

**STATE OF NEW MEXICO  
ENVIRONMENTAL IMPROVEMENT BOARD**

**In the Matter of the Petition to Adopt New Regulations  
and to Amend Various Sections of 20.2.1, 20.2.2, 20.2.70  
and 20.2.72 NMAC, to Create a Statewide Cap on Green-  
house Gas Emissions and Promulgating other Require-  
ments,**

**EIB 08-19 (R)**

**New Energy Economy, Petitioner**

**Pleading Log**

<b>No.</b>	<b>Document</b>	<b>Filed By</b>	<b>Date of Filing</b>
1.	Petition for Hearing	NMELC	12/19/08
2.	Notice of Docketing	Administrator	12/22/08
3.	Reponse of PNM in Opposition to Petition to Adopt New Regs.	PNM (Miller- Stratvert	1/2/09
4.	Order for Pre-Hearing Briefing Schedule and Cert. of Service	Hearing Officer & Administrator	1/20/09
5.	Cert. of Service – Sonia Phillips	Administrator	1/21/09
6.	Motion to File Corrected Petition and to Provide Complete Copies of NMAC Parts 20.2.1, 20.2.2 20.2.70 and 20.2.72 Showing Petitioner’s Proposed Amendments	NMELC	2/2/09
7.	Notice of Correct Telephone Number and Email Address	NMELC	2/5/09
8.	Entry of Appearance for Mexican Cement Firm (see file for name)	Tim Van Valen/ Brownstein Hyatt	2/9/09
9.	Petitioner’s Brief in Support of EIB’s Authority to Cap Greenhouse Gas Emissions	NMELC/NEE	2/12/09

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10.	Brief-in-Chief of PNM in re: EIB authority, etc.	R. Alvidrez/ Miller Stratvert/PNM	2/13/09
11.	Brief-in-Chief of NMOGA, Dairy Producers of NM, NM Farm & Livestock Bureau and Tri-State Generation and Transmission Assoc., Inc.	L. Rose/Montgomery	2/13/09
12.	Brief of NMED in Support of EIB's Statutory Authority etc.	NMED	2/13/09
13.	Entry of Appearance	Western Resource Advocates (S. Michel, Esq.)	2/23/09
14.	Entry of Appearance of NM Conference of Churches	Conf. Of Churches (Robb Thomson)	3/2/09

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**Pleading Log  
VOLUME 2**

<b>No.</b>	<b>Document</b>	<b>Filed By</b>	<b>Date of Filing</b>
14.	Petitioner's Response Brief Regarding EIB's Authority to Cap Greenhouse Gas Emissions	NMELC/NEE	2/26/09
15.	Response Brief of PNM Pursuant To Board's Order for Prehearing Briefing Schedule	PNM	2/27/09
16.	Reponse of NMED in Support of of Board's Statutory Authority to Adopt Regulations Establishing a Greenhouse Gas Cap-and-Trade Program	NMED	2/27/09
17.	Industry Group's Joint Response to NMED's Brief-in-Chief	NMOGA, et al.	2/27/09
18.	Industry Group's Joint Response to Petitioner's Brief-in-Chief	NMOGA, et al.	2/27/09
19.	Entry of Appearance of NM Conference of Churches	Conf. of Churches	3/2/09
20.	Petitioner's Brief in Reply Regarding EIB's Authority to Cap Greenhouse Gas Emissions	NMELC/NEE	3/13/09

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VOUME 2**

<b>No.</b>	<b>Document</b>	<b>Filed By</b>	<b>Date of Filing</b>
21.	Reply of NMED in Support of Board's Statutory Authority to Adopt Regulations Establishing a Greenhouse Gas Cap-and-Trade Program	NMED	3/13/09
22.	Reply Brief of PNM Pursuant to EIB's Order for Prehearing Briefing Schedule	PNM	3/13/09
23.	Industry Group's Joint Reply Brief	NMOGA, et al.	3/13/09
24.	Joint Motion Requesting Clarification Regarding Hearing of Petitioner NEE, NMED, et al.	all parties	3/30/09
25.	Order for Hearing Procedures on Brief Submittals	HO (G. Dillingham)	4/1/09
26.	Notice of Appearance (Jonathan M. Block)	NMELC	6/16/09
27.	Order for Prehearing Conference	HO (G. Dillingham)	7/13/09
28.	Certificate of Service in re: Item 27 above	Administrator	7/15/09

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<b>No.</b>	<b>Document</b>	<b>Filed By</b>	<b>Date of Filing</b>
29.	Motion and Proposed Order re: Status, Structure, Scheduling and Recording of Hearings and Cert. of Service	NEE/NMELC	7/21/09
30.	Motion for Temporary Stay of Proceedings	PNM, NMOGA, Dairy Producers, Tri-State Gen. Grupo Cementos, etc.	7/21/09
31.	Response to Petitioner's Motion Regarding Status, Structure, Scheduling and Recording of Hearing	PNM, NMOGA, et al.	7/28/09
32.	Opposition to Motion For Temporary Stay	NEE/NMELC	7/29/09
33.	El Paso Electric Co. Entry of Appearance	EPEC Vinson Elkins	7/31/09
34.	El Paso Electric Co. Motion for Stay	EPEC Vinson Elkins	7/31/09
35.	Reply in Support of Motion for Temporary Stay	PNM, NMOGA, Grupo, Cementos, etc.	7/31/09
36.	NMED Response to Procedural Motions	NMED	8/3/09

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**Pleading Log  
VOUME 3**

<b><u>No.</u></b>	<b><u>Document</u></b>	<b><u>Filed By</u></b>	<b><u>Date of Filing</u></b>
37.	First Order for Hearing Procedures	Hearing Officer	10/14/09
38.	Cert. of Mailing in re: item 37.	Administrator	10/14/09
39.	Objections of PNM to 1 <sup>st</sup> Order for Hearing Procedures and Request for Modification to Order	PNM	10/26/09
40.	Notice of Concurrence with Objections to 1 <sup>st</sup> Order for Hearing Procedures and Request for Modification of Order	NMOGA; DPNM;	10/27/09
41.	El Paso Electric Company's Objections to 1 <sup>st</sup> Order for Hearing Procedures and Request for Modification to Order	El Paso Electric	10/28/09
42.	Entry of Appearance	League of Women NM	11/24/09
43.	Entry of Appearance	NM Pediatric Society	11/24/09
44.	Entry of Appearance	Center of SW Culture	11/24/09
45.	Entry of Appearance	NM Interfaith Power and Light	11/24/09
46.	Entry of Appearance	Earth Care International	11/24/09

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47.	Entry of Appearance	NM Wildlife Fed.	11/24/09
48.	Entry of Appearance	Amigos Bravos	11/24/09
49.	Entry of Appearance	NM Physicians for Social Responsibility	11/24/09
50.	Entry of Appearance	Wildearth Guardians NM	11/24/09
51.	Entry of Appearance	Center Advancing Sustain- able Architecture	11/24/09
52.	Certificate of Service in re: Items 42 through 51	Mariel Nanasi, Esq. on behalf of all entities 42-51	11/24/09
53.	Entry of Appearance	Independent Petroleum Assn. of NM (K.Foster)	12/15/09
54.	Motion to Replace First Order For Hearing Procedures with Petitioner's Proposed Second Scheduling Order	NEE	12/23/09
55.	Entry of Appearance	City of Farmington Electric Administration	12/28/09
56.	Service List	Administrator	1/5/10

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57.	Entry of Appearance	SWesternPublic Service (Miller/Stratvert)	1/8/10
58.	Response in Opposition to Motion of NEE to Replace 1 <sup>st</sup> Order for Hearing Procedures With Petitioner's Proposed Second Scheduling Order and Motion to Stay Proceedings	SWesternPublicService	1/8/10
59.	Withdrawal from Proceeding	NM Wildllife Fed. (A. Hamilton)	1/13/10
60.	Entry of Appearance	Nat'l Fed. of Indepen. Business (M. McGonagle)	1/13/10
61.	First Revised Service List	Administrator	1/14/10
62.	Entry of Appearance	City of Farmington (S.Nixon Rodey)	1/14/10
63.	Second Order for Hearing Procedures	Hearing Officer	1/14/10
64.	Second Revised Service List	Administrator	1/19/10
65.	Entry of Appearance	Tewa Women United	1/20/10

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66.	Entry of Appearance	SW Organizing Project	1/20/10
67.	Entry of Appearance	Santa Fe Alliance	1/20/10
68.	Third Revised Service List	Administrator	1/21/10
69.	Entry of Appearance	D. Roark, GCC M. Matthews GCC Bret Fox, GCC	1/26/10
70.	Fourth Revised Service List	Administrator	1/27/10
71.	Affidavit of Publication NM Register	Administrator	1/27/10
72.	Entry of Appearance	Eddy County Comms. Attn. Allen R. Sartin, Mgr.	2/3/10
73.	Fifth Revised Service List	Administrator	2/4/10

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VOUME 4**

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74.	Entry of Appearance	Carlsbad Dept. of Develop. (S. McCutcheon)	2/8/10
75.	Sixth Revised Service List	Administrator	2/8/10
76.	NMED Motion to Clarify Second Order for Hearing Procedures	NMED	2/9/10
77.	Entry of Appearance	Tina Dziuk	2/11/10
78.	Entry of Appearance	VAWTPower Mgt. Inc. (James Mackenzie)	2/11/10
79.	Seventh Revised Service List	Administrator	2/11/10