NEW MEXICO
PUBLIC REGULATION COMMISSION

COMMISSIONERS
GABRIEL AGUILERA
GREG NIBERT
PATRICK O'CONNELL

REGULAR OPEN MEETING
Thursday, December 18, 2025 – 10:00 a.m.
HYBRID MEETING

New Mexico State Capitol, Room 309
490 Old Santa Fe Trail, Santa Fe, NM 87501

MINUTES

I. CALL TO ORDER AND ROLL CALL

Commissioner Gabriel Aguilera, Chair, called the Open Meeting to order on the above date at 10:00 a.m. with remote (via Zoom) and in-person access for the public.

After a roll call, it was determined that a quorum was present as follows:

Members Present:
Commissioner Gabriel Aguilera, Chairman
Commissioner Greg Nibert
Commissioner Patrick O'Connell

Staff Present:
Scott Cameron, General Counsel
Judith Amer, Lead Attorney
Russell Fisk, Associate General Counsel
Keven Gedko, Associate General Counsel
Cholla Khoury, Chief of Staff
John Kreienkamp, Deputy Division Director
Robert Lundin, Associate General Counsel
William Mount, Associate General Counsel
Ed Rilkoff, Senior Policy Advisor
Orland Whitney, Senior Engineer

Others Present
Melissa Byers, Stenographer
Nancy Burns, EPE Attorney
Dave Hawkins, EPE

II. PLEDGE OF ALLEGIANCE/ STATE PLEDGE

The Pledge of Allegiance and Salute to the New Mexico Flag were recited.

III. CONSIDERATION AND APPROVAL OF THE AGENDA

There being no changes to the agenda, the Commissioners unanimously approved the agenda by voice vote,

IV. ANNOUNCEMENTS

Chair Aguilera made the following announcements:

- January 5, 2026 – Virtual Public Hearing on New Mexico Gas Company's 2026 to 2028 Energy Efficiency Program, Docket Number 25-00061.
- January 14, 2026 – Virtual Public Comment Hearing on Pipeline Rulemaking, Docket Number 25-00039.
- January 15, 2026 – First Open Meeting of the year will be held in the new Albuquerque Office
- December 17, 2025 – The 9:00 a.m. scheduled closed meeting on the PNM Acquisition Application was cancelled, Docket Number 25-00060

Chair Aguilera stated the following:

> On December 15, the Commission held a closed meeting which was closed pursuant to NMSA 1978, Section 10-15-1 (H)(2) concerning limited personnel matters. The meeting was to discuss the interviews and candidates for the Chief Hearing Examiner Position.
>
> I affirm for the record that the matters discussed in the closed session were limited only to those specified in the separate noticed agenda for the closed meeting.
>
> I affirm that no final actions were taken in the closed meeting.

Commissioner Aguilera noted that a closed session had been noticed and scheduled for December 17, 2025, regarding Docket No. 25-00060-UT, but that meeting was cancelled.

V. PUBLIC COMMENT

The following individuals provided public comment:

- Elizabeth Holland, Doctor
- Shane Woolbright, Santa Fe resident
- Chris Jones, Albuquerque resident

- Sharon Arjenbright, Santa Fe resident
- Roberto Roibal, Santa Fe resident
- Tim Buxton, Albuquerque resident
- Carl Peterson, Member of Indivisible Albuquerque
- Wendy Bulman
- Bill Tallman
- Nadia (Naj)
- Leeandra Schuler
- Ted Schuler
- Nancy Yang, Bernalillo resident
- Daisy Maldonado, New Mexico resident
- Vianney Campos

VI. EMPLOYEE OF THE MONTH

Commissioner Aguilera announced that the January employee of the month is Nicholas Rossi, Attorney in the Legal Division.

VII. APPROVAL OF PRIOR MEETING MINUTES

• **Minutes for November 25, 2025, Regular Open Meeting**

Motion: Commissioner Nibert moved to approve the minutes for November 25, 2025. The motion was seconded by Commissioner Aguilera.

Vote: The motion was unanimously approved by roll call vote (3-0), with Commissioner O'Connell, Commissioner Aguilera and Commissioner Nibert voting in favor and no one voting against.

VIII. CONSENT ACTION ITEMS

1)	**25-00048-UT Robert Lundin**	**IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW MEXICO'S APPLICATION FOR APPROVAL OF AN AMENDED SPECIAL SERVICE CONTRACT WITH GREATER KUDU LLC, THREE PURCHASED POWER AGREEMENTS PURSUANT TO 17.9.551 NMAC, AMENDED RATE NO. 36B, AMENDED RIDER NO. 47, AND AMENDED RIDER NO. 49**

2)	**23-00138-UT Robert Lundin Keven Gedko**	**IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF NEW MEXICO FOR APPROVAL OF ITS 2024 ELECTRIC ENERGY EFFICIENCY PROGRAM PLAN, PROFIT INCENTIVE, AND REVISED RIDER NO. 16 PURSUANT TO THE NEW MEXICO PUBLIC UTILITY ACT, EFFICIENT USE OF ENERGY ACT AND ENERGY EFFICIENCY RULE, PUBLIC SERVICE COMPANY OF NEW MEXICO, APPLICANT**
3)	**25-00082-UT Keven Gedko**	**IN THE MATTER OF THE APPLICATION OF EL PASO ELECTRIC COMPANY FOR REVISION OF ITS RETAIL ELECTRIC RATES, EL PASO ELECTRIC COMPANY, APPLICANT.**
4)	**25-00076-UT William Mount**	**IN THE MATTER OF SOUTHWESTERN PUBLIC SERVICE COMPANY'S 2026 INTEGRATED RESOURCE PLAN FOR NEW MEXICO**

Motion: Commissioner Aguilera moved to approve the Consent Action Items. The motion was seconded by Commissioner Nibert.

Vote: The motion was unanimously approved by roll call vote (3-0), with Commissioner O'Connell, Commissioner Aguilera and Commissioner Nibert voting in favor and no one voting against.

IX. REGULAR ACTION ITEMS

1)	**25-00011-UT Robert Lundin**	**IN THE MATTER OF THE FORMAL COMPLAINT OF MARK HARDING AND BARBARA SHOCKLEY AGAINST TIMBERON WATER AND SANITATION DISTRICT**

Motion: Commissioner Nibert moved to approve the order to show cause proceedings and corrective action as presented, with the amount of $100 to be placed in Paragraph 56, bullet point number one. The motion was seconded by Commissioner Aguilera.

Vote: The motion was unanimously approved by roll call vote (3-0), with Commissioner O'Connell, Commissioner Aguilera and Commissioner Nibert voting in favor and no one voting against.

2)	**24-00258-UT Russell Fisk**	**IN THE MATTER OF POTENTIAL AMENDMENTS TO RULE 17.9.573, COMMUNITY SOLAR**

Motion: Commissioner Aguilera moved to adopt the notice of proposed rulemaking, as presented, and the order issuing the NOPR. The motion was seconded by Commissioner Nibert.

Vote: The motion was unanimously approved by roll call vote (3-0), with Commissioner O'Connell, Commissioner Aguilera and Commissioner Nibert voting in favor and no one voting against.

3)	**24-00260-UT Russell Fisk**	**IN THE MATTER OF EL PASO ELECTRIC COMPANY'S INTEGRATED RESOURCE PLAN FILING FOR THE PERIOD OF 2025-2044 PURSUANT TO 17.7.3 NMAC**

Mr. Ed Rilkoff presented a staff report that included the following highlights:

- IRP Rule and Staff's Assignment
- Staff's Overall Conclusion
- EPE's System and Planning Challenges
- Staff's Three Key Planning Concerns
- Capacity Need and Near-Term Strategy
- Resource Portfolio and Demand-Side Insights
- Transmission, Grid-Enhancing Technologies and Large Loads
- Staff's Recommendations
- How Staff's Follow-up Actions Help
- How EPE uses Deman and Supply Resources in its RFP
- Multiple Pathways for Resource Procurement

Motion: Commissioner Nibert moved to approve the order accepting an integrated resource plan and requiring further actions by El Paso Electric Company in Docket Number 24-00260-UT, as revised and presented by Mr. Fisk. The motion was seconded by Commissioner Aguilera.

Vote: The motion was unanimously approved by roll call vote (3-0), with Commissioner O'Connell, Commissioner Aguilera and Commissioner Nibert voting in favor and no one voting against.

Chair Aguilera called for a break until 12:20 p.m.

4)	**24-00266-UT Russell Fisk**	**IN THE MATTER OF THE JOINT APPLICATION FOR APPROVAL TO ACQUIRE NEW MEXICO GAS COMPANY, INC., BY SATURN UTILITIES HOLDCO, LLC**

Motion: Commissioner Nibert moved to approve the order denying interlocutory appeal in Docket Number 24-00266-UT. The motion was seconded by Commissioner Aguilera.

Vote: The motion was unanimously approved by roll call vote (3-0), with Commissioner O'Connell, Commissioner Aguilera and Commissioner Nibert voting in favor and no one voting against.

IX. DISCUSSION

1)	**John Kreienkamp**	**Small Water Utility Agency Taskforce Update**

Mr. Kreienkamp updated the Commission on the work of the Taskforce. No action was taken by the Commission.

X. COMMUNICATIONS WITH CHIEF OF STAFF

Ms. Khoury provided information regarding the following items:

- Beginning on Monday, December 22, 2025, Jocelyn Barrett will begin employment as the new Chief Hearing Examiner
- CLE Certificates for attendance at PRC Seminar will be sent to attendees who are responsible for submitting them to the New Mexico Bar.
- eDocket system will go live on January 26, 2026; public training for eDocket will occur on January 21st through the 23rd, the times will be posted on the PRC website
- The agency will be closed from 1:00 pm on December 24th through the weekend and will reopen on December 29th
- The agency will close again on December 31st at 1:00 p.m., through the weekend and open on January 5, 2026

XI. COMMUNICATIONS WITH COMMISSIONERS

Commissioner Aguilera thanked everyone for the work that has been done this year.

Commissioner O'Connell also thanked everyone for their work at the Commission. He updated the Commissioners on the following:

- He was nominated to the North American Electric Reliability Corporation (NERC) MRC which is an advisory committee to NERC. If he is elected, his first meeting will be in February.
- He met with a group of researchers from UNM and the microsystem lab. They're applying for a grant to study advanced storage architecture.

Commissioner Nibert said he appreciates all the guidance from staff and the Commissioners during this year.

Commissioner Aguilera updated the Commission on committee assignments. He brought up the NARUC assignments and stated he put his name in to join the water committee and the committee on the consumers and the public interest. He wanted to make sure the Commission had coverage in those committees.

Commissioners O'Connell and Nibert concurred.

XII. ADJOURNMENT

There being no further business before the Commission, Chair Aguilera adjourned the meeting at 1:05 p.m.

ATTEST:

Melissa D. Byers

Melissa Byers, Stenographer

APPROVED: January 15, 2026

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

EXHIBIT A

NEW MEXICO
PUBLIC REGULATION COMMISSION

COMMISSIONERS

GABRIEL AGUILERA
GREG NIBERT
PATRICK O'CONNELL

NOTICE OF REGULAR OPEN MEETING
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10:00 a.m.
HYBRID MEETING

Notice: This is a hybrid meeting which will be held in person and via Zoom. The public is welcome to attend the meeting in person at the following location:

New Mexico State Capitol, Room 309 490 Old Santa Fe Trail, Santa Fe, NM 87501

The public may also view the meeting remotely via a livestream on YouTube. Individuals wishing to provide public comment may do so via Zoom, or by phone; to sign up for public comment please contact Patrick Rodriguez at (505) 490-7910 or public.comment@prc.nm.gov no later than 5:00 p.m. the day before the meeting. Go to https://www.prc.nm.gov/nmprc-open-meeting-agenda/ several minutes before the start of the meeting for a link to the livestream.

AGENDA

I. CALL TO ORDER AND ROLL CALL

II. PLEDGE OF ALLEGIANCE/ STATE PLEDGE

III. CONSIDERATION AND APPROVAL OF THE AGENDA

IV. ANNOUNCEMENTS

V. PUBLIC COMMENT

VI. EMPLOYEE OF THE MONTH

VII. APPROVAL OF PRIOR MEETING MINUTES
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XI. COMMUNICATIONS WITH COMMISSIONERS

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To obtain a copy of this agenda please log in to the Commission's website at https://www.prc.nm.gov/.

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 an 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

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 Consumer Relations Division of the Commission at (505) 827-8019 as soon as possible prior to the meeting.

PUBLIC COMMENT

All members of the public wishing to provide public comment may do so via Zoom, or by telephone. Individuals wishing to comment must sign up by contacting Patrick Rodriguez at public.comment@prc.nm.gov or (505) 490-7910 as soon as possible before the start of the meeting. When sending an email to sign up for public comment please identify the name of the commentor(s), 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 should exceed the allotted 30-minute period, the Chair 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 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 Chair 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 Chair. No speakers will be accommodated after the public comment portion of the agenda has closed. The Chair 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.