

1 A JOINT MEMORIAL

2 REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CONTRACT FOR
3 AN INDEPENDENT OPERATIONAL STUDY OF THE PUBLIC REGULATION
4 COMMISSION TO DETERMINE IF THE COMMISSION HAS SUFFICIENT
5 ADVISORY STAFF TO FULFILL ITS RESPONSIBILITIES EFFICIENTLY
6 AND EFFECTIVELY AND TO EXPLORE POSSIBLE CHANGES IN LAW THAT
7 MAY BE NEEDED TO MAKE THE COMMISSION MORE EFFECTIVE.

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9 WHEREAS, the public regulation commission was
10 established in 1999 to replace the former state corporation
11 commission and the New Mexico public utility commission; and

12 WHEREAS, the public regulation commission is a
13 five-member elected, administrative agency created by the
14 constitution of New Mexico and charged with the
15 responsibility to regulate public utilities, transportation
16 companies, transmission and pipeline companies and other
17 public service companies in the manner provided by the
18 legislature; and

19 WHEREAS, the responsibilities of the public regulation
20 commission have a substantial impact on the provision of
21 essential public services to a large portion of the general
22 public; and

23 WHEREAS, the responsibilities of the public regulation
24 commission have a substantial impact on private investment of
25 large sums of money in the state, including money obtained

1 from many members of the general public; and

2 WHEREAS, the responsibilities of the public regulation
3 commission have a substantial impact on the development,
4 growth and expansion of the general welfare, business and
5 industry of the state; and

6 WHEREAS, the advisory staff of the public regulation
7 commission may not possess the accounting, economic,
8 financial and engineering expertise needed to properly assist
9 and advise the commissioners in these areas that are critical
10 to reach fully informed and proper decisions in the public
11 interest; and

12 WHEREAS, an independent operational study could be of
13 substantial assistance to the public regulation commission to
14 determine how to use its budget and personnel to implement
15 effective and efficient advisory staff functions to better
16 serve the public interest; and

17 WHEREAS, an independent operational study could be of
18 substantial assistance to the legislature to determine if any
19 changes in law would assist in improving the operations of
20 the public regulation commission to better serve the public
21 interest;

22 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
23 STATE OF NEW MEXICO that the New Mexico legislative council
24 be requested to contract for an independent operational study
25 of the public regulation commission to determine if the

1 commission has advisory staff with the required expertise to
2 assist and advise the commissioners to make fully informed
3 and proper decisions in the public interest and to explore
4 possible changes in law that may be needed to make the public
5 regulation commission more effective; and

6 BE IT FURTHER RESOLVED that the New Mexico legislative
7 council be authorized to have the contractor engage such
8 experts that it deems necessary to assist in conducting the
9 operational study and to obtain information and feedback from
10 regulated companies, traditional intervenors and other
11 persons knowledgeable about regulatory agency operations; and

12 BE IT FURTHER RESOLVED that the public regulation
13 commission be requested to cooperate with the contractor in
14 conducting the operational study to the extent requested by
15 the New Mexico legislative council; and

16 BE IT FURTHER RESOLVED that the contractor report its
17 findings and recommendations to the appropriate interim
18 legislative committee by November 1, 2016; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to the co-chairs of the New Mexico legislative
21 council and the commissioners of the public regulation
22 commission. _____

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