

Please refer to attached explanatory note.

- 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?**

NMPRC Commissioners are in a unique position to advance the public good through focused agenda and tailored engagement with key stakeholders.

My resident experience ranges back to public hearings on a project of a national program that I managed for the US Department of Energy, ...the Waste Isolation Pilot Plant - at the time of particularly debatable and intangible cost/benefit allocations. My educational background in physics and engineering, along with decades of experience in the Federal Senior Executive Service, enabled a unique ability to facilitate focused interaction and cooperation with key stakeholders. These ranged from completely open public participation [e.g., chairing public hearings and national/international conferences], to providing confidential actionable advice to all levels of national governance. Although leadership by popularity is not my natural inclination, I've a demonstrable record of achieving desired outcomes through engagement with stakeholders at local, national, and international levels, including coordinating efforts for timely replacement of inadequate infrastructure and increasing efficiency and reliability.

Of particular interest to me are "out of the box" concepts to optimize the generation, storage, transmission, and distribution cycle, such as envisioning small infrastructure changes enabling wireless charging of electric vehicle traffic, along with commensurate benefits [e.g.: reduced storage and distribution cost, increased traffic efficiency, leveling power loads, storage capacity, and capability for emergency response].

Increased coordination and teaming with similar regulatory agencies in other states would be of value, however, *I feel that quality interaction with the Federal Energy Regulatory Commission would further New Mexico's leadership role and enhanced benefits of implementing Order 1920* -- which redefines the future of the national energy infrastructure, particularly in relation to decarbonization, cost allocation, and advancement of generation, transmission, and distribution technologies.

The NMPRC can take a leading role in topics fostering effective power generation, storage, and distribution systems, such as: on-demand diversion for weather related emergencies; addressing the massive power needs to support artificial intelligence computing; exploring increased partnership with statewide federal infrastructure for mutual benefits including mutual reliability. My experience as technical advisor to the Energy Research Advisory Board [composed of senior executives in industry and academia] leads me to conclude that increased interaction [including rotation staff detail] with DOE's Federal Energy Regulatory Commission, and particularly with the Grid Development Office, would be invaluable.

In conclusion, I'm an ethical and highly qualified "out of the box" thinker, who's demonstrated high potential to yield exceptional added value as NMPRC Commissioner.

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?

... it's often wise to rely on experience related context

e.g.: my two decades as a Federal Warranted Contracting Officer

Continuous learning has always been an essential component of all aspects of professional life, including executing a variety of contracts, from small business set-asides to line management responsibility in executing “major systems acquisitions” [contracts involving multibillion dollars in expenditures, normally inclusive of construction and facility management and operation], and of course, judicious set-asides. My success in preparation, and submission of proposals, mostly of which were funded by federal agencies, research and development institutions, and industry, enabled me to earn an education and escape a [what I did not know at the time] low standard of living.

During much of my career I served as Contracting Officer over national laboratories, environmental restoration [such as from various nuclear reactor operations], and mentoring upcoming executives, including in proper set-asides, diversity & inclusion, and small businesses and other legally mandated set-asides from open competition. A significant portion of my training included programs at Harvard University the Naval Postgraduate School, completion of a Department of Energy Contracting Officer Accreditation Program, and others.

My private sector experience is limited, but applicable. In a particular event, while as President and CEO of a network of charter schools, I took a calculated risk in executing a firm design, schedule and cost contract by using my own home as collateral pending viability of a potential government grant. The risk enabled matching funding for the construction of a major school in a high union environment in Chicago.

As to applicability to Independent Power Producers, I'd emphasize common benefits of synchronized operation, from timed maintenance and repair to strong incentives for efficient transmission system usage. Upon establishing a measure of trust and confidence, I'd host discussion on ways to accelerate the permitting process, starting with novel ways to obviate right-of-way issues, such as through the establishment of guidelines across various jurisdictions, thereby standardizing processes for interstate applications. I would also immerse efforts become the “go to” choice for demonstration projects related to the National Interest Transmission Corridor.

Further, I'd surround myself with people smarter than me and study the regional interstate network, and existing processes where in individual states feed *Transmission Planning* into *Cost Allocation and Rate Approval*, followed by *Federal Compliance Review*, and eventually into *Generation and Transmission Siting*. The process seems ripe for optimization, which could be facilitated by joint effort of related agencies including the NMPRC.

3. What is public interest?

... although the term is intentionally ambiguous and hard to define, it is a useful concept intentionally applied within context as judgment in contemporaneous regulatory decision-making.

Although many tout “public interest” in association with transparency, accountability, inclusiveness, and other terms associated with “making decisions fully based on merit” it is difficult to pin down exactly what it means within the MPRS framework. It is, however, perhaps the most influential factor in decision-making by commissioners, and the resulting long-term impact (value-added).

The term “public interest” merits discussion, understanding, and consensus among commissioners as it will not only drive decision making process, but guide our individual and collective performance in the sworn duty to deliver public good. Some may be limiting but must be met -- such as in my role as a public university trustee [Governors State University] whose “public interest” regulations prohibits more than two trustees from having any related discussion without prior timely public notice, published agenda, and opportunity for input.

“Delivering public good” is inextricably linked to intellectual integrity. Informed delivery is the reason for which I seek advice and understanding of disparate perspectives **prior to decision making.** It is also essential to balance tradeoffs in timeframe or beneficiaries of public good. **My personal approach is not necessarily endearing to those who jump to conclusions without even considering other perspectives.** In our current political, environmental, and economic climate **it is of utmost importance that the agency understands the leadership’s interpretation and emphasis of the term “public good” to ensure consistent understanding and constructive application.**

The regulatory charter is broad and diverse, necessitating balancing among “...electric, natural gas, and water utilities, as well as telecommunications and motor carriers, to ensure fair and reasonable rates”, “assuring reasonable and adequate services to the public ...generation and transmission planning and siting, cost allocation, etc.” and “ensuring safe operations and reliable utility services at fair, just and reasonable rates consistent with the state’s legal, economic, environmental and social policies.”

If selected, before my first day of service, I’d surround myself with people smarter than me and study the regional interstate network, and existing processes where in individual states feed *Transmission Planning into Cost Allocation and Rate Approval*, followed by *Federal Compliance Review*, and eventually into *Generation and Transmission Siting*. From a distance, the process seems ripe for optimization.

My goal is not to manage “a clean, reliable electric and telecommunication grid, which will help ensure that communities don’t lose power during extreme weather events, lower energy costs for hardworking families, and create good-paying jobs – all while tackling the climate crisis” but to enable capable, effective and efficient, delivery of public good.

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

... While US power and utilities industry acknowledge and responded to the decarbonization need by within the last few years deploying record-breaking solar power generation and energy storage capacity, while boosting grid reliability and flexibility— in my opinion, it has seldom been self-driven, and in response to nudging primarily from federal agencies and climate legislation. Although some utilities tout “public interest” and “making decisions based on merit”, they remain a profit driven business. The power sector, however, is rapidly preparing for increased electricity demand.

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Yet, the high rate of investment continues – which will be tempered by recent activity by the Federal Reserve Bank and the upcoming national election. It is nonetheless up to state and regional key players, including the NMPRC, to lead in delivering efficiencies in local, regional, and intermodal generation, storage, and distribution that incentivizes continued decarbonization process using financial, regulatory, legislative, and other methods as appropriate.

It is time for a systems approach to manage the regulatory process to deliver desired outcomes, including facilitating generation and transmission from one jurisdiction to another. It may be quite productive to facilitate engagement of parties which may not even be within the local jurisdiction, such as for large power needs of artificial intelligence networks. There are also multiple partnership opportunities within the federal sector – and of course, NM hosts multiple major related facilities, which may make the approach easier to initiate from the federal side.

Under the current charter, it may even be appropriate to assign staff to remain up to date on technological, legal, and financial developments, in a wide-range search of opportunity for increased delivery of public good – e.g.: host the discussion on potential more efficient use of interstate highways and railroad rights-of-way, as well as encouraging the locating of small nuclear reactors at federal facilities, and on the efficiency of tax credits on various emission reduction applications [e.g. agricultural, municipal garbage disposal]; even a major integrated power storage plant!

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

Essential, although limited to need and balanced by technology options and cost.

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

Candidly, I do not have a current basis for an informed opinion.

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?

Personal opinion, these factors are important and deserve consideration, however, there should be a high bar to overcome for these to be considered in rate determination. Accommodation for particularities and special circumstances should generally be resolved outside of PRC decision making authority.

8. Please discuss your views on governance and the appropriate roles of Commissioners and staff, appropriate to what extent, if any, should rate-setting decisions of the PRC consider social, cultural, and levels of delegation and your expected level of involvement in the administration of the agency. **The primary directive is existing law and precedent, followed by the importance of what's changed. While I endorse the Chair to be the spokesperson and lead executive, behind close chambers there must be opportunity for ample individual participation.**

9. As you evaluate issues before the PRC, which factors do you view as most important and why? **Law, efficiency in governance, precedent, timing, public impact, and internal technical competence to add value.**

10. Is there a state whose energy regulatory policies that you believe New Mexico should emulate? If so, which one and why? **No, I personally endorse the model used by the Nuclear Regulatory Commission, but it should be determined under the leadership of the Chair.**

11. Briefly describe your experience with regulatory topics including: utility rate setting, promulgating regulations, and the New Mexico Energy Transition Act. **My experience in New Mexico is limited to being a rate payer. I do, however, have strong experience in the private and federal sector, particularly the US Department of Energy, lobbying organizations, and the US Congress.**



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September 27, 2024
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On the topic of response time to Candidate Questionnaire:

Sent: Fri, Sep 27, 5:58 PM
To: Sarah E Valencia Human Resources Manager ADR Coordinator
NM Public Regulation Commission PO Box 1269 <https://www.prc.nm.gov/> Sarah Valencia
Santa Fe, NM 87504-1269 505-396-0272

Ms. Valencia:

I just noticed the receipt of your message and have **to request consideration for an extension to respond by COB Monday.**

While I have received no related communication for well over a year, I request your consideration because:

1. My primary e-mail address changed to TaboasA2@ASME-member.org
2. I have my extended family and visitors in my home, celebrating my birthday (Sept. 26).

...I feel qualified and remain most interested in the position.

In any event, I have attached what I've been able to compose during brief interludes.

I understand, however, that this is my problem and that it may disqualify me from further consideration to a position for which I not only feel fully qualified and would enable significant added value, but that aligns well with my commitment to public service.

I will follow up Monday with an identical submission in PDF format.



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[In a follow-up call to Ms. Valencia, she **appropriately** indicated that it would not be possible to accept a weekend submission, as it would be inconsistent with established procedure. Therefore, the attached limited response was submitted for your consideration.]