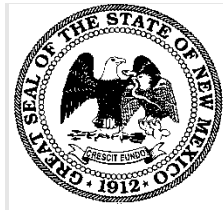


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PRC revises its open meetings policy to boost transparency, efficiency, and productivity

SANTA FE – Following staff recommendations to revise its open meetings policy to better increase transparency, efficiency, and productivity, the New Mexico Public Regulation Commission (PRC) this week approved changes to how often and when it will hold regular open meetings and when it will conduct separate informational and special open meetings. Commissioners also designated a specific day to hold closed deliberative meetings, when necessary.

Beginning on July 13, regular open meetings will be scheduled for 10 a.m. every other Thursday. The PRC currently holds these meetings weekly on Wednesdays. Even with fewer scheduled regular meetings, the Commission will hear the same number of docketed cases and other matters of interest to stakeholders and the public that require formal action.

Additionally, the new regular meeting schedule is expected to increase the quality of decisions coming from the Commission, since it will provide Commissioners and advisory staff more opportunities to review proposed orders and allow Office of General Counsel attorneys more time to provide comprehensive briefings to Commissioners. The schedule change also allows staff to focus on assignments other than those necessary to keep up with a weekly meeting.

As part of its analysis, staff reviewed other state regulatory commissions best practices including open meeting policies and schedules, taking into consideration existing

statutes and rules. Public regulatory agencies in California, Nevada, Michigan, Oregon, Pennsylvania, and Washington currently hold regular meetings every other week.

“I requested an evaluation for the appropriate frequency for this Commission’s open meetings and to add structure and improve our internal procedures, so that Commissioners are as prepared as possible to decide the important issues that affect the industries we regulate, stakeholders, and everyday New Mexicans,” said Commissioner Gabriel Aguilera, who presented the discussion on the open meetings policy at the PRC’s regular meeting on June 21. “The goal is to offer consistency and predictability. For most proceedings the public should have a pretty good sense on how we are going to rule, and for me that means we are making decisions based on the law and on precedent. That’s what this process is about.”

“I see a lot of advantages to having more time to consider matters, being able to edit orders, get feedback from other commissioners, and have time to write a dissent or something in agreement to provide a different slant on the issue,” said Commissioner James Ellison.

Informational meetings will be scheduled on an as-needed basis, providing the Commission an opportunity to host stakeholders and other groups who have requested or been asked to make presentations on relevant matters. Having these meetings separately will help facilitate more efficient and focused regular meetings, which is a concern as ratepayers ultimately bear the utility costs from having utility counsel and other utility employees monitor and attend Commission meetings.

Open special meetings will be scheduled on an as-needed basis and in compliance with the notice requirement of the Open Meetings Act, allowing the Commission to address time-sensitive matters. The most likely scenario requiring a special meeting will be where there is a short timeframe for the Commission to act in response to a filing.

Closed deliberative meetings will be scheduled as needed every other Thursday on the weeks regular meetings are not held, allowing Commissioners time to conduct these meetings for any cases associated with the open regular meeting and other items covered under the Open Meetings Act that staff deems necessary to discuss. Reasons for conducting these types of meetings include:

- Discussion of limited personnel matters
- Deliberations in connection with an adjudicatory proceeding
- Decisions concerning purchases in an amount exceeding \$2,500 that can be made from only one source

- Meetings subject to attorney client privilege pertaining to threatened or pending litigation

The Colorado Public Utility Commission conducts closed commissioner deliberation meetings that are scheduled when needed, and both the California and Pennsylvania commissions set aside a specific day and time for their deliberative meetings.

Commissioners noted that agendas and notices for all meetings will be made publicly available in the required timeframe.

New Mexico Public Regulation Commission (NMPRC) regulates the [utilities](#), [telecommunications](#), and [motor carrier](#) industries to ensure fair and reasonable rates, and to assure reasonable and adequate services to the public as provided by law. The NMPRC also promotes public safety through the offices of [Pipeline Safety Bureau](#) and [Transportation Division](#).

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