



## 4OYS: Woman's electric co-op delivers one-two punch

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A longtime grocery store owner lost her business to big retail stores. Now, even with support from the Attorney General's Office, she's fighting a losing battle with her electric cooperative to recoup thousands of dollars she says her business is owed.

Collette Foard owned the Trails End Market in Magdalena, N.M. for 18 years.

"I mean I ate, breathed, and lived the store. Anybody that knew me-- I don't have kids. The store was my baby," she said.

For the last two years, ever since the business shuttered, Foard's been asking the Socorro Electric Cooperative, or SEC, to return the store's capital credits in full -- more than \$26,000. She said she needs the money to help pay off roughly \$80,000 of debt.

Foard's grocery store was one of the larger customers due to the amount of electricity it used.

"Our average electric bill would be between \$4,000 and \$5,000 per month," she said.

Electric cooperatives could not exist without capital investment from each and every member, or customer. Typically, a co-op returns capital credits to customers in small increments over 20 to 30 years. But, in some instances, they "retire" capital credits early, in full, to the families of deceased people.

Foard said her dead grocery, a dead corporation, is the equivalent of a dead person. An assistant attorney general in New Mexico's Attorney General's Office concurred and mailed a letter to the SEC. The SEC, in turn, disagreed.

Although the SEC's bylaws allow for early capital credit retirements to dead people, it's at the discretion of the SEC's board. To date, the board has declined Foard's request every time.

"I was in awe," she said.

Foard believes she's being treated unfairly. But the chairman of the SEC board argued that the early retirement of capital credits, in the amount of \$26,000, would violate the SEC's bylaws, set bad precedent, and could ultimately kill the co-op in the long-term.

"The co-op has to have policies and procedures, and they have to deal with all the members -- all 10,000 members -- fairly," Anne Dorrough, the chairman of the board said.

Still, KOB questioned if the co-op is serious about returning capital credits. For instance, the SEC periodically publishes a list of thousands of people and agencies that are owed capital credits yet have not provided current addresses. If they don't provide a current address, they don't get a check. Outside of the list, the SEC does little to actually find those people.

Among the agencies listed are New Mexico state agencies -- including the State Forestry -- with addresses readily available online.

“If they closed a forestry office in a remote area, and they didn't give a change of address to the co-op, the co-op advertises for a current address -- the forestry can read the paper too,” Dorrough said.

Ben Hall, a PRC commissioner who represents Foard, said he questions the SEC's business practices. He said the SEC is the only electric cooperative in his district that's generated consumer complaints. Sometimes, he said he receives one complaint every week.

Despite his concern, he said the PRC can only regulate an electric cooperative's rates, not its politics.

“The PRC's hands are kind of tied when it comes to co-ops,” Hall said.

As for Foard, he said the SEC does not appear to be listening to its membership on the whole.

Despite the support Foard has, she fears she may have to file a lawsuit against the SEC. She wants her neighbors to understand she's not fighting this battle for herself.

“Because ultimately, the money is not mine. It is not mine today, and it is not mine when I am dead. It is the corporation's money and all I want do is try to get it collected -- to the corporation, so the corporation can go through the proper process that the state mandates for a New Mexico corporation to do -- to dissolve and be done,” Foard said.