

**New Mexico Renewable Energy Transmission Authority
Minutes of the Board of Directors Special Meeting**

By Zoom

**Wednesday, November 29, 2023
1:30 P.M. MT**

Board Members

Robert (Bob) Busch, Chairman
Sarah Cottrell Propst, Cabinet Secretary, Member
Steve Marsico, Member (designee for Treas. Montoya)
Jeremy Lewis, Member
James Miller, Member
Phoebe Suina, Member

RETA Staff

Fernando Martinez, Executive Director
Ginny Selvin, Financial Director
Erik Aaboe, Energy Transition Specialist
Christopher Hyer, Project Development Manager
Lynn Mostoller, General Counsel, Sutin, Thayer & Browne
Mariposa Sivage, Counsel, Sutin, Thayer & Browne

1. Call to Order and Roll Call

Chairman Busch called the meeting to order at 1:32 PM and called the roll.

2. Approval of Agenda

Chairman Busch presented the recommended agenda to the Board. Member Marsico made a motion to approve the agenda as recommended. Member Miller seconded the motion. Chairman Busch asked if there were any comments or changes to the agenda as presented. There being no further discussion, the motion passed unanimously on a roll call vote.

3. Approval of November 2, 2023 meeting minutes

Chairman Busch asked if there were any comments or changes to the November 2, 2023 minutes as presented. Member Marsico made a motion to approve the minutes as presented. Member Suina seconded the motion. There being no further discussion, the motion passed unanimously on a roll call vote.

4. Public Comments

Erika Kane, Legal Counsel for Excel Energy's Southwest Public Service, informed the board that she and her colleague Terri Eaton, were in attendance observing the meeting. She did not give any specific comment but appreciated the opportunity to observe.

5. Review and Consider Approval of Hearing Procedures

Counselor Mostoller reviewed the draft Hearing Procedures for consideration by the Board. She highlighted a few changes recommended by Board members. After discussion, Chairman Busch called for a motion for approval, Member Miller moved to approve the Hearing Procedures, Member Lewis seconded, and the procedures were approved unanimously by a roll call vote.

- 6. Closed Session:** (a) Confidential discussion related to acquisition of real estate property as it relates to financing status for SunZia—Line 1 Project, as permitted under NMSA 1978, § 10-15-1(H)(8) (meeting for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body); § 62-16A-16 (protecting the proprietary technical or business information obtained by the authority as confidential); *see also* NMAC § 17.8.2.9; and (b) Confidential discussion of the acquisition of real property as it relates to the negotiation of an agreement with a commercial developer, as permitted under NMSA 1978, § 10-15-1(H)(8) (meeting for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body); § 62-16A-16 (protecting the proprietary technical or business information obtained by the authority as confidential); *see also* NMAC § 17.8.2.9.

Member Lewis made a motion for the Board to go into closed session. Member Miller seconded the motion. On a roll call vote, the motion passed unanimously. The Board went into closed session.

Member Lewis made a motion to come out of closed session. Member Miller seconded the motion. On a roll call vote, the motion passed unanimously. The Board returned to its regular meeting.

The Chairman announced that there was no other discussion held during the closed session other than what was set forth in the agenda.

7. Review and Consider Approval of a Resolution Regarding Consent to Collateral Assignment and Other Documents Related to Financing of the SunZia-Line 1 Project

After a brief discussion regarding the proposed resolution, Chairman Busch requested a motion. Member Lewis moved to approve the Resolution. Member Marsico seconded the motion. On a roll call vote, the Resolution was approved unanimously.

8. Next Meeting

Chairman Busch reminded the Board that the previously scheduled meeting on December 13, 2023, at 9:00am, would be held in the State Capitol room 317.

9. Adjournment

Member Marsico moved to adjourn the meeting. Member Lewis seconded the motion. There being no objection, the meeting was adjourned at 2:30 pm.