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*By Water Quality Control Commission at 3:53 pm, May 12, 2020*

**STATE OF NEW MEXICO  
BEFORE WATER QUALITY CONTROL COMMISSION**

**IN THE MATTER OF PROPOSED  
REVISIONS TO: 20.7.5 NMAC –  
Wastewater Facility Construction Loans**

**No. WQCC 20-07(R)**

**MOTION FOR RECORDING OF RULEMAKING HEARING**

COMES NOW the New Mexico Environment Department (“Department”) and moves that the public hearing currently scheduled in this matter for July 14, 2020, be electronically recorded rather than transcribed by a court reporter. As grounds for this motion, the Department states as follows:

1. Pursuant to 20.1.6.303(A) NMAC, each rulemaking hearing requires that a transcript be made of the hearing unless otherwise specified by the Hearing Officer.
2. As stated by Construction Programs Bureau Chief Judi Kahl at the March 10, 2020, New Mexico Water Quality Control Commission meeting to consider NMED’s petition for rulemaking hearing, NMED anticipates that the hearing in this matter will last for no more than two- and one-half hours. Further, NMED has received no comments or expressions of interest from the public regarding this rulemaking, and it does not anticipate the filing of any other notices of intent to present technical testimony in this matter, apart from its own.
3. In a recent rulemaking, NMED obtained a quote for court reporting services. Attached hereto as Exhibit 1. Based on the numbers provided in that quote, NMED may be required to pay nearly \$1,000 to transcribe a public hearing with little indication of public interest.
4. NMED anticipates that a recording of the hearing scheduled for June 8, 2020, will adequately serve for record keeping purposes without adding unnecessary cost to the proceedings.

WHEREFORE, the Department respectfully requests that this motion be granted: that the Hearing Officer allow an electronic recording of the proceedings and not require a transcript of the proceedings.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT  
OFFICE OF GENERAL COUNSEL


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Christopher Atencio  
Assistant General Counsel  
New Mexico Environment Department  
121 Tijeras Avenue NE, Suite 1000  
Albuquerque, New Mexico 87102-3400  
Telephone: (505) 222-9554  
[christopher.atencio@state.nm.us](mailto:christopher.atencio@state.nm.us)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Recording of Rulemaking Hearing was served by electronic mail to the following parties on May 12, 2020.

Robert F. Sanchez  
New Mexico Attorney General's Office  
rfsanchez@nmag.gov  
*Commission Counsel*



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Christopher Atencio