

Davidson, Florene, EMNRD

From: Ezeanyim, Richard, EMNRD
Sent: Friday, April 12, 2013 8:50 AM
To: Earl E. DeBrine; Michael Feldewert
Cc: Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Davidson, Florene, EMNRD
Subject: RE: Case No. 8352 (REOPENED): Reliant's availability

Case No. 8352 (REOPENED) shall be heard off-docket on Tuesday June 4, and if needed through Wednesday June 5, 2013. {Please note that Thursday June 6, 2013, is a commission hearing}. The hearing will start on June 4, by 9:00 am in Porter Hall. Florene, please make arrangements for a court reporter to be present on those days. Please let me know ASAP if these dates are convenient for everyone. (Alternatively, the parties should negotiate, come to an agreement, and avoid the hearing process altogether). Thank you and have a very pleasant day.

Richard

From: Earl E. DeBrine [mailto:edebrine@modrall.com]
Sent: Wednesday, April 10, 2013 4:35 PM
To: Michael Feldewert
Cc: Ezeanyim, Richard, EMNRD; Brooks, David K., EMNRD; Goetze, Phillip, EMNRD
Subject: RE: Case No. 8352 (REOPENED): Reliant's availability

Reliant is currently available for a hearing on those dates. I'm not sure how many witnesses we will call but we will likely have at least 2.



Earl E. DeBrine, Jr.
Modrall Sperling | www.modrall.com
P.O. Box 2168 | Albuquerque, NM 87103-2168
500 4th St. NW, Ste. 1000 | Albuquerque, NM 87102
D: 505.848.1810 | O: 505.848.1800 | F: 505.848.1891

From: Michael Feldewert [mailto:MFeldewert@hollandhart.com]
Sent: Monday, April 08, 2013 4:33 PM
To: Earl E. DeBrine
Cc: Ezeanyim, Richard, EMNRD; Brooks, David K., EMNRD; Goetze, Phillip, EMNRD
Subject: Case No. 8352 (REOPENED): Reliant's availability

Earl: This matter is currently scheduled on the May 30th hearing docket with the understanding that the parties would confer with the Division as to how much time is actually needed. Oxy only anticipates calling two witnesses (that will take about two hours) if Reliant opposes the Application. Can you please inform whether Reliant intends to call any witness, if so how many, and whether Reliant is available for a special June 5th hearing date if that is needed? Thanks.

From: Ezeanyim, Richard, EMNRD [mailto:richard.ezeanyim@state.nm.us]
Sent: Wednesday, April 03, 2013 4:00 PM
To: Earl E. DeBrine; Michael Feldewert

Cc: Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Davidson, Florene, EMNRD

Subject: RE: Case No. 8352 (REOPENED)

Thank you all. Let's wait to hear from Reliant.

Richard

From: Earl E. DeBrine [<mailto:edebrine@modrall.com>]

Sent: Wednesday, April 03, 2013 3:44 PM

To: Michael Feldewert; Ezeanyim, Richard, EMNRD

Cc: Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Davidson, Florene, EMNRD

Subject: RE: Case No. 8352 (REOPENED)

Richard,

I am still waiting to hear if Reliant's witnesses are available and appreciate the Division's efforts to give us a special hearing. However, I don't think the condition requested by Oxy is appropriate since unanticipated problems can always develop and the Division always has the discretion in these matters.

--Earl



Earl E. DeBrine, Jr.

Modrall Sperling | www.modrall.com

P.O. Box 2168 | Albuquerque, NM 87103-2168

500 4th St. NW, Ste. 1000 | Albuquerque, NM 87102

D: 505.848.1810 | O: 505.848.1800 | F: 505.848.1891

From: Michael Feldewert [<mailto:MFeldewert@hollandhart.com>]

Sent: Wednesday, April 03, 2013 3:36 PM

To: Ezeanyim, Richard, EMNRD; Earl E. DeBrine

Cc: Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Davidson, Florene, EMNRD

Subject: Case No. 8352 (REOPENED)

Richard: Those dates work for Oxy, but we ask that these be set as a firm hearing date with not additional continuances. Thanks for getting this set for hearing.

From: Ezeanyim, Richard, EMNRD [<mailto:richard.ezeanyim@state.nm.us>]

Sent: Tuesday, April 02, 2013 3:20 PM

To: edebrine@modrall.com; Michael Feldewert

Cc: Brooks, David K., EMNRD; Goetze, Phillip, EMNRD; Davidson, Florene, EMNRD

Subject: Case No. 8352 (REOPENED)

We need to set this case off-docket to be heard on Tuesday June 4, and possibly into Wednesday June 5, 2013. May 30, and 31, 2013, are not suitable to the Division. Please confirm availability ASAP. Thank you.

Richard

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