

From: [chris mechels](#)
To: [Strassberg, Herbert, DPS](#)
Subject: [EXTERNAL] The 10.8.2 Rule Making
Date: Tuesday, October 14, 2025 10:36:21 AM

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Dear Mr. Strassberg,

I have just checked the comments on the DPS website.

It seems you have corrected the errors which had (10.2.8) instead of (10.8.2). I believe that the correct action would have been rescheduling the hearing, but Matt Ortiz went for a patch instead, making a legal action difficult. Matt is wrong, and the DPS should do the "right" thing and reschedule.

The other issue, with the failure to list the earlier Emergency Rule Making on the Sunshine Portal is more serious. The posting is required in the NM Rules Act under "Provide to the Public", and this was not done. Matt refuses to check of SS Portal filing and simply ran the notice in the Register.

As that Emergency Rule Making was illegal, it doesn't exist and can be legally challenged. The "correct" way to proceed is to reschedule the 10.8.2 hearing with no mention of the Emergency Rule Making.

The question is whether you, and the DPS, will follow our laws. Will you?

I hope you have learned that Matt Ortiz can NOT be relied on. You must take responsibility for the Rules Act filings, Matt won't.

I welcome any questions of course.

Regards,

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