

Governor appoints former GOP state senator to PRC

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Gov. Michelle Lujan Grisham has appointed a former Republican state senator and oil and gas lawyer to a six-year term on the New Mexico Public Regulation Commission.

Greg Nibert of Roswell beat out five other final candidates for the role, including outgoing commissioner James Ellison, who was vying for another term after being appointed by Lujan Grisham in January 2023 to a two-year term.

The selection process was overseen by the seven-member Public Regulation Commission Nominating Committee, which advised the governor but did not have final say over the selection. Per state law, the governor had to fill the seat with either a Republican or an independent.

Nibert, 66, was appointed by the governor to a state Senate seat at the beginning of 2024 after representing Roswell in the House of Representatives since 2016. He lost a three-way Republican primary race to challenger Patrick Boone in June 2024; his Senate term ended Tuesday.

The Public Regulation Commission was significantly overhauled following a constitutional amendment voters approved in 2020, and three new commissioners appointed by the governor to take office in 2023 were given terms with staggered expiration dates, Ellison's being the soonest.

Ellison, a former grid analyst at Sandia National Laboratories, was appointed after Lujan Grisham's nominee Brian Moore quickly resigned following criticism he was unqualified for the position.

Nibert's term began Wednesday and will run through 2030. As a commissioner, he will be paid a salary of \$190,000.

In a statement issued by the Governor's Office on Wednesday announcing the appointment, Nibert said he was "honored" to be chosen.

"The PRC plays a crucial role in ensuring we meet the renewable energy targets set forth in statute for the betterment of our state," he said. "I look forward to securing New Mexico's energy future for generations to come."

Since 1987, Nibert has been a partner at law firm Hinkle Shanor LLP, where, according to the firm's website, he specializes in oil and gas law. He has a law degree from Pepperdine University in California.

A campaign website for Nibert describes him as active in the Independent Petroleum Association of New Mexico, which he was president of from 2011 to 2012, and the New Mexico Oil and Gas Association.

Michael Jensen, a spokesperson for Conservation Voters New Mexico, said the group was disappointed with Nibert's appointment.

"He has a lifetime score on Conservation Voters New Mexico's Conservation Scorecard of just 11 percent (among the lowest in the NM State Legislature), and he voted against the Energy Transition Act in 2019," Jensen said in a text message. "The PRC needs commissioners with a record that prioritizes the health and safety of our communities."

During October interviews with the nominating committee, Nibert equivocated about the role renewable energy would play in the state's future.

"I have questioned whether or not we can ever get to the point where we are 100% reliant on renewables," he said at the time, adding, "I think it's a mistake for any public policy body to make demands that can't be achieved."

Asked about addressing climate change, Nibert said it is the commission's responsibility to enforce existing laws.

In Wednesday's statement, Nibert said his duty as commissioner "will be to regulate our utilities according to the laws of the land, which includes, first and foremost, the Energy Transition Act," the law setting benchmarks for New Mexico to transition toward renewable energy.

Nibert was chosen from a pool of more than 30 candidates, according to a news release. The six finalists included Ellison, Stephen Meyer, Flavious Smith, Blessing Chukwu and Debra Hicks.

Meyer and Hicks are owners or CEOs of their own companies, Smith is an oil and gas asset manager for Bank of America and Chukwu is a retired staff member at the Arizona Corporation Commission.

Environmental advocacy group Conservation Voters New Mexico publicly advocated for Meyer and Walcavich to be advanced based on their backgrounds in renewable energy.

A representative from the organization, and several other New Mexico environmental organizations, did not immediately respond to requests for comment Wednesday afternoon.

State law prohibits the three commissioners from belonging to the same political party. Since the other two commissioners are both registered Democrats, the person appointed to replace Ellison could not be. Nibert and two other finalists were registered Republicans; the others were unaffiliated with a political party.

The other sitting commissioners are Chair Patrick O'Connell, who has four years remaining on his term and Gabriel Aguilera, who has two years remaining.