

*Entered April 30, 1974*  
*A.T.P.*

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

CASE NO. 5216  
Order No. R-4778

IN THE MATTER OF THE HEARING CALLED BY  
THE OIL CONSERVATION COMMISSION UPON ITS  
OWN MOTION TO CONSIDER THE AMENDMENT OF  
RULE 1203 OF THE COMMISSION RULES AND REGU-  
LATIONS TO SIMPLIFY THE METHOD OF INITIATING  
A HEARING BEFORE THE COMMISSION OR ITS EXAMINERS  
AND TO ALLOW THE ACCEPTANCE OF VERBAL APPLICATIONS  
IN CERTAIN CIRCUMSTANCES.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on April 23, 1974, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this 30th day of April, 1974, the Commission, a quorum being present, having considered the testimony presented and the exhibits received at said hearing, and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) That there is need for amendment of Rule 1203 of the Commission Rules and Regulations to provide increased flexibility to operators in this State to meet filing deadlines when confronted with emergency situations.

(3) That said amendment should make provision for the Commission to accept verbal applications for hearings when such are necessary to permit the meeting of deadlines for publication of legal notice and when refusal to accept such an application would cause hardship to the applicant.

(4) That there is also need for amendment of Rule 1203 of the Commission Rules and Regulations to delete the present requirement that a list of the names and addresses of all interested parties known to the applicant be included with the applications for examiner hearings since such information is not required by law, is not put to any use by the Commission, and imposes an unnecessary burden on applicants.



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(5) That said amendment should delete the present requirement that a list of the names and addresses of all interested parties known to the applicant be included with the application for examiner hearings.

(6) That adoption of such amendments to Rule 1203 will provide flexibility while providing sufficient safeguards to interested parties and will eliminate unnecessary information in applications.

(7) That adoption of such amendments to Rule 1203 is in the public interest, will prevent waste, will not impair correlative rights, and should be approved.

IT IS THEREFORE ORDERED:

(1) That Rule 1203 of the Commission Rules and Regulations is hereby amended to read in its entirety as follows:

"RULE 1203. METHOD OF INITIATING A HEARING

The Commission upon its own motion, the Attorney General on behalf of the State, and any operator or producer, or any other person having a property interest may institute proceedings for a hearing. If the hearing is sought by the Commission it shall be on motion of the Commission and if by any other person it shall be by application. The application shall be in triplicate and shall state (1) the name of the applicant, (2) the name or general description of the common source or sources of supply or the area affected by the order sought, (3) briefly the general nature of the order, rule, or regulation sought, and (4) any other matter required by a particular rule or rules, or order of the Commission. The application shall be signed by the person seeking the hearing or by his attorney.

When conditions are such as to require verbal application to place a matter for hearing on a given docket, the Commission will accept such verbal application in order to meet publishing deadlines. However, if written application, filed in accordance with the procedures outlined above, has not been received by the Commission's Santa Fe office at least ten days before the date of the hearing, the case will be dismissed."

(2) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

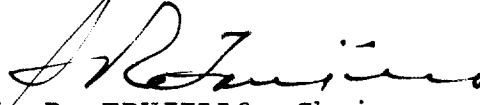


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DONE at Santa Fe, New Mexico, on the day and year herein-  
above designated.

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

  
I. R. TRUJILLO, Chairman

ALEX J. ARMIJO, Member

  
A. L. PORTER, Jr., Member & Secretary

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