

MEXICO ENERGY INTELLIGENCE[™]

ANNUAL ANNOTATED TITLE CATALOG

2022

January		
Fri, Jan 7	DEER PARK REFINERY SALE SURVIVES COURT CHALLENGE	
File 100 2 Pages 10 Topic 111	This report is a critique of the 90-minute court hearing that was held on January 6, 2022, in federal court in Houston to consider a petition for a Temporary Restrainng Order (TRO) against the sale of the Deer Park refinery by Shell to P.M.I. (a Pemex affiliate). Judge Lee Rosenthal denied the TRO and the request for expedited discovery, but she invited plaintiff attorney Mark Lavery to submit additional arguments as to why the petition should not be dismissed.	
Mon, Jan 17	COMMENT: ENERGY TRANSITION COMES TO DEER PARK	
File 011 Pages 1 Topic 111	Commentary regarding the problematic issues associated with the sale of Shell's interest in the Deer Park refinery to Pemex, published in the "TexasInc" section of <i>The Houston</i> <i>Chronicle.</i> "Pemex cannot operate as a market-driven business when its de facto, activist chair is the president of Mexico." For this reason alone Pemex cannot be a reliable business owner in Deer Park.	!
Thu, Jan 27	DEER PARK REFINERY HANDOVER, JANUARY 19-21, 2022: W HAT WAS CONVEYED AND WHAT WAS RETAINED?	
File 945 Pages 10 Topic 111	This report examines the succession of events associated with the handover of Shell's controlling shares of the Deer Park refinery to Pemex. Table 1 examines the financial aspects of the deal,.The welcoming video of Jan. 19th conveyed the message to employees that their real boss is the President of Mexico. The documents ceremoniously signed and exchanged on Jan. 20 likely concerned the Transitional Service Agreement by which Shell would continue to administer the refinery for the remainder of 2022. The video shown on Jan. 21 made it clear that the President was behind the purchase.	•

MEXICO ENERGY INTELLIGENCE™is a digital publication based in Houston since 1996 and published by market analyst and historian George Baker. We analyze developments in law, regulation, policy, and institutional governance in Mexico's energy sector from the perspective of regulated market solutions. Our extensive archive of reports allows us to provide the back-stories not found elsewhere and workplace safety. Occasional reports are dedicated to the linguistics of bilingual proficiency, understood as an element of market efficiency. In 2015, we donated our extensive collection of Pemex publications, books and papers related to Mexico's energy sector to the Special Collections Library of the University of Houston.

Reports are distributed principally by paid subscription and online purchase.

2022

Mon, Ja	n 31	What's wrong with Mexico, with Pemex? Why the Spanish Crown had it right for 300 years	
File Pages	100261	This report discerns that mineral exploration, produciton and public finances were better served by the framework of the Spanish colonies than by the constituional regime	4
Topic	812 412	established in 1917. The report extends the scope and arguments of our article published in <i>The Dallas Morning News</i> (Jan. 31, 2022).	
File Pages	013122	This essay, "Why can't oil-rich Mexico succeed in the oil business?" published in the <i>Dallas Morning News</i> , offers a long view of Mexico's oil industry: The mistakes	5
Topic	418 201	in law and policy of 1917, 1938, 1958, 1981 and 2014 are highlighted.	

February

FRI, FEB 18	López Obrador's Housing Crisis in Houston: Inconclusive investigation into Allegations of dark money	
File947Pages21Topic201	A media firestorm broke out in Mexico City at the end of January 2022 when it was revealed that AMLO's eldest son was living in luxury quarters in a Houston suburb. The story's focus was on Carolyn Adams with a sketchy work history and iffy credit score would be able to rent an executive-style home with a monthly rent above \$5,000. The story gained momentum when it was learned that the homeowner was an executive with a major Pemex contractor. The source of funds was never Imade public. President López Obrador took umbrage at the report. To bury the story, the president targeted the reporter, Carlos Loret de Mola. During a press briefing, the president revealed his sources of income, implying that he was an agent of his enemies.	6
File 949 Pages 6 Topic 810 811	Mexico's national interest is harmed because there is no limiting principle of commerce when Pemex is managed by the President of Mexico whose limiting principle is the popular vote. This report observes that while Mexican criticize the energy policies of the presidentespcially those of today's incumentthey do not question the legal framework and historical narrative that give the president the authority to involve himself in the management of the state-owned oil companies.	7
Sat, Feb 19	AMLO REDEFINES JOURNALISM: HIS POLITICAL MOVEMENT MERITS PROTECTION FROM LIES [HE WRITES]	
File 100262 Pages2Topic201	This report provides an English translation of the communication of President López Obrador to the autonomous agency responsible for the protection of personal data, dated February 14, 2022. The president asks about his right to publish the income of journalist Carlos Loret de Mola, whose annual income of \$35 million pesos (US\$1.75 million) is deemed prima facie evidence of corruption.	8

2022

March

- Thu, Mar 10 How competitive is the USMCA region? Can Mexico win back any of the jobs lost to China?
 - File **946** Pages 13 Topic 418
 This report makes an innovative use of the dataset generated by the DC Heritage **9** Foundation in its 2020 Report on Economic Freedom. We compared the scores of Mexico and the U.S., also against the scores of China in regard to 12 institutions. China outscores Mexico iin Judicial Effectiveness and Government Integrity. The report converts the original raw scores into normalized values, or Z scores. In this way, the score for an institution like Judicial Effectiveness is shown against the global average of 170 countries.
- THU, MAR 31 LO IMPERCEPTIBLE EN EL SECTOR ENERGÉTICO EN MÉXICO: LA AUTORIDAD DEL PRESIDENTE

File	033122	In the journal <i>Energía a Debate</i> , George Baker observes that while Mexicans in the public	10
Pages	1	square routinely criticize the appointments and decisions made by Mexico's president in	
Topic	300	the management of the state-owned energy companies, the same critics do not question	
Topic	412	the legal and ideological framework that allows for presidential involvement in the	
	201	companies. For the president to step aside in the oil sector, a second state-majority oil	
	201	company would be needed based along the lines of Equinor (previously, Statoil). In that	
		governance model, it would be an international board of directors that appoints and	
		removes the CEO.	

April

Mon, Apr 4		COMMENT: THE PRESIDENT OF MEXICO MAY NEVER ALLOW PEMEX TO BECOME A REAL OIL COMPANY	
File Pages Topic	040422 1 300 412 201	A commentary published in the <i>Houston Chronicle</i> by George Baker that highlights arguments that were set forth in MEI 949 about how in Mexican culture it the harm to the national interest from the interference of the President of Mexico in the management of Pemex and CFE is not recognized. The commentary concludes that Pemex will never become a real oil company executive appointments, dismissals and strategy are decided by the president of Mexico.	11
SAT, APF	x 9	AMLO WOOS JOHN KERRY AND INESTORS: BAIT & SWITCH AT THE PALACE CONFAB OF MARCH 31ST	
File Pages Topic	950 15 408 425	This report critiques recent diplomatic efforts that U.S. authorities have made to thwart the Mexican government's program to reposition its power company (CFE) at the head of the dispatching queue. President López Obrador used the meeting on March 31, 2022, with presidential envoy John Kerry and Amb. Ken Salazar and a dozen investors to insist on the correctness of his policies. The president urged Talos's CEO, Tim Duncan, who was present, to continue to invest to bring the huge Zama reservoir into production during the term of the present administration.	12
THU, APP	x 14	MEXICO'S ENERGY SECTOR, 2020-22, AS REPORTED IN OUR PUBLISHED COMMENTARY	
File Pages Topic	10086 5 907	A walk-through of salient issues in Mexico's energy sector during 2020 - 2022 as documented in our published in the U.S. and Mexican media.	13

2022

Mov		
May	E	
WED, MAY 4	EASTER SUNDAY IN THE MEXICAN CONGRESS, 2022	
File10087Pages23Topic408227	This report examines the background and implications of the vote in the congress that failed to provide a two-thirds majority in favor of constitutional amendments related to the energy sector. Table 1 is a review of six market models from 1975 to 2022. Table 2 is a chronological title list of legal dispositions related to public administration of the electricity industry, 1922-2022.	14
Fri, May 6	A CENTURY OF PUBLIC ADMINISTRATION IN THE ELECTRICITY INDUSTRY IN MEXICO	
File 100263 Pages6Topic408	A century after the federal government in Mexico issued a decree in 1922 to bring order to the electricity industry there is still no consensus as to what that order should look like. Table 1 provides an annotated list in chronological order of salient legal dispositions in the electricity sector in Mexico, 1922-2922.	15
Mon, May 16	AMLO, MEXICO'S PRESIDENT, SEEKS INTERNATIONAL ROLE AFTER DOMESTIC SETBACKS	
File 051622 PagesTopic201	Rebounding from setbacks in his domestic agenda, President López Obrador seeks a role as a regional leader and as an advocate for Cuba, Venezuela, and Nicaragua to be included in the upcoming meeting of the Council of the Americas. The op-ed notes errors in domestic energy policy that made Mexico in 2022 less secure than when he took office in 2018.	16
Sat, May 28	OIL GOVERNANCE AND OVERSIGHT IN MEXICO, 1900-1960	
File10088Pages12Topic813	This report provides (in Table 1) a chronology of legal dispositions and institutional developments related to the oil industry in Mexico, sorted by presidential period, from 1900-1960. The discussion focuses on the governance model of Mexico's first state oil company, Petróleos de México, S.A. (Petromex), created at year-end 1933. The company would be guided by a board of directors of seven members, three of which would be designated by the government. The general director of the company would be appointed by the board. This market-oriented approach to oil company governance would be lost by 1946, when the President of Mexico was given responsibility for designating the executive team of Pemex.	17
TUE, MAY 31	OIL COMPANY GOVERNANCE AND OVERSIGHT IN MEXICO, 1946-2022: WHY IS PEMEX STILL A SUBOPTIMAL ASSET?	
File 10089 Pages13Topic609	This report starts with the "presidential capture" of Pemex by a decree issued in 1946 that named the President of Mexico as the authority that would appoint the director-general and executive team of Pemex. The result would be that successive presidential appointees would lack industry experience and a background in leading a large commercial corporation. Only the constitutional amendments in 2013 and laws in 2014 would Pemex be able to have partners in joint ventures, but only a few have been made.	18

2022

June

Wed, Ju	in 1	Mexico's oil industry governance, 1946-2022: K ey moments sorted by presidential period	
File	100264	In the four pages of Table 1, salient points in the history of Mexico's oil industry are listed, sorted by presidential period.	19
Pages	6	solited by presidential period.	
Topic	810 300		
Τнυ, Јυι	N 2	ANNUAL ANNOTATED TITLE CATALOG 2021	
File	100265	We review the top stories of the year 2021 as we reported them: Zama, Deer Park and	20
Pages	15	Electricity Reform were the topics to which we dedicated most of our attention.	
Topic	907		

Thu, Jun 16 Updated 6/24/20	OUTLOOK FOR DEEPWATER DEVELOPMENT IN IN MEXICO: WHAT FACTORS AFFECT SUCCESS IN THE PERDIDO AREA?	
File 923 Pages 50 Topic 404 419	This report continues on a subject that we first discussed in 2004, <i>Pemex's future production in deep water: What is Plan B?</i> Seventeen years later, without the first barrel of oil from a deepwater reservoir, we approach the subject from an angle informed by the neo-classical growth model of macroeconomics. The idea is to predict economic development as a function of technology as multiplied by a country's natural resource endowment, physical capital, human capital and institutions. For data, about institutions, we adapt the scores developed by the Heritage Foundation in its Report on Economic Freedom.	21
THU, JUN 30 Updated 7/5/202	WHERE MEXICO WENT WRONG IN OIL LAW AND POLICY: WHAT BIDEN NEEDS TO KNOW BEFORE MEETING AMLO ON JULY 12	
File 1009 Pages 13 Topic 006 425	It took almost fifty years for the constitutional flaws in <i>Roe v. Wade</i> to be identified and corrected in 2022. In this report, we identify flaws in Article 27's framing of the state's relationship to natural resources. The development of Mexico's oil industry is being held hostage. (Arguments in this report were published in a commentary in <i>The Houston Chronicle</i> on July 4, 2022.)	22

July

Mon, Jul 4	ROE V. WADE IN MEXICAN OIL: REVISITING DECISIONS THAT GAVE THE STATE AN OUTSIZED ROLE IN OIL INDUSTRY	
File 070422	This commentary in The Houston Chronicle summarizes one of the main arguments in	23
Pages 1	our report PPP 10090, "Where Mexico went wrong in oil law and policy" (June 30, 2022).	
Торіс	The argument is that bad law, policy and regulation have had a flawed basis in the Mexican constitution's 27th article. One expression of bad policy outcomes is that the Energy Reform of 2013-14 declared that the Nation owns the oil reserves of investors. The only solution is to expunge the offending paragraph.	

2022

Thu, Ju∟	14	LEGAL HISTORY OF MEXICO'S ENERGY SECTOR: AN ANNOTATED TITLE LIST OF OUR REPORTS, 2002-2022	
File Pages Topic	100266 16 907	This report serves as a survey of the evolution of law, commerce and institutions in Mexico's energy sector, as seen in the titles and annotations of selected reports issued during 2002-2022.	24
Mon, Jul	. 18	THREE GREAT MEN OF MEXICAN OIL: CÁRDENAS, PEÑA NIETO AND LÓPEZ OBRADOR	
File Pages Topic	071822 1 609	This column in the Houston Chronicle: Mexican oil history now comes down to the story of three [white] men — Cárdenas, Peña Nieto and AMLO. All of them are alike in their failure to discern that no course correction in energy policy or Pemex governance will be adequate or sustainable as long as the president of Mexico at the helm.	25
Wed, Jul	. 20	RETHINKING MEXICO'S UPSTREAM, PART I: FIRST PRINCIPLES IN THE MINING INDUSTRY	
File Pages Topic	10091 11 812 609 812	This report places Mexico's upstream oil and gas industry in a generic framework of the mining sector. We ask about society's needed for hydrocarbons and about the incentives and obligations that are offered to miners. We list a dozen principles of conduct and expectations. In 30 endnotes we apply these principles to Mexico's oil and gas industry. In the section of conclusions, we identify three events that need to take place for the Era of Lázaro Cárdenas to come to an end.	26
THU, JUL	21	RETHINKING MEXICO'S UPSTREAM, PART II: LEGAL AND POLICY INFLECTION POINTS	
File Pages Topic	10092 30 410	This report identifies inflection points since the end of the 19th century that have moved the needle in Mexican oil policy, public institutions and regulations. Table 1 is a chronological listing of ten key dates.	27
Sun, Jul	31	AMLO DOUBLES DOWN ON ZAMA BUT MISSTATES FACTS, LAWS AND CONTRACTS	
-	951 12 407 425	This report provides an English translation of President López Obrador's remarks on July 26, 2022, on the roles of Pemex and Talos Energy in the negotiations of unnamed areas of disagreement related to the 2017 Zama oil discovery by Talos. Appended to the report is an annotated title list of our reports on related topics since 2012.	28

2022

August

- SUN, AUG 7 RETHINKING THE MEXICAN UPSTREAM, PART III: USTR vs. PEMEX GOVERNANCE
- File10093This report comments on the request by the United States Trade Representative (USTR),29Pages 9dated July 20, 2022, for dispute-settlement consultations regarding alleged violations of
trade agreements by the Mexican government in the energy sector. The report calls
attention to the absence of complaints of policy and regulatory malpractice in the
unstream, and, in parallel, an inadequate governance model in Pemex.29
- TUE, AUG 9 USTR REQUESTS ENERGY DISPUTE CONSULTATIONS WITH MEXICO
- Updated 8/25/2022
- File **1000113** Pages 20 Topic 418 On July 20, 2022, the USTR announced that it had requested Dispute Settlement 30 Consultations with Mexico about alleged breaches of the US-Mexico-Canada Trade and Investment Agreement (USMCA). The press release hyperlinked a densely written five-page document that cited policies said to violate the Agreement. The reaction of Mexico's president, Andrés Manuel López Obrador, was dismissive. Table 1 of this report lists issues flagged by American public officials since 2020. As background, we cite the Metalclad arbitration under NAFTA in the late 1990s that ended badly for investors. We speculate that Mexico's negotiators will invoke energy sovereignty to justify the disputed energy policies.
- MON, AUG 15 OVERCOMING THE ENGLLISH AND SPANISH ACCENTS, PART I: THE INTERVOCALIC CONSONANT
 - File100268In this report, we call attention to a common source of the characteristic accent of native31Pages1English and Spanish speakers who learned the other language in school. The source is a31Topic505misunderstanding of the hyphenation of syllables associated with words that have a31consonant between two vowels (known as the intervocalic consonant by linguists).31
- MON, AUG 22 COMMENT: GETTING AMLO TO RELENT ON ENERGY POLICIES WILL TAKE MORE THAN CONSULTATIONS
 - File 082222 Pages 1 Topic 418 425 This column in the "Texas, Inc." section of *The Houston Chronicle* comments on the July 32 20, 2022, request for a dispute-settlement consultation with Mexico over alleged breaches of the USMCA related to energy policy. The USTR is faulted for omitting violations in the upstream, notable regarding the mistreatment of Talos Energy. Mexico is likely to justify any alledged infraction as a measure of energy sovereignty. To get the attention of the Mexican government, a preemptive tariff on petroleum exports should be considered.

TUE, AUG 30 THE SECRETS OF SCHWA: BILINGUAL PROFICIENCY IS ALSO A SAFETY FACTOR

File **1000110.1** We update this report by calling attention to bilingual proficiency as a safety factor as well as a factor that promotes commerce and builds trust. We comment on the level of bilingual proficiency of the current management team in Pemex, noting that the director-general missed out on an invitation from the Offshore Technology Conference in 2019 to be a major speaker. We insist that without a clear recognition of the pronunciation and importance of schwa in the accentuation of words, the English skills of a native Spanish speaker not advance.

2022

October

- THU, OCT 13 RETHINKING THE MEXICAN UPSTREAM, PART IV: HOW THE RISK MISCALCULATIONS OF ARTICLE 27 BEDEVIL OIL POLICY
- File **10094** Pages 18 Topic 013 812 This report presents a list of questions that should have absorbed the attention of lawmakers and oil executives in 1917. These questions address the measur4es needed to expand investment in oil and gas exploration, prodution and midstream and downstream infrastructure. Mexican authorities underestimated the risks they were taking: Mexico needed the oil companies more than the oil companies needed Mexico. The outcome was a lost century of national development.
- SAT, OCT 22 USTR BACKS OFF USMCA COMPLAINTS: ENERGY IN AMLO MEETING OF WAS BARELY DISCUSSED
- File **953** Pages 11 Topic 418
 This report assesses the outlook for the requests for dispute-settlement consultations issued by the U.S. and Canada on July 20, 2022. The first 75 days passed without a settlement, but a decision to convene an arbitration panel has not yet been taken either of the disputing parties. The firing of commerce minister on Oct. 6, coupled with the subsequent departure of her team, darkened the outlook for an early settlement.n his remarks during 45 minutes at the annual meeting of the US-Mexico Chamber of Commerce on Sept. 21, USTR's Jayme White avoided any reference to the current dispute.
- MON, OCT 31 COMMENT: AMERICAN ENERGY INVESTORS APPEAR TO BE ON THEIR OWN IN MEXICO
 - File103122This commentary in the Houston Chronicle's section "Texas, Inc." by George Baker36Pages 1describes events at the annual meeting in Washington D.C. of the U.S.-Mexico Chamberof Commerce, held on September 21. Amb. Jayme White addressed the group but madeof Commerce, held on September 21. Amb. Jayme White addressed the group but madeof trade talks accomplished were erased when two weeks later the economy ministerof trade talks accomplished were erased when two weeks later the economy minister

November

SELF-CENSORSHIP IN MEXICO'S ENERGY SPACE: THE CHANGED CALCULUS UNDER AMLO TUE, NOV 1 File 954 This report calls attention to the diminished stature of Energy Day® 2022 compared to 37 earlier years. Not only were there no speakers from the key ministries, state companies Pages 13 and regulatory agencies, but the speakers, save for two, left no paper or digital record of Topic 412 their participation in the event. We infer that the motivation behind both behaviors was what we call the AMLO Risk Factor. Figure 1 presents the several motivations of self-censorship in Mexico's energy space. To read sample pages, use this link ia browser: https://emailmarketing.secureserver.net/p/9134f41 TUE, NOV 8 TRANSITION AS A THEME IN ENERGY DAY®: 1999 VS, 2022 File 100269 This report comments on the different ways that the theme of transition has been 38 addressed in the panels and keynote addresses at an annual industry conference held in Pages 7 Mexico City and hosted by the British-Mexico Chamber of Commerce. Where the theme Topic 412 in 2022 was about managing the transition called for by new standards of compliance in 415

energy sector.

the areas of ESG (Environment, Social, and Governance), the theme in 1999 was about the problematic transition from a command economy to a market economy in Mexico's

2022

Тни, Nov 17	ENERGY DAY® 2022: HEURISTIC KEYNOTE ADDRESS	
Updated 12/8/2022		
File 10096 Pages 16 Topic 603 609	This report offers ideas about how a chamber of commerce might contribute to higher education in disciplines that are practiced in the energy sector. The person best qualified to offer such ideas is Francisco Barnés, a former chancellor (rector) of Mexico's prestigious National University (UNAM). Dr. Barnés was the keynote speaker at Energy Day® 2022. Here, we address key issues that were highlighted in the statistics and slides that he presented. for sample pages, in html, use the link below in your browser: https://emailmarketing.secureserver.net/p/6840151	39
Fri, Nov 18	TWIGHLIGHT IN THE DESERT: ENERGY DAY® 1999, 2017 AND 2022:	
File955Pages26Topic415	This report continues the discussion in MEI 954 about the celebration of Energy Day® 2022 in Mexico City on October 25. As we reported, unlike normal years, there were no speakers from the Mexican government on the program. We also noted another difference: With two exceptions, the speakers left no digital trails of their remarks: only two speakers presented slide decks (and one with only one slide). In this report, we comment on the topics that were discussed, noting also topics that were passed over, notably the trade disputes with American and Canadian authorities about the government's apparent violations of the trilateral trade agreement of 2018.	40
December		
MON, DEC 12	Comment: Is it time for sanctions to respond to Mexico's trade practices?	
File 121222 Pages1Topic418	The American and Canadian governments are increasingly frustrated by the protectionist trade policies of Mexico. In July, both governments filed for investor dispute consultations regarding irregularities in the treatment of investors in the electricity and fuels markets. To capture the attention of Mexican authorities , a tax on financial remittances to Mexico is proposed. The sender would have to show that te money came from earned, taxable income.	41
WED, DEC 21	QUESTIONING MEXICO'S BAN ON GM CORN: THE PURPOSE OF THE 2020 DECREE WAS TO REGULATE GLYPHOSATENOT CORN	
File 1000114 Pages 6 Topic 418	In this report, we comment on the text of the decree issued Dec. 31, 2020, which set the date of Jan. 31, 2023, for a transition away from the use of glyphosate and genetically modified (GM) corn. The report builds on the commentary by George Baker published in <i>The Houston Chronicle</i> on Dec. 12, 2022. Annex A is an annotated copy of the decree.	42
FRI, DEC 23	The 2023 North American Corn and Energy Summit: A Background Paper for the American and Canadian Delegations	
File10097Pages22Topic418	This report provides a perspective on Mexico's trade policies relating to biotech and energy, topics that will be among the topics discussed at the 2023 North American Leaders Summit (NALS), scheduled for Jan. 9-10. The report examines the background of the Mexican government's decree of Dec. 31, 2020 that sets 13 mmeasures have provoked strong reactions among farmers and industry NGOs who would like to see the decree withdrawn. Also in play in the discussions is the history of alleged regulatory abuses in the energy sector. In the light of the green bias of the Biden administration, we foresee the corn and glyphosate disputes having more weight on the agenda than will oil and gas.	43



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