

**STATE OF NEW MEXICO  
BEFORE THE SECRETARY OF ENVIRONMENT**

**IN THE MATTER OF PROPOSED  
REVISIONS TO THE RULEMAKING  
PROCEDURES FOR THE DEPARTMENT,  
20.1.9 NMAC**

**NO. NMED 18-15(R)**

**New Mexico Environment Department,**

*Petitioner.*



**NEW MEXICO ENVIRONMENT DEPARTMENT'S  
MOTION FOR RECORDING OF RULEMAKING HEARING**

COMES NOW the New Mexico Environment Department (“NMED” or “Department”) and moves that the Administrative Law Judge order the proceedings in the hearing in the above captioned matter, scheduled for October 12, 2018, be electronically recorded rather than transcribed by a court reporter. As grounds for this motion, NMED states as follows:

1. A transcript, tape, or electronic recording shall be made of each rulemaking hearing.  
20.1.9.13.B(1) NMAC.
2. NMED anticipates that the hearing scheduled in this matter will last less than the two hours currently scheduled. Further, NMED has received no comments or expressions of interest from the public regarding this rulemaking.
3. NMED anticipates that a recording of the hearing scheduled for October 12, 2018, will adequately serve as record-keeping purposes without adding unnecessary cost to the proceedings.

WHEREFORE, the Department respectfully requests that this motion be granted and that the Administrative Law Judge allow an electronic recording of the proceedings and not require a transcript.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT  
OFFICE OF GENERAL COUNSEL

/s/ Christopher Atencio

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Motion Recording of Rulemaking Hearing was hand-delivered on September 10, 2018, to:

*Via hand-delivery*

Mr. John Baca, Administrator  
Hearing Office  
New Mexico Environment Department  
Harold Runnels Building, Suite S-2102  
1190 St. Francis Drive  
Santa Fe, New Mexico 87505  
*Department Hearing Administrator*

*/s/ Christopher Atencio*  
Christopher Atencio  
Assistant General Counsel  
New Mexico Environment Department