



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

March 23, 2026

Sent By Certified Mail

Dan McGuire
Operations Manager
600 Congress Ave, Suite 15041
Austin, TX 78701

Re: Air Quality Permit Application No. NSR 10734 (Agency Interest No. 41311 - PRN20250001).

Dear Dan McGuire,

This letter is in response to your air quality permit application dated November 12, 2025, to construct the East Microgrid near Santa Teresa, NM. The application was received by the New Mexico Environment Department (NMED) on November 17, 2025.

Through this letter, NMED is providing notice that an extension of time is needed to process the above referenced application on the grounds that good cause is found for the following reasons:

- The significant public interest and need to hold public hearings (20.2.72.207(C)(1)). The Air Quality Bureau has received approximately 7,155 public comments during the comment period, with comments both supporting and opposing the applications for Air Quality Permit No. NSR 10732 (East Microgrid) and Air Quality Permit No. NSR 10734 (West Microgrid). The majority of comments reviewed to date have suggested a public hearing on the matter.
- The permit application requires review of unusually complex technical and regulatory issues (20.2.72.207(C)(5)).
- The department has been informed that the Applicant intends to imminently modify its application request and therefore unable to complete review of the permit application (20.2.72.207(C)(6)).

In accordance with 20.2.72.207(C) NMAC, this letter provides NMED an extension to the deadlines set forth in 20.2.72.207(B) for a length of time not to exceed ninety days based on the good cause shown above. of the need to have public hearings, the permit application requires review of unusually complex technical and regulatory issues, and because the Applicant will be modifying its permit application imminently.

The permit deadline extension shall not exceed 90 days to the original April 22, 2026 issuance deadline for Air Quality Permit Application No. NSR 10734 (Agency Interest No. 41311), West Microgrid.

Original issuance/denial deadline:	April 22, 2026
Period of extension:	90 days
New issuance/denial deadline:	July 21, 2026

Sincerely,
DocuSigned by:

James C. Kenney

Cabinet Secretary, New Mexico Environment Department