

NMPRC NOMINATING COMMITTEE
Tuesday, December 2, 2022 at 9:00 am
State Capitol, Room 309

MINUTES OF THE MEETING

I. CALL TO ORDER

The scheduled meeting of the NMPRC Nominating Committee was called to order on December 2, 2022 at 9:00 a.m. by Chairperson Brian Egolf.

II. ROLL CALL

Roll call indicated the presence of a quorum in person, as follows:

MEMBERS PRESENT

The Honorable Brian Egolf, Chairperson
The Honorable Alonzo Baldonado, Secretary
Member Ron J. Lovato
Member Denise Ramonas
Member Cydney Beadles
Member Rikki Seguin
Member William Brancard

III. APPROVAL OF AGENDA

Upon motion and second, the agenda was approved as published without objection.

IV. APPROVAL OF MINUTES OF OCTOBER 18, 2022, OCTOBER 25, 2022, NOVEMBER 7, 2022 AND NOVEMBER 8, 2022 (ACTION ITEM)

Upon motion and second, the minutes of October 18, October 25, November 7 and November 8, 2022 were approved as presented without objection.

V. REPORTS FROM THE OFFICE OF THE ATTORNEY GENERAL (INFORMATIONAL ITEM)

There were no reports from the Office of the Attorney General.

VI. PUBLIC COMMENT

Mr. Jim Desjardins, with NMREIA, engaged in renewable policy in New Mexico, addressed the Committee on the Community Solar rules, required as a result of legislation in 2021. He announced the RFP was issued yesterday with review of bids in February 2023 and selections made in April. The organization hoped that work will continue.

Another important PRC decision was two days before, improving a new interconnection rule for solar systems of 10 MW or less, incorporating new technology, defining how things like storage, smart encoders, and other new technology. These both offer choice to consumers, help improve reliability, more resiliency. He hoped the new PRC would be able to continue that momentum to help ensure how best renewable energy can be utilized in the grid that will be the envy of other states and produce more economic development.

He thanked the Committee for their work and looked forward to their recommendation.

Joseph Hernandez, an indigenous renewable energy organizer, from Shiprock New Mexico, said he worked for the Four Corners region on the Navajo Nation to promote implementation of the Energy Transition Act. He appreciated what the PRC has done to ensure tribal communities were part of the discussion. He pointed out the needs of many families who have no access to utilities, including running water, and no energy-efficient homes. They need to have a voice at the PRC and that needs to continue through the nomination of Joseph Little.

Mona Blaber, Communications Director for the Sierra Club, Rio Grande Chapter, thanked the Nominating Committee for their rigorous and transparent process to select candidates for the appointed PRC Commission to serve New Mexico honorably. She appreciated the open and fair process and clear view of the candidates and their qualifications. She urged the Committee to advance candidates who had not only professional expertise, but also integrity, experience in New Mexico, and a thorough understanding of the major impacts of the climate crisis and the energy transition will have on New Mexico families, especially those with disproportionate health impacts by living near regulated facilities. All of that must be part of the new Commission's responsibility to protect the public interests and a critical factor in future Commission decisions.

Crystal Curley, Director of a nonprofit organization for Indigenous People, wanted to put on the record that the PRC, in moving forward, need to represent indigenous people, their right to vote for the PRC which otherwise is unjust and unconstitutional. "This is our only way that we are able to make our voices heard. It is unfortunate to have the PRC Commissioners appointed by our Governor." She expressed that there was no assurance of that representation and knowing it was unconstitutional, it still moved forward.

VII. APPROVAL OF CANDIDATES TO BE RECOMMENDED TO THE GOVERNOR (ACTION ITEM)

Chair Egolf invited one or more names to submit and, with a second, to vote on each as they are proposed. He was also open to another method.

Member Brancard requested time for each member to speak in general on what they thought of the applicants and the outcome of their work on consideration of each of the candidates.

Member Beadles support that approach.

Member Brancard said it was important to recognize all the efforts invested in this process by each member. The biggest contribution was the great written questions asked by members and the interview questions posed to all of them at the interviews. All the candidates are qualified but it was apparent to him that a number of them really understood the issues and a thoughtfulness in their approach to those questions. He was able to see about eight people who were above everyone else. He put them into two categories: insiders and outsiders. He recited the three things from the statute this Committee was to accomplish: first was at least five candidates, secondly, geographical diversity – at least three counties of residence, and thirdly, the best qualified candidates.

Member Baldonado was impressed by the professionalism of this Committee who have all gotten along with the rest and accomplished a lot of work and set the tone for the work in a way that went well. He described the tone of the Legislature as more willing to work with each other; more in considering people "on the other side of the aisle as my friend." He noted he could call Brian Egolf at any time to talk with each other not only in the Legislature but also in this process. He saw names on the list that would bring to the PRC some finesse when it is time to deal with the Legislature or the Governor and have those relationships established already. He believed the appointments would honor the wishes of the Legislature but also of those people who have given public comment.

Chair Egolf reminded him that Representative Baldonado had just said he was a friend and did so in a recorded meeting.

Member Beadles appreciated all that had been said so far. To add to it, in turning to appointed Commissioners instead of elected after twenty years, she was sorry some individuals and groups felt they had lost their representation on the Commission. In her experience on the Commission, over the past 20 years, the public was better served by the appointed Commissions. She was very happy going back to appointed Commissioners and had high expectations in standards being applied to them and to our selection. The utilities need predictable regulation now more than ever. And we need them as partners to spur more economic growth for New Mexicans. And consumers will need to be reassured that utilities are spending no more than they have to during these rapidly changing conditions ratepayers pay no more than they have to.

Her focus was on leadership – those with experience with the PRC and those who could bring best practices from other agencies and work places. She also wants for their Staff to have the opportunity to get to the next level She also had identified a group to recommended and suspected there will be great overlap with the other members' choices. She was willing to use whichever method.

Member Seguin appreciated this exercise and thanked Member Brancard for suggesting it. She highlighted the best comments received. The public wants Commissioners who are experienced and knowledgeable with the subject matter, are objective and unbiased, can balance the public interest with the interest of ratepayers and utilities, understand regional trends and can be an ambassador for New Mexico around the region and the country, are motivated by combatting climate change and will uphold the State laws regarding a clean energy transition, and prioritize diverse populations and needs. She agreed with Member Beadles that this Commission will need to hit the ground running. As Member Baldonado mentioned, this will be the initial batch who will have a huge workload as soon as they get there with cases that have been waiting, cases appealed, and cases that will come back, plus all the new things coming down the pike. How they prioritize them will be crucial.

She was prepared to highlight two candidates she thought would best meet the various factors and would do so unless someone stopped her. She understood clearly we are to submit a list of candidates to the Governor and that she will ultimately make this decision. Having a diverse group of folks on the list who sit together to work will be most important. That didn't mean she would not support other candidates but these two, she put as first priority.

Chair Egolf asked that the other members speak on general matters first.

Member Ramonas said we have amazing candidates to choose from. What she wanted to say were already said by those who preceded her.

Chair Egolf agreed with the Supreme Court to reject the protest against appointed Commissioners. The overwhelming majority of New Mexico citizens supported that decision also by the 2020 56% to 44% voting in favor of amending the Constitution. San Juan County rejected the amendment 45% to 54%. But the precinct in San Juan County that covers the Navajo Nation voted 70% in favor. That was the Navajo Nation voice in San Juan County to return to an appointed Commission. McKinley County voted 70% in favor and 29% opposed to the amendment. It is very important to heed the intelligence and wisdom of those voters and respect their decision. So this is being done as the will of the people of New Mexico.

He asked for a way to move forward and welcomed anyone state their selections or go one by one down the 15 finalists. He wanted to do what the Committee thinks is the easiest way to do it.

Member Lovato thought many of the Committee probably had the same names and thought it would be quicker to find that out.

Chair Egolf asked if they wanted to have a member state their slate and then a motion and amendments to add one of more.

Member Beadles moved to recommend to the Governor the following seven names of candidates who represent the diversity that is needed in alphabetical order are Gabriel Aguilera, James F. Ellison, Carolyn Glick, Joseph D. Little, Brian K. Moore, Patrick O'Connell, Arthur O'Donnell. The motion was seconded by Member Ramonas.

Member Lovato moved to amend the motion to add Amy L. Stein and P. Cholla Khoury to the recommended candidates. Chair Egolf seconded the motion.

Member Seguin appreciated this list which included eight people she would have proposed. It seemed unsurprising that there is overlap. The Governor will pick the final three and it is a testament to how qualified the candidates were and are for this position. She was really excited to see two on the list – Patrick O'Connell with 22 years of experience both at PNM and WRA. He has also built personal relationships in diverse communities around the state and has the approachable temperament that will allow him to lead New Mexico as an ambassador in regional forums. He demonstrated clear understanding of the balance various

stakeholder interests while still articulating a vision for this Commission in an increasingly regional clean energy future.

The second was Gabriel Aguilera. He is returning to New Mexico after fifteen years in DC which is what we keep saying we want to happen. He brings tremendous experience as a regulatory economist with a particular focus on western market issues and trends. He worked at a regulatory agency during a period of change that will serve New Mexico well as the PRC enters this new chapter. He reflects the level of experience and depth demanded in this role.

These two candidates also bring different things to the table.

Member Brancard resaid he mentioned he had insiders and outsiders and eight on his list who are all on this list so he was good with it.

Member Lovato acknowledged all the Committee members. They gave him faith in the process. He found great satisfaction that Joseph Little is on that list because he was number one on his list. For too long, the Native population has been left out of many processes and there is a lot to offer there and we are in a unique position at helping New Mexico be better at many things by utilizing the Native population as an advantage instead of something that needs to be taken care of. It has been an honor to serve with you in this task.

The motion was approved on a roll call vote with Members Baldonado, Beadles, Brancard, Egolf, Lovato, Ramonas and Seguin voting in favor and none voting against.

Chair Egolf noted the amount of work put in on this task was truly remarkable. He thanked each member for their diligence and good faith and perseverance and good humor in the accomplishment. This was a very good start for the PRC.

He will send a letter to the Governor within the hour. The text was before the Committee and have their names added before sending it. He also thanked the PRC Staff for making the process be open, transparent, and accessible. He was pleased to be able to use the technology at the Capitol so people could participate from anywhere in the world in public comments portions. They also made sure the application materials and questionnaires were all up online and available to the public. He also thanked the Attorney General for his help too.

Member Seguin said it was a hard and a positive experience and was impressed with all of us working together. She thanked Mr. Egolf for serving as Chair of the Committee and figuring out how to do it as we went through the process for the

first time. "Thank you for helping all of us feel included and listening to us, and running a fair committee."

Member Beadles thanked the public for their verbal and written comments and to reassure them that she read them all and they helped her focus her remarks today.

VIII. OTHER BUSINESS

Member Ramonas shared her joke for this meeting.

IX. ADJOURNMENT

Chair Egolf moved, seconded by Secretary Baldonado to adjourn the meeting. The motion was approved without objection.

The meeting was adjourned at approximately 10:04 a.m.

Approved by:

Rikki Seguin, Chair

Date