (June 29, 2006), *reh’g denied* (affirming the Commission’s decision that Qwest must invest \$227 million in its New Mexico infrastructure in order to be compliant with its Alternative Form of Regulation (AFOR) plan);
- e•spire v. New Mexico Public Regulation Comm’n, 392 F.3d 1204 (10th Cir. 2004) (a Westlaw “Most Cited Case” on regulation of the telecommunications industry); and
- In the Matter of the Merger of Qwest Communications International and U S West, Inc., 131 N.M. 770, 42 P.3d 1219 (N.M. 2002) (clarifying constitutional limits of Commission jurisdiction over telecommunications carriers).

SENIOR CONSULTANT, 1999-2000; ASSOCIATE COUNSEL, 1995-1999, The RCI Consulting Group.¹ Executive Director of the *Electricity Bypass Working Group* (EBWG), a national industry advocacy group focused on electric restructuring transition and stranded cost issues. Co-developed advocacy approaches for multibillion-dollar **stranded cost recovery policy**. Advised on strategic and tactical options at national and local levels. C-level strategic consultancy and senior management assistance to the investor-owned electric industry. Worked closely with our consulting group’s CEO to create key liaison roles with corporate counsel and government relations firms. Clients included major U.S. public utilities such as:

- **Carolina Power & Light**
- **Commonwealth Edison**
- **Dominion Resources/ Virginia Power**
- **Duke Power**
- **Niagara Mohawk**
- **NYSEG**
- **PSE&G**
- **South Carolina Electric & Gas**
- **Southern California Edison**
- **Southern Companies/ Alabama Power**
- **Texas Utilities**

¹ Acquired by Scientech, Inc. in 1999.

Created affiliate relationships with other policy advocacy firms such as **The Livingston Group, LLC**.

Managed national advocacy using Federal Energy Regulatory Commission (FERC) interventions, Congressional appropriations, and events such as the national ***Electric Industry Bypass Policy Symposium***. See, NATURAL RESOURCES JOURNAL devoted to Electric Industry Restructuring (Vol. 37, no. 1, Winter 1997; see Dean Leo Romero's Introduction).

OF COUNSEL, Riley, Shane & Hale, P.A., 1997-1998. Responsible for all aspects of appellate practice for a small litigation firm. Prepared dispositive pretrial motions in wrongful death, workers compensation, and personal injury cases. See Aguino v. American Building Supply, Inc., N.M. Ct.App. 1999, *cert. denied*.

ASSOCIATE ATTORNEY, Madison, Harbour, Mroz & Puglisi, P.A., 1993-1995. Actively participated in discovery and dispositive motion practice in multidistrict complex commercial litigation and international adversary proceeding in bankruptcy in Tiberi v. CIGNA Corp., 89 F.3d 1423 (10th Cir. 1996) and In re Rubus Realty, et al. (N.M. Bkr. 1994, *slip op.*). Researched insurance coverage issues and analyzed discovery in federal declaratory judgment actions involving multimillion-dollar professional malpractice award in Continental Cas. Co. v. Hempel, 108 F.3d 274 (10th Cir. 1997) and non-coverage of perpetrators of clergy abuse in Servants of the Paraclete, Inc. v. Great American Ins. Co., 866 F.Supp. 1560 (D.N.M. 1994).

PROFESSIONAL EXPERIENCE PRIOR TO BAR ADMISSION

ENVIRONMENTAL SCIENTIST, Planning Research Corporation, 1990. Prepared OSHA-compliant hazardous materials directory for Sandia National Laboratories Health & Safety Office. Participated in quality assurance/quality control (QA/QC) aspects of hazardous waste remediation for government and private clients. Attended national seminars on corporate management and Superfund enforcement.

ASSOCIATE EDITOR, TRADITIONS SOUTHWEST / THE ADOBE JOURNAL, 1989-1997, Managed editorial content and business development for internationally distributed large-format magazine specializing in earthen architecture, construction, and Southwestern culture.

LEGAL ASSISTANT, Miller, Stratvert, Torgerson & Schlenker, P.A., 1989-1990. Conducted medical literature reviews and summarized medical records for litigation support in severe outcome cases where medical malpractice was alleged.

REGISTRAR AND CURATOR OF COLLECTIONS, New Mexico Museum of Natural History (NMMNH), 1986-1989. As the Museum's first Registrar, I exercised primary

responsibility for the management, security, and accreditation of all NMMNH² museum collections, including minerals, paleontology, zoology, and scientific art. **One of twelve national recipients of the Bay Foundation Fellowship in Museum Studies**, I was selected for extended on-site participation in the Collections Care Pilot Training Program, conducted through the Los Angeles County Museums and the Getty Conservation Institute. I launched and implemented innovative materials conservation and collections management programs.

BUSINESS DEVELOPMENT ASSISTANT, Sergeant, Hauskins & Beckwith, 1985-1986. Organized and carried out intensive Professional Services Marketing program for geotechnical engineering firm. Scouted out new construction projects statewide and prepared responses to requests for proposals (RFPs). Served as first non-clerical woman in the company's New Mexico office. *Doubled business opportunities for that office within first 90 days of employment.*

TRANSLATOR OF FRENCH AND GERMAN INTO ENGLISH. Accredited for French-English by American Translators Association; *see, e.g.,* Jean-Pierre Bastian, The Metamorphosis of Latin American Protestant Groups: A Sociohistorical Perspective. LATIN AMERICAN RESEARCH REVIEW, Vol. 28, No. 2 (1993).

ADJUNCT INSTRUCTOR, UNM Biology Department, 1986. Team-taught graduate course in Ethnobotany.

FIELD AND LABORATORY BIOLOGIST, 1980-1986. Employers or contracting agencies included Metric Corporation, Mariah Associates, the United States Forest Service, and various granting organizations for academic research. Work ranged from coalmine baseline and reclamation studies (*Peabody Natural Resources /Lee Ranch Mine, Pittsburg & Midway/ McKinley Mine, Carbon Coal /Mentmore Mine*) to exploration of wild lands for threatened and endangered species (*Dragoon Mountains, AZ; Bis'ti Badlands, NM*) to identification of subsoil organisms (*DOE/WIPP Project, NM*).

COLLEGE AND POST-GRADUATE EDUCATION

Juris Doctor, University of New Mexico, 1993

First Year

- Judicial Extern to The Hon. William W. Bivins, New Mexico Court of Appeals.

Second Year

- Dean's List (1992, spring semester)
- Children's Emergency Medicine Task Force, UNM Hospital
- Law Clerk, Klecan, Childress & Huling, Albuquerque; researched appeal brief for prevailing party in *Valley Improvement Ass'n v. Hartford Accident and Indemnity*

² Since renamed the New Mexico Museum of Natural History and Science.

Co., 863 P.2d 1047 (N.M. 1993). (Returned for summer clerkship after Third Year.)

Third Year

- Dean's List (1992, fall semester)
- ABA National Appellate Advocacy Team (National Moot Court)
 - Team brief ranked among top four in Western Region of the United States
- Editorial Assistant to Professor Robert L. Schwartz; edited final text for BIOETHICS: HEALTH CARE LAW AND ETHICS (West, 1991)
- Ford Foundation Research Assistant in International Art Law
- Teaching Assistant to Adjunct Professor Roberta Price (Legal Writing)
- Staff Member, NEW MEXICO LAW REVIEW
- Treasurer, Phi Delta Phi

Master of Science, University of New Mexico, 1984

- Thesis: *Pharmacognosy and Systematics of Anemopsis californica (Saururaceae)*. Research focused primarily on natural products chemistry (as qualitative analysis), and included interviews with practitioners of traditional alternative medicine, as well as field observations and historical research. *See also*, Caffey-Moquin, M. 1986. *Yerba del Manso: An Evaluation*. Rocky Mountain Forest & Range Experiment Station, GENERAL TECHNICAL REPORT R.M. U.S. Department of Agriculture, Forest Service; Ft. Collins, Colorado.
- Research Assistant, Institute for Chemical Ecology; conducted high-performance liquid chromatography (HPLC) and gas chromatography (GC) on conifer terpene production in relation to bark beetle-borne fungal pathogens, and co-authored resulting paper. *See*, Gambliel, H., Cates, R.G., Caffey-Moquin, M.K., Paine, T.D. 1985. *Variation in the Chemistry of Loblolly Pine in Relation To Infection by the Blue-Stain Fungus*. INTEGRATED PEST MANAGEMENT RESEARCH SYMPOSIUM: THE PROCEEDINGS. S.J. Branham, R.C. Thatcher, Eds. New Orleans: USDA Forest Service General Technical Report SO-56.
- Assistant Curator, Museum of Southwest Biology, Herbarium Division
- Teaching Assistant in Biology.

Bachelor of University Studies, University of New Mexico, 1980

Areas of concentration: Natural Sciences and Fine Arts

Additional undergraduate coursework was completed at the University of Alabama in Huntsville, prior to permanent transfer in junior year.

COMMUNITY AND PROFESSIONAL VOLUNTEER WORK

- Board of Directors, New Mexico State Bar Appellate Practice section (2016)
- Energy Bar Association (EBA), 1999-2007; 2010-2016
 - Antitrust Committee, 2000-2002; 2010-2016
 - Program Committee, 2000-2001
 - Renewable Energy Committee, 2010-2011
- Board Member, St. John's Episcopal Cathedral (Albuquerque), 2000-2004
- Board of Directors, N.M. Holocaust and Intolerance Museum and Study Center, 2000
- Junior League of Albuquerque, 1990-1994 – chaired Committees on Public Affairs, Marketing, and *Race for the Cure*
- President, New Mexico Translators and Interpreters Association, 1988-1989.
- Regional Vice President, American Translators Association, 1989

LAW REVIEWS & NATIONAL CONFERENCE PRESENTATIONS ON ENERGY POLICY

- ❖ Contributor, Energy Bar Association Antitrust Committee Year in Review, 2010-2016 and 2000-2002, ENERGY LAW JOURNAL
- ❖ Contributing Editor, 2010/2011 Energy Bar Association Renewable Energy Committee Year in Review for the ENERGY LAW JOURNAL
- ❖ Panel Moderator, Regional Transmission Organization Round-Up, Energy Bar Association Annual Meeting, Washington, D.C., 2001
- ❖ Panelist, Regional Transmission Organizations, Energy Bar Association Mid-Year Meeting, Washington, D.C., 2000
- ❖ Author, AMERICAN BAR ASSOCIATION YEAR IN REVIEW, 1999: FERC Order No. 2000

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