

1. Why would you like to be endorsed by the Sierra Club?

My passion for many years has been an economy that builds a sustainable quality of life and a sustainable environment. Our goals are shared; it would be an honor to be endorsed.

2. What are your environmental achievements, experience, or affiliations as a government official and as a private citizen?

I have been a very active environmentalist over the years. Much of my working life has been in green building, and I installed the first net-metered solar system in New Mexico on my home in 1998. I've been an active participant in many environmental groups and movements over the years, including opposing WIPP, the Rural Conservation Alliance against gravel mining in Cerrillos, and the opposition to the Olé Line. Some of these we won, though unfortunately not all. I've been a volunteer with Project Lighthawk, which has helped a number of environmental groups, including the Sierra Club, document adverse environmental impacts and oppose inappropriate projects. I've been part of the Sustainable Energy Coalition in New Mexico, have been a board member of the Los Alamos Study Group, and am a Life Member of the New Mexico Solar Energy Association. I was a founding member of the Permaculture Credit union, a growing institution dedicated to the care and benefit of the earth and its inhabitants. I have also worked hard on issues of local and organic agriculture and on issues of forest restoration. Since 2003 I have been a member of the State Land Office Advisory Board, appointed to represent conservation interests. While I have not held elected public office, I was the Green Party's candidate for Governor in 2002 and ran on a strong pro-environment platform.

3. What do you consider are the most important environmental issues facing the citizens of New Mexico?

Nuclear waste is a huge issue in New Mexico, with the National Laboratories and WIPP, and now Louisiana Energy and Uranium reprocessing in Carlsbad. Uranium mining also contributes to this problem. Coal-fired power plants have a major negative impact, not only from air pollution and the need for major transmission lines, but from the huge quantities of water they require. Over-production of fossil fuels is an important issue: for example proposed projects in the San Juan basin threaten significant damage to aquifers. Generally the degradation of New Mexico rivers is also one of the most important environmental issues in New Mexico.

4. What role can the PRC play in improving the environment in New Mexico?

The PRC has a major role in determining the renewable portfolio for electric utilities (see below). The PRC can encourage biomass for local thermal energy production, as an efficient alternate local energy source, reducing the need for long transmission lines and as a way to have forest thinning occur in a sustainable

way that can have significant benefits to local economies. Local Energy, a group which I co-founded, is currently working with Santa Clara and Taos pueblos on projects like this. However, the PRC must oppose any proposals to produce electricity from biomass. Not only is the efficiency very low, but such projects would quickly devastate our forests. I believe the PRC could encourage green transportation companies in the state, in competition with existing monopolies.

## ENERGY

5. How can the PRC encourage conservation and renewable sources of energy?

The Public Regulation Commission can regulate energy efficiency projects through requirements on utilities like PNM. “Efficiency and conservation first” can be required (see below). Performance-Based Rate-Making (where utilities’ allowed revenues are adjusted based on performance in improving efficiency to reduce cost) is in place in many other states but not in New Mexico, and could reward improvements by PNM and other energy utilities. However, it’s important to make sure that such a program doesn’t just pay for energy not delivered, as has been proposed here in New Mexico.

6. What rules should the PRC issue to encourage renewable energy and energy efficiency programs?

A feed-in rate is one of the most effective things that could be done to encourage renewable energy development and use. It would specify the price paid to producers of wind and solar energy, and can pay different rates for different sources. This policy, which has been endorsed by the Sierra Club, has been extremely successful in Europe, where it has stimulated a boom in renewable energy construction. Much of this production would be by small local producers, as has happened in Europe. In New Mexico, cities like Albuquerque would be able to economically install significant solar production capacity and be paid at peak rates.

As a short-term alternative, assessing penalties on utilities that deny interconnection of independent generation has been highly successful in Europe

With a requirement for “Efficiency and conservation first”, all possible efficiency upgrades and conservation improvements can be required prior to approval of any new fossil fuel generation facilities. Since efficiency and conservation could potentially result in up to 70% reduction in demand, such a requirement could effectively eliminate the need for any new coal- or gas-fired power plants in New Mexico.

Utilities can also be required to offer rebates for homes and businesses who install solar systems, small efficient generators, and energy efficiency improvements.

7. What is your opinion on utility recovery of “stranded costs”?

I am 100% opposed to recovery of “stranded costs”. Recovery of stranded costs essentially amounts to reimbursing utilities for the expense of building power plants they shouldn’t have built in the first place. Utilities are businesses and there is no reason for ratepayers to underwrite bad investments. PNM will claim that as a

regulated utility they were required to build such plants, but of course PNM used all its political influence to be allowed to build them in the first place. One of my goals as a Commissioner is to be independent of the utilities, as well as of the political power structure that has led to these poor decisions in the past.

8. Comment on how you view the following aspects of a Renewable Portfolio Standard:

a. no more than 50% from any one renewable source

We do want a diversity of sources. In particular we don't want a massive investment in a single technology without an easy path to upgrade to newer sources. However, a higher percentage should probably be allowed where appropriate in a particular locality even if not allowed over the entire state. An example would be wind power in Clovis, which is particularly suitable for that source.

b. achieving 10% renewables by 2011

This goal is way too low. This kind of un-ambitious goal is reflective of the power of large utilities like PNM in the decision process rather than reflecting the rise in fossil fuel prices and the decrease in the cost of renewable technology.

Will you support a 50% renewable electricity threshold by 2020?

Yes; or higher.

9. How do you view mandatory versus voluntary renewable energy programs?

I prefer voluntary programs, while noting that a private feed-in rate will make renewables very attractive. This one policy change, combined with continued technological development, has revolutionized renewable energy in European countries such as Denmark, Germany, and Spain. That said, I do support requiring utilities to offer rebates for homes and businesses who install solar systems, small efficient generators, and energy efficiency improvements.

10. Should there be a System Benefits Fund (a tariff on the ratepayer that can be used for education, renewable energy projects, rural electrical infrastructure, etc.)? If so, what elements should be included and how should it be implemented?

I would prefer to fund a legal structure to represent ratepayers in front of the PRC. This would go hand in hand with the kind of improvements to PRC public accountability and public access to information I am proposing. I don't believe that the kind of education efforts that are currently funded are effective. Moreover, renewables need to be funded as a central part of the PRC's energy strategy, not something peripheral.

#### TRANSPORTATION:

11. What actions can the PRC take to encourage efficient transportation systems by private carriers?

I would allow a separate “Certificate of Convenience and Necessity” to be issued for green transportation services, such as taxi’s. Currently there is a monopoly, with the PRC only issuing a single certificate in any area. I will also want to look into whether there are regulatory changes that can be made to facilitate additional small private carriers and energy-efficient rural transportation, as an alternative to the Greyhound system. One change that could be made would be to facilitate ticket sales for other bus lines that currently stop in New Mexico, but are prevented by PRC rules from taking on or dropping off passengers at these stops – bus lines such as Americanos and Golden State. Another regulatory measure that should be instituted is improved facilities for carrying bicycles on buses and other public conveyances. Public transportation is less beneficial if people have no way to travel between it and their homes and workplaces.

12. Are there any ways that the PRC can improve public transportation through its regulation of private transportation?

Many public transportation services are actually provided by private contractors regulated by the PRC. The New Mexico Park and Ride service comes to mind. Streamlining regulations to allow more carriers, especially smaller ones, to get into the business could enhance competition and lower the cost of these public services. It could also make service to smaller communities possible. One of the things I want to do if elected is to have PRC members take on a larger role in lobbying the legislature for improvements in funding for various public services, including intercity and rural bus service.

I’ve been asked a number of times about my position on the “Richardson Railroad” commuter rail service. Though its not clear that the PRC will have a role in regulating this service, my general view is that you could run a very extensive and attractive bus system for the kind of money this project is likely to require. While I am fully in favor of intercity rail systems where the potential passenger volume justifies it, I’m doubtful that the volume is really there. I believe a bus system with frequent enough service to enough destinations to be truly attractive to commuters and other travelers would be a better use of tax dollars.

#### GENERAL/OTHER

13. Do you see environmental impacts from PRC regulations of any of the other industries that the PRC regulates (i.e., pipeline safety, insurance, telecommunications?)

It’s important to realize that higher energy prices always put pressure on the environment. When energy prices rise, the yardstick of what is environmentally acceptable inevitably moves. I think energy-resource degradation and the higher energy prices that result are a great threat to our environment, and energy issues are closely linked to many other environmental issues.

There are a number of these other areas where creative PRC action could have a significant impact on the environment. For example, energy policies that promote replacement of large central generation facilities with local renewable production

would eliminate the need for additional pipeline capacity, with the attendant safety risks and environmental impacts. I believe that the PRC's role in insurance supervision and regulation could be used to make liability insurance more easily obtainable for small common carriers, helping to encourage transportation services in rural areas. While I prefer public water systems, the PRC's regulation of any private water systems could be used to require environmental standards, to encourage things like solar-powered pumping, and so on.

In the long term improvements in telecommunications could offer great opportunities for rural economic development, and reduce commuting by making it possible to work from home. It would also support clean, information-based technologies as a direction for economic development, which have less environmental impact than most other types of industry. One immediate measure should be the provision of video conferencing facilities in each community. As a requirement for licensing of large carriers such as Qwest, such facilities would be a great saver of time and money for local small businesses, farmers, etc. and could help reduce the need to travel to larger centers.

I would also like to think that other PRC actions in areas not directly related to the environment, such as in helping to move the state toward universal health insurance coverage with a single payer system, would also improve the quality of life for all New Mexicans.