



**NEW MEXICO
BUSINESS COALITION**

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The New Mexico Business Coalition (NMBC) applauds the New Mexico Attorney General's decision to investigate the New Mexico Public Regulation Commission, filed two complaints against the PRC for violations of the NM Open Meetings Act, and is requesting the scope of the investigation be broadened.

(Albuquerque) Today the New Mexico Business Coalition (NMBC) filed two complaints with the NM Attorney General's office regarding violations of the NM Open Meetings Act by the New Mexico Public Regulation Commission (Commission).

On two separate occasions the Commission violated the Open Meetings Act "deliberating" in secret on matters that should have been open to the public. One instance was so egregious that the commission spent four hours in a closed session undermining a recommended decision by one of their own hearing examiners.

"This is not how public bodies should conduct themselves" said Wayne Berry, Board of Directors Member, NMBC. "Public officials who are being paid by the taxpayers owe New Mexicans the transparency that a public process requires."

The copies of the complaints are attached to this release.

"The Open Meetings Act declares that all persons are entitled to the greatest possible access to the affairs of government," said Shannon Kunkel, executive director of the New Mexico Foundation for Open Government (FOG). "It's critical that discussions on matters that so greatly impact the lives of New Mexicans be conducted in public view. To improperly close a meeting is a violation of both the letter and spirit of the law and breeds public mistrust in our public institutions."

The Attorney General opened an investigation on the Commission earlier this year when it was disclosed the decisions the Commission made led to the possibility of rolling blackouts during the 2022 and 2023 summer months.

NMBC hopes that by bringing these complaints forward it will aid the Attorney General in his efforts and help broaden the scope of his investigation into other issues. NMBC cannot stand by and watch PRC officials conduct deliberations behind closed doors on matters that impact the public. This is especially true when the magnitude of questionable actions taken based on staff recommendations have already had a chilling effect on economic development and slowed our economic recovery from the pandemic.

The State is currently focusing on numerous economic development opportunities. However, the Commission's inability to rule on additional resources in a timely manner to accommodate these opportunities places New Mexico in a precarious position to capitalize on them.

New Mexico Business Coalition (NMBC) is a statewide, nonpartisan, grassroots organization that focuses on improving the business environment for companies and the quality of life for all New Mexicans. We pursue policy that will allow companies to operate profitably and create jobs. For more information, please visit our website at www.nmbizcoalition.org.