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### EDITORIALS

## Qualified, Streamlined PRC Is Long Overdue

The New Mexico Public Regulation Commission is hands-down the most powerful, least qualified agency in the state. Since its creation in 1996, the PRC has regulated telecommunication, electric, natural gas and water utilities; property, vehicle, health and title insurance; railroad, ambulance, taxi, bus, van, towing, shuttle and limousine companies; corporations; and the state fire marshal.

And to make all those decisions that affect the bottom line of businesses and the health of individuals' pocketbooks, all its commissioners need to be is 18 years old, a state resident for a year and felony-free.

The scope of responsibility in this job would be daunting for a highly educated person with specialized experience who is operating at the top of his or her game. Unfortunately, that's not who usually gets elected to the PRC.

Instead, routine candidates for the \$90,000-a-year job include a woman who has had a long career as a dog trainer. Commissioners have included a man who cost the state \$841,842 for a sexual harassment settlement. A woman who was busted at the Sunport for having drug paraphernalia in her luggage. A man who knowingly hired a twice-convicted embezzler. A woman who had her state wages garnisheed for nonpayment of debt, bashed a romantic rival's head in with a rock in a jealous rage, was then convicted of a felony and had to be removed from office by the Supreme Court. A man who lied on his campaign finance report, misused his state credit cards and pleaded guilty to multiple felonies before resigning.

Just try sandwiching a complex rate hearing case into those busy schedules.

New Mexicans deserve better. The proposal by a Santa Fe-based think tank to create actual education/professional experience requirements for commissioners and focus on utility regulation and do it well is a good starting point for a conversation on a serious upgrade.

Think New Mexico proposes peeling off the Insurance Division (which has had its own troubles, including a superintendent who resigned in disgrace amid a pay-to-play scandal) and placing it under the Governor's Office, as well as assigning the myriad other duties to the appropriate agencies. Corporate reporting would go to the Secretary of State, railroads to the Department of Transportation, ambulances to the Department of Health, the Fire Marshal to Homeland Security. The plan would also de-regulate market entry and rates for motor carriers, finally allowing competition and market forces to prevail in those industries.

Think New Mexico predicts its changes would save taxpayers at least \$1 million a year via consolidation alone. That savings and more key on scaling back the PRC as its responsibilities are focused — something that didn't happen when the PRC was created via a merger of the State Corporation Commission and the Public Utility Commission and all 243 employees, their payroll and supervisory status were preserved.

Gov. Susana Martinez's office has said she is open to the proposal. Perhaps the most convincing voice in the debate is that of current PRC Commissioner Jason Marks, who has been on the commission since 2005, often as the lonely, single voice of stability and reason in a wilderness of personal and professional embarrassment. He agrees with establishing commissioner qualifications while scaling back regulatory jurisdiction. "I would hope the Legislature and the public look seriously at making some changes to the PRC," he says. "The commission has just had a disproportionate amount of problems in its history."

It certainly has. Establishing qualifications for commissioners while focusing their responsibilities to allow for some expertise promises to not only reduce those problems, but protect New Mexicans' budgets, encourage economic development, and finally establish some public trust in the state's Public Regulation Commission.