

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
of the 24th NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; CONFIRMING THE APPOINTMENT OF CATHY NEWBY TO SERVE ON THE NAVAJO TRIBAL UTILITY AUTHORITY MANAGEMENT BOARD OF DIRECTORS FOR A TERM OF THREE YEARS

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee was established as a standing committee of the Navajo Nation Council. 2 N.N.C. §§ 500(A) .
- B. Pursuant to 2 N.N.C. § 500(C), the Resources and Development Committee shall exercise oversight authority over public utilities.
- C. Pursuant to 2 N.N.C. § 501(B)(9), Resources and Development Committee has the authority to grant final confirmation of appointments to enterprise boards.

SECTION TWO. FINDINGS

- A. Pursuant to 21 N.N.C. § 2, the Navajo Nation established the Navajo Tribal Utility Authority (NTUA) as an enterprise.
- B. The NTUA is authorized to acquire, construct, operate and maintain utility systems throughout the Navajo Nation. See 21 N.N.C. § 1(B) .
- C. The general purpose of NTUA is to operate, maintain and promote existing utility systems furnishing electric, gas, water, sewer utility services; generation, and telecommunications and information services for the benefit of residents of the Navajo Nation; including the establishment, ownership, operation and maintenance of electric generating, telecommunications and information services on or off the Navajo Reservation; and to provide utility generation, telecommunications and information services on a non-profit basis and at a reasonable cost to residents of the Navajo Nation consistent with the economical operations of the Enterprise. See 21 N.N.C. § 5(A)(1)-(6) .

- D. The NTUA Management Board shall have the delegated authority and responsibility for the management and operation of the Enterprise. See 21 N.N.C. § 7 (1).
- E. The management board shall consist of seven (7) persons, all of whom shall be appointed by the Government Services Committee of the Navajo Nation Council; whose authority to confirm appointments to enterprise boards has been delegated to the Resources and Development Committee. See 21 N.N.C. § 9 (A); See also 2 N.N.C. § 501 (B) (9).
- F. Members of the board shall be called directors, and shall have the following qualifications: (1) [f]our of the directors shall be members of the Navajo Nation who speak English with fluently and who have sufficient education and experience to qualify them for learning utility business practices and procedures and making sound judgments; (2) [f]our of the directors shall be persons having not less than 10 years' experience in business management of substantial character and at least two of such persons shall have had such experience in the management and operation of a utility business. See 21 N.N.C. § 9 (B) (1) - (2).
- G. Vacancies in the management board may be filled for an unexpired term of the vacant office. See 21 N.N.C. § 9 (C) (2).
- H. Directors shall be eligible for reappointment. See 21 N.N.C. § 9 (C) (1).
- I. Cathy Newby meets the qualifications listed under 21 N.N.C. § 9 (B) (1) - (2). Cathy Newby's resume and letter of interest are attached as **Exhibit A**.
- J. The appointment of Cathy Newby will be for a period of three years expiring with the annual board meeting in October 2025. See 21 N.N.C. § 9 (C) (2).

SECTION THREE. CONFIRMING APPOINTMENT

The Resources and Development Committee finds that Cathy Newby meets the required qualifications to be appointed as a director for the NTUA Management Board as set forth in 21 N.N.C. § 9 (B) (1) - (2), and hereby confirms the appointment of Cathy Newby for a term of three years, with the term expiring at the annual board meeting in October 2025.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Resources and Development Committee of the 24th Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 5 in favor, 0 opposed, on this 21st day of December 2022.



Rickie Nez, Chairperson
Resources and Development Committee
Of the 24th Navajo Nation Council

Motion: Honorable Mark A. Freeland

Second: Honorable Wilson C. Stewart, Jr.



Cathy Newby
Navajo of the Bitter Water Clan and Water's Edge Clan

- Eighteen years of advising and consulting company leaders and key departments of the state's largest energy provider and investor owner utility to understand and build trusting business relationships with sovereign nations.
- Worked effectively with the Navajo Nation and the All Pueblo Council of Governors to gain support of the landmark legislation the Energy Transition Act (ETA) that sets a statewide renewable energy standard of carbon free resources by 2045.
- Extensive experience in successful Rights-of-Way (ROW) contract negotiations with area tribes. Developed dark fiber strategy to provide commercial dark fiber access to New Mexico Tribes who lack vital internet services to help offset part of ROW costs.
- On behalf of the company, developed two educational endowment and scholarship programs on behalf of students from the Navajo Nation and Pueblo Nations totaling \$2.5 million in student scholarships aiding over 300 students to graduate with a variety of certifications and degrees to date.
- Developed agreements with the Western Area Power Administration to administer Hydro Allocation benefits to seven qualifying customer tribes. Oversee the benefit transfer to the seven pueblo customers bi-annually that has provided over \$ 240,000 annually since 2010 in economic benefits back tribal communities.
- Excellent ability to communicate technical energy issues with overall experience in Community Relations and Communications to cultivate, maintain, and enhance positive relations through various communication methods and messaging to improve organization reputation and image.

Professional Experience

Director, Tribal Government and Customer Engagement, Albuquerque, New Mexico – May 2014 to present.

- Under the guidance of the Sr. Vice President of Public Policy, I direct a Tribal Relations team to establish, maintain and enhance relationships with the company's complex and influential tribal - businesses, governments, and institutional customers.
- Direct outreach and strategy to ensure we are trusted energy advisor to all tribal customer segments (commercial and residential) and oversee Tribal managed accounts and unmanaged accounts, in partnership with internal and external cross-functional organizations.
- Direct the company on a full range of policy issues including ROW renewals, major infrastructure projects, new service delivery, interconnection projects, renewable energy development on tribal lands and taxation.
- Analyze proposed tribal and industry legislation and resolutions to advise CEO and senior leadership of company and approximately 30 key departments, on the effects and implications to company and tribal government operations.
- Develop and oversee the company's strategic direction and tribal outreach budget to advocate and influence tribal leaders of sovereign nations and other related policy makers on behalf of PNM regarding major initiatives and outcomes.

Senior Tribal Relations Manager, PNM, Albuquerque, New Mexico – September 2003 to May 2014

- Work with a variety of internal company departments and project to teams to design and implement various projects including new electric service, energy efficiency and low-income programs, tax issues, customer service requests and renewal energy development interests.
- Provide consultation to various departments to cooperatively work with the Bureau of Indian Affairs (BIA) related to service line agreements for new service delivery, company facilities on tribal land and ROW renewals.
- Build positive relationships with respective tribal leaders and advise company decision makers about various aspects of tribal governments, tribal sovereignty, processes and culture and religious considerations.
- Successfully manage annual tribal relations budget and coordinate a strategic community relations program.

Community Relations Manager, APS, Phoenix, Arizona - January 2002 to September 2003

- Developed community and governmental strategies and programs to maintain positive relations with all aspects of southeast valley cities that the company serves. These positive relations allowed the company to reach favorable franchise agreements with cities and towns.

August 16, 2022

Walter Haase, PE., General Manager
Navajo Tribal Utility Authority
P.O. Box 170
Fort Defiance, Arizona 86504

Dear Mr. Haase,

I am writing to express my interest in serving on the Management Board for Navajo Tribal Utility Authority (NTUA). I am Navajo and from the community of Tohatchi, New Mexico. I currently serve as Director of Tribal Government & Customer engagement where I lead a department in the overall engagement with 18 of New Mexico's 23 Indigenous Sovereign Nations by working to serve their varying energy needs.

I am responsible for a full range of policy issues including in engaging stakeholder meetings, rights-of-way (ROW), new service delivery, and renewable energy development projects on tribal lands at PNM Resources, New Mexico's largest investor-owned utility.

I have and continue to successfully direct and participate on project teams that design and implement new electric infrastructure service including sub-station sighting on tribal lands, service line extensions, new transmission interconnection projects and upgrades, and coordination of infrastructure inspection & vegetation management. I have experience in rights-of-way negotiations & renewals and understanding of environmental, legal, labor, procurement, and taxation as it applies to sovereign nations and Bureau of Indian Affairs oversight of tribal trust lands.

I offer 26 years of energy/utility company experience working and represent a leadership style that advocates for the tribal communities that PNM serves understanding that I am indigenous first, effectively producing a cultural of trust that benefits PNM's business interests. I work daily with internal cross functional departments to effectively address a variety of projects and issues including Operations and Reliability, Pricing, Generation, Land Services, Vegetation Management, Customer Service, Outage Communication, Energy Efficiency, and Communication and Marketing.

In my educational experience I have earned a master's in business administration from the University of New Mexico in 2019 and graduated from the Utility Executive Course in 2016 in Moscow, Idaho.

I appreciate your consideration of my interest in serving on the NTUA Management Board. Please feel free to contact me at _____, with additional questions you may have. My attached resume provides additional details about my responsibilities and experience that I think will bring strong board oversight to NTUA.

Sincerely,


Cathy Newby



