



IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

NO. S-1-SC-3952

**AVANGRID, INC., AVANGRID NETWORK, INC.,
NM GREEN HOLDINGS, INC., IBERDROLA, S.A.,
PUBLIC SERVICE COMPANY OF NEW MEXICO,
and PNM RESOURCES, INC.**

Appellants,

v.

**NEW MEXICO PUBLIC REGULATION
COMMISSION,**

Appellee,

And

**NEW ENERGY ECONOMY,
WESTERN RESOURCE ADVOCATES,
INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS LOCAL 611,
And NEW MEXICO OFFICE OF THE
ATTORNEY GENERAL,**

**In the Matter of The Joint Application of Iberdrola, S.A.,
Avangrid, Inc., Avangrid Networks, Inc., NM Green
Holdings, Inc., Public Service Company of New
Mexico and PNM Resources, Inc. For Approval of the
Merger of NM Green Holdings, Inc. with PNM Resources,
Inc.; Approval of a General Diversification Plan; and All
Other Authorizations and Approvals Required to
Consummate and Implement this Transaction,
NMPRC Case No. 20-00222-UT**

**DINÉ CITIZENS AGAINST RUINING THE ENVIRONMENT, SAN JUAN
CITIZENS ALLIANCE, TÓ NIZHÓNÍ ANÍ, NAVA EDUCATION
PROJECT MOTION TO INTERVENE**

Diné Citizens Against Ruining the Environment, Tó Nizhóní Aní, NAVA Education Project, and San Juan Citizens Alliance, (henceforth “Community Groups”) move for leave to intervene in this appeal as a party-appellee in accordance with Rule 12-601(D) NMRA 2014. In support of this motion, Community Groups state the following:

1. Avangrid, Inc. (“Avangrid”), Avangrid Networks, Inc., NM Green Holdings, Inc., Public Service Company of New Mexico and PNM Resources, Inc. (“PNM”), filed an appeal of the New Mexico Public Regulation Commission’s (“NMPRC” or “Commission”) *Order on Certification of Stipulation* in NMPRC Case No. 20-00222-UT.

2. Rule 12-601(D)(1) provides that “[i]n any appeal challenging an adjudicatory action by an administrative entity, a participant in the adjudicatory proceeding . . . may move to intervene in the appeal as a party-appellee as of right if the participant was a party to the adjudicatory proceeding under the applicable rules or procedures of the administrative entity.” Rule 12-601(D)(1) NMRA 2014.

3. Community Groups were a party to the Public Regulation Commission’s adjudicatory proceeding, Case No. 20-00222-UT, that is the subject

of this appeal. Community Groups presented witness testimony, cross-examined witnesses at the hearing, and filed briefs in the Commission proceeding.

4. Given that Community Groups were a party to the adjudicatory proceeding that is the subject of this appeal, Case No. 20-00222-UT, Rule 12-601(D)(1) allows Community Groups to intervene as a matter of right. Accordingly, Community Groups move the Court for an order granting Community Group intervention as a party-appellee in this appeal.

5. Counsel for Avangrid, Iberdrola, PNM, PNMR, the NMPRC, WRA, IBEW Local 611, NEE, the NM Attorney General, and CCAE were contacted regarding this Motion. Avangrid, Iberdrola, PNM, PNMR, IBEW Local 611, NM Attorney General, and CCAE do not oppose. NMPRC, WRA, and NEE had not responded by the time of filing.

For the foregoing reasons, Community Groups respectfully request that the Court enter an order allowing them to intervene as a party-appellee in this appeal under Rule 12-601(D)(1) NMRA.

Respectfully submitted,

**DINÉ CITIZENS AGAINST RUINING THE
ENVIRONMENT, SAN JUAN CITIZENS
ALLIANCE, TÓ NIZHÓNÍ ÁNÍ, NAVA
EDUCATION PROJECT**

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CERTIFICATE OF SERVICE

Pursuant to Rule 12-307 NMRA, I hereby certify that a copy of the foregoing was sent to the following parties this 23rd day of May, 2022 by e-mail to the following:

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Respectfully submitted,

**DINÉ CITIZENS AGAINST RUINING THE
ENVIRONMENT, SAN JUAN CITIZENS
ALLIANCE, TÓ NIZHÓNÍ ÁNÍ, NAVA
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