



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**  
Cabinet Secretary

**Lori Wrotenbery**

Director

**Oil Conservation Division**

## MEMORANDUM

**To:** Counsel, Case No. 12,888

**From:** Stephen C. Ross, Assistant General Counsel

**Date:** March 5, 2003

**Re:** **Case No. 12,888, *de novo***, Application of the Fruitland Coalbed Methane Study Committee to amend Rules 4 and 7 of the Special Rules and Regulations of the Basin-Fruitland Coal (Gas) Pool and for the termination of the Cedar Hill-Fruitland Basal Coal Pool and the concomitant expansion of the Basin-Fruitland Coal (Gas) Pool, Rio Arriba, San Juan, McKinley and Sandoval Counties, New Mexico, before the New Mexico Oil Conservation Commission.

Dear Counsel,

Thank you for submitting the pre-hearing statements. They have been very helpful. I received statements from San Juan Coal Company, a consolidated statement from Burlington Resources Oil & Gas Company LP, BP America Production Company, Devon Energy Corporation, L.P., Williams Production Company, Koch Exploration Company, LLC, and Chevron U.S.A. Inc., ConocoPhillips Company, Dugan Production Corporation, and (apparently) the Bureau of Land Management.

It appears from reviewing the statements that at least three and possibly four days of hearing will be required in this matter.

The Commission will set a special hearing to hear the evidence in this matter. The hearing will commence at 1 p.m. on Tuesday, June 3, 2003 and continue through Friday, June 6.

At this point, I expect that a pre-hearing order will be issued shortly concerning the conduct of the hearing. I expect the pre-hearing order will provide a schedule for the taking of testimony, to ensure that this matter can be heard in the time allotted. So that you may better plan for the hearing, I expect the order will set aside Tuesday, June 3 for

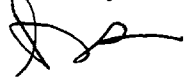
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brief opening statements and preliminary matters, followed by the taking of evidence from persons supporting the application. The hearing will conclude approximately 5:00 p.m. on June 3. The presentation will continue through June 4, which may conclude after 5 p.m. if necessary. Persons opposing the application may present evidence beginning Thursday, June 5, and that presentation should be complete no later than noon on Friday, June 6. The afternoon of Friday, June 6 will be devoted to the presentation of any required rebuttal evidence. The hearing will conclude on Friday, June 6, after 5 p.m. if necessary. It may be also necessary to schedule a public comment period on Friday.

Please be prepared to continue your presentations into the evenings of June 4, June 5 and June 6, should that become necessary. The Commission would like to hear this matter in one sitting, if possible.

Please let me know if you have any questions or if I can be of assistance. My telephone number here in Santa Fe is: (505) 476-3451.

Sincerely,



Stephen C. Ross  
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