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July 24, 1995

**VIA HAND DELIVERY**

Michael E. Stogner, Chief Engineer  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
2040 South Pacheco Street  
Santa Fe, New Mexico 87505

***Re: NMOCD Case No. 11334 Motion to Dismiss:***

The Application of Phillips Petroleum Company, for a Determination of Proportionate Share of Recoverable Hydrocarbons and for a Special Depth Bracket Oil Allowable for the South Peterson-Fusselman Oil Pool, Roosevelt County, New Mexico

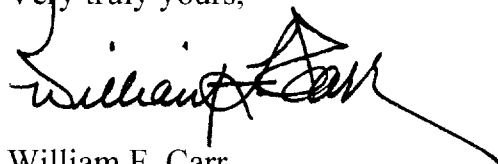
Dear Mr. Stogner:

On Thursday, July 20, 1995, Enserch filed a Motion to Dismiss Phillips' Application in this matter. A hearing on Phillips' Application is currently set for Thursday, July 27, 1995.

Enserch currently has several witnesses scheduled to fly into Santa Fe for the hearing. We request that a hearing on the Motion to Dismiss be conducted at your earliest convenience as a ruling favorable to Enserch would eliminate the need for the witnesses to travel to Santa Fe unnecessarily.

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is stylized with a large, prominent "W" and a long, sweeping horizontal stroke at the end.

William F. Carr

Paul R. Owen

cc: W. Thomas Kellahin (**Hand-Delivered**)  
Rand L. Carroll (**Hand-Delivered**)  
Frank H. Pope