



**NEW MEXICO
BUSINESS COALITION**

PO Box 95735
Albuquerque, NM 87199
(505) 836-4223 FAX (505) 836-4522

FOR IMMEDIATE RELEASE

July 14, 2022

CONTACT: (505) 836-4223
nmbiz@nmbizcoalition.org

The New Mexico Business Coalition (NMBC) is again asking the New Mexico Attorney General to investigate the New Mexico Public Regulation Commission for violations of the NM Open Meetings Act.

(Albuquerque) Today the New Mexico Business Coalition (NMBC) filed a third complaint in the last 90 days with the NM Attorney General's office regarding violations of the NM Open Meetings Act by the New Mexico Public Regulation Commission (Commission).

The latest complaint relates to the Commission's action on June 28, 2022, moving their discussion about Public Service Company of New Mexico's closure of the San Juan Generating Station, behind closed doors. The justification, an exemption to the Open Meetings Act, they claim that would allow their deliberations to happen away from public view does not apply based on compliance guidelines published by the NM Attorney General's Office. In fact, the compliance guidance says that public bodies may not misuse the specific exception the PRC claimed as a means of avoiding the open meeting requirements.

NMBC President Carla Sonntag said, "Not only are we asking the New Mexico Attorney General to investigate a third Open Meetings Act violation by the Commission in a matter of months, the frequency of these violations warrants scrutiny to determine if there is an ongoing pattern and practice of the Commission failing to meet transparency laws."

"The PRC tackles issues that are important to every New Mexican and it's vital that the PRC, like every government entity follow the law. Closing a public meeting in violation of the OMA, spreads distrust. The public has the right to know that its elected officials are acting in the public interest," Kathi Bearden, president, New Mexico Foundation for Open Government Board of Directors.

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.

A copy of the latest complaint and the previous two complaints are attached to this release.

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.