

**STATE OF NEW MEXICO
ENERGY MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION**

**IN THE MATTER OF PROPOSED
AMENDMENTS TO THE COMMISSION'S
RULES ON RELEASES,
19.15.29.6, 19.15.29.8, and 19.15.29.15 NMAC**

CASE NO. 21834

REQUEST FOR SPECIAL MEETING

Petitioners respectfully request the Oil Conservation Commission (“Commission”) to convene a special meeting before April 8, 2021, in order to decide whether to hold a public hearing on the proposed modifications to Part 29.

Under 19.15.3.8.C NMAC, the Commission is required to “determine, at a public meeting at least 15 days and no later than within 60 days of the application’s filing, whether to hold a public hearing on the proposed rule.” Petitioners filed the proposed rule on March 11, 2021, narrowly missing the window for consideration at the Board’s next regular meeting scheduled for March 25, 2021.

If the Commission held a special meeting before April 8, 2021, and decided to hold a hearing, the legal notice could be submitted by the submittal deadline for the New Mexico Register’s April 20, 2021 edition, and the hearing could be held as early as May 20. However, if the Commission were to delay its decision until the next regular meeting on April 15, 2021, the legal notice would not be published until May 4, 2021, and the hearing could not occur until after June 3.

In light of prior delays in holding a hearing on WildEarth Guardians’ proposed modifications to Part 29, as well as the concurrence of the Oil Conservation Division in the

proposed modifications, the public interest would be best served by expediting the Commission's decision to hold a hearing and to set a hearing date that allows for a 30-day public comment period in accordance with the Oil and Gas Act. Petitioners have also conferred with counsel for the New Mexico Oil and Gas Association, which does not oppose either the proposed rule changes or this request for a special meeting. Given the Commission's extensive experience with the virtual procedures required by the COVID public health emergency, a special meeting for these limited purposes should not be unduly burdensome.

Accordingly, Petitioners request that the Commission hold a special meeting before April 8, 2021 to consider whether to hold a public hearing on the proposed modifications and, if decided affirmatively, to schedule the hearing.

Respectfully submitted this 16th day of March 2021,

WILDEARTH GUARDIANS

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Special Meeting was mailed electronically on March 16, 2021 to:

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