NEW MEXICO PUBLIC REGULATION COMMISSION

NOTICE OF OPEN MEETING
OPEN MEETING: REGULAR WEEKLY MEETING
Wednesday, August 28th, 2019
9:30 a.m.
PERA Building, 4th Floor Hearing Room
1120 Paseo de Peralta, Santa Fe, NM 87501

AGENDA

I. PLEDGE OF ALLEGIANCE/STATE PLEDGE

II. INTRODUCTION OF SPECIAL GUESTS
   • PRC Employee of the Month for July, 2019

III. CONSIDERATION AND APPROVAL OF THE AGENDA

IV. CONSIDERATION AND APPROVAL OF THE MEETING MINUTES
   • Minutes from August 1st, 2019 Open Meeting

V. PUBLIC COMMENT

VI. PRESENTATIONS
   A. Presentation from Evergreen Economics, the statewide evaluator of IOU energy efficiency programs
   B. Presentation from Xcel Energy regarding the Sagamore Wind Project
   C. Presentation from NMSU Chancellor Dan Arvizu regarding NMSU’s energy and renewable energy objectives and activities

VII. CONSENT ACTION
   A. Transportation Matters:

   1) 19-00188-TR-M David Black
       IN THE MATTER OF THE APPLICATION OF ALEX’S AFFORDABLE MOVING, LLC FOR A CERTIFICATE TO PROVIDE HOUSEHOLD GOODS SERVICE
       POTENTIAL ORDER GRANTING HOUSEHOLD GOODS SERVICE CERTIFICATE
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2)</td>
<td>18-00239-UT</td>
<td>DANIELLE DOMENIC FORMAL COMPLAINT AGAINST KIT CARSON ELECTRIC COOPERATIVE, INC.</td>
</tr>
<tr>
<td></td>
<td>Judith Amer</td>
<td>POTENTIAL ORDER REQUIRING STAFF RESPONSE</td>
</tr>
<tr>
<td>3)</td>
<td>19-00190-UT</td>
<td>IN THE MATTER OF NEW MEXICO GAS COMPANY, INC.’S APPLICATION FOR AN EXPEDITED VARIANCE FROM THE REQUIREMENTS OF NEW MEXICO GAS COMPANY, INC. FIRST REVISED RULE NO. 28 NEW MEXICO GAS COMPANY, INC., APPLICANT</td>
</tr>
<tr>
<td></td>
<td>Michael Smith</td>
<td>PROPOSED ORDER ON REQUEST FOR VARIANCE</td>
</tr>
<tr>
<td></td>
<td>Judith Amer</td>
<td>CONFIRMATION OF FILING IN FERC MATTER</td>
</tr>
</tbody>
</table>

VIII. REGULAR ACTION AND DISCUSSION

A. Transportation Matters:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5)</td>
<td>19-00051-TREN</td>
<td>IN THE MATTER OF THE PETITION OF THE TRANSPORTATION DIVISION OF THE NEW MEXICO PUBLIC REGULATION COMMISSION FOR ISSUANCE OF AN ORDER TO SHOW CAUSE AGAINST INTERSTATE RECOVERY AND TOWING LLC</td>
</tr>
<tr>
<td></td>
<td>Elizabeth Hurst</td>
<td>POTENTIAL FINAL ORDER ON CERTIFICATION OF STIPULATION</td>
</tr>
<tr>
<td></td>
<td>Judith Amer</td>
<td></td>
</tr>
</tbody>
</table>

B. Utility Matters:
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| **6)** | **19-00098-UT/15-00109-UT**<br>Russell Fisk | IN THE MATTER OF THE APPLICATION OF EL PASO ELECTRIC COMPANY FOR REVISION OF ITS RETAIL ELECTRIC RATES PURSUANT TO ADVICE NOTICE NO. 265
IN THE MATTER OF EL PASO ELECTRIC COMPANY’S APPLICATION FOR APPROVAL OF ABANDONMENT AND SALE OF ITS SEVEN PERCENT FOUR CORNERS UNITS 4 AND 5 OWNERSHIP INTEREST
POTENTIAL ORDER REGARDING JOINT MOTION FOR REHEARING OF THE ORDER GRANTING JOINT MOTION FOR AN EXPEDITED ORDER MODIFYING FILING DATE WITH MODIFICATION
POTENTIAL ORDER ON JOINT MOTION FOR LEAVE TO AMEND JOINT MOTION FOR REHEARING TO INTRODUCE ADDITIONAL EVIDENCE |
| **7)** | **19-00154-UT**<br>Russell Fisk | IN THE MATTER OF THE VERIFIED PETITION OF PLATEAU TELECOMMUNICATIONS AS A COMPETITIVE LOCAL EXCHANGE CARRIER FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER FOR LIMITED PURPOSES
POTENTIAL PROCEDURAL ORDER |
| **8)** | **19-00210-UT**<br>Russell Fisk | IN THE MATTER OF THE STATE RURAL UNIVERSAL SERVICE FUND 2020 PER CONNECTION SURCHARGE AND FUND SIZE
POTENTIAL ORDER REGARDING AFFORDABILITY BENCHMARK RATE AND FUND ADMINISTRATOR’S CALCULATION OF FUND SIZE |

### IX. DISCUSSION AND POSSIBLE ACTION

| **9)** | **19-00106-UT**<br>Telecommunications Bureau Staff<br>Russell Fisk | IN THE MATTER OF APPLICATIONS FOR 2020 BROADBAND PROGRAM SUPPORT FROM THE STATE RURAL UNIVERSAL SERVICE FUND, AS PER 17.11.10.31 NMAC |
X. ADVICE NOTICES
  • Homestead Water Co.- Advice Notice No. 8

XI. COMMUNICATIONS WITH CHIEF OF STAFF

XII. COMMUNICATIONS WITH GENERAL COUNSEL

XIII. COMMUNICATIONS WITH COMMISSIONERS

XIV. ADJOURNMENT

To obtain a copy of this agenda please log in the Commission’s website at www.nmprc.state.nm.us.

The Commission will make reasonable efforts to post the agenda on the Commission’s website at least 72 hours before the open meeting, but the inability to do so within the 72 hours prior, will not require the Commission to delay the meeting or to refrain from taking action on any agenda item on which it otherwise could act.

At any time during the Open Meeting the Commission may close the meeting to the public to discuss matters not subject to the New Mexico Open Meetings Act. The Commission may revise the order of the agenda items considered at this open meeting.

Notice is hereby given that the Commission may request that any party answer clarifying questions or provide oral argument with respect to any matter on the agenda. If the
Commission makes such a request, any party present at the meeting, either in person or by telephone, shall have an equal opportunity to respond to such questions or argument. In the event a party whose case is on the agenda chooses not to appear, the absence of that party shall not cause such discussion or argument to become ex-parte communications.

PERSONS WITH DISABILITIES

ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-4042 AS SOON AS POSSIBLE PRIOR TO THE COMMENCEMENT OF THE OPEN MEETING.

PUBLIC COMMENT

All members of the public wishing to provide public comment must sign a sign-up sheet prior to the start of the meeting and identify their name and the name of the organization they represent (if any), and the topic or issue on which they desire to comment. The portion of the agenda allocated for public comment at any one open meeting shall be limited to a maximum of 30 minutes for all persons wishing to provide comment. The order of speakers will be based on the order in which speakers sign up, but public officials may be taken out of order. If a speaker is not present at the time he or she is called to provide comment, that speaker shall forfeit their opportunity to speak. **Public comment by an individual or entity shall be limited to no more than three (3) minutes** unless the Commission acts to extend the period. If the number of individuals on the sign-up sheet desiring to provide comment would exceed the allotted 30-minute period, the Chairman may limit individual remarks to a shorter time period. Individuals represented by or representing a common organization or association may be asked to select one individual to act as spokesperson to speak for the group. Individuals who sign up to comment, but either fail to do so or choose to speak for less than their allotted time, may not cede or yield their time to another speaker. Written comments of individuals who cannot be physically present may not be read aloud at the meeting but may be submitted to the Commission.

The subject matter of public comments shall be relevant to matters within the Commission’s jurisdiction. Public comment will not be permitted on matters that should be addressed appropriately as the subject of an informal or formal complaint before the Commission or on pending rulemaking proceedings before the Commission once the opportunity for public comment in those proceedings has closed. Public comment by parties to a proceeding or adjudication pending before the Commission will not be permitted where the comment concerns matters at issue in such proceeding. The Chairman shall retain the right to stop any speaker who raises an issue that is not under the Commission’s jurisdiction or is subject to the restrictions above. Public comment will be received without Commission comment or response. However, individual Commissioners may at their option seek clarification or additional information from speakers through the Chairman. No speakers will be accommodated after the public comment portion of the agenda has closed. The Chairman retains the right to exercise discretion in the implementation of this policy and may override the above rules in case of emergency or other
unforeseen circumstances.

Speakers providing comment shall at all times conduct themselves in accordance with proper decorum. Profane or vulgar language or gestures will not be tolerated. Audience members shall not disrupt an open meeting by speaking without being recognized by the Commission and shall not incite others to do so. The Commission retains the right to remove disruptive attendees and individuals who fail to conduct themselves in accordance with these provisions from the Commission meeting.