

1 STATE OF NEW MEXICO

2 OIL CONSERVATION COMMISSION

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4 OIL CONSERVATION COMMISSION MEETING

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6 MEETING

7 DATE : Thursday, January 15, 2026

8 TIME : 9:00 a.m.

9 LOCATION : Wendell Chino Building

10 1220 S. St. Francis Drive

11 Santa Fe, NM 87505

12 REPORTED BY : Ryan Auten, Notary Public

13 JOB No. : 7813378

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## PROCEDINGS

COMMISSION CHAIR ALBERT CHANG: Good morning, everyone. Noting the time, it is just after 9 in the morning on January 15th, 2026.

My name is Albert Chang. I'm the Chair of the Oil Conservation Commission, and I call this meeting to order.

Commissioning Clerk, could we please have a roll call on the Commissioners?

COMMISSION CLERK SHELIA APODACA: Yes.  
Commissioner Chair Chang?

COMMISSION CHAIR ALBERT CHANG:

COMMISSION CLERK SHEILA APODACA:  
Commissioner Ampomah?

COMMISSIONER WILLIAM AMPOMAH:

COMMISSION CLERK SHEILA APODACA:  
Commissioner Bloom?

COMMISSIONER GREG BLOOM: Present.

With all Commissioners present, we have a quorum. I'd like to proceed to our second item on the preliminary agenda, which is approval of today's agenda.

Is there any discussion on that from

1 anyone?

2 COMMISSIONER GREG BLOOM: Would the  
3 Chair move to approve the agenda?

4 COMMISSION CHAIR ALBERT CHANG: I'll  
5 just make one quick note, and then I'll entertain that  
6 motion. I'll make one quick note that I know there is  
7 significant interest in the last item on the agenda  
8 for the hearing on whether to hold a public hearing on  
9 the proposed rules for 19.15.41, 19.15.42, and  
10 19.15.43.

11 Just for everybody's scheduling  
12 purposes, my plan is to break for lunch right before  
13 that agenda item, because it's hard to control the  
14 timing of all these pieces, so that we start fresh on  
15 that case at 1:00 p.m. after lunch.

16 With that note, we have a motion on the  
17 floor to adopt the agenda. Is there a second?

18 COMMISSIONER WILLIAM AMPOMAH: I  
19 second.

20 COMMISSION CHAIR ALBERT CHANG: Any  
21 objections? Without objection, so approved.

22 I'll turn to Item Number 3, which is  
23 Approval of the Meeting Minutes for OCC Meetings on  
24 November 13th, 2025, and December 17th, 2025.

25 Are there any edits or comments,

1 concerns?

2 COMMISSIONER GREG BLOOM: Mr. Chair, I  
3 have no edits or concerns (inaudible).

4 COMMISSIONER WILLIAM AMPOMAH: I do not  
5 have any concerns on that. Thank you.

6 COMMISSION CHAIR ALBERT CHANG: In that  
7 case, I'll entertain a motion.

8 COMMISSIONER GREG BLOOM: I would move  
9 to approve the minutes.

10 COMMISSIONER WILLIAM AMPOMAH: I  
11 second.

12 COMMISSION CHAIR ALBERT CHANG: Any  
13 objection? Without objection, so approved.

14 Moving on to the fourth item on the  
15 agenda. We're just zipping through it today. I just  
16 wanted to -- I had sent a -- for the record, for  
17 everybody else, I had sent a letter to the other  
18 Commissioners yesterday, and I'm just going to discuss  
19 that on the record now, so it's also public.

20 As you probably have seen in your  
21 emails, I would like to propose the idea and get the  
22 Commission's blessing to offer and to encourage  
23 parties in adjudication cases in front of the  
24 Commission to participate in pre-hearing mediation.  
25 Voluntary mediation is a confidential process in front

1 of a neutral third-party mediator to help parties  
2 communicate, negotiate, to find mutually acceptable  
3 solutions in disputes.

4 The idea is to use mediation to  
5 encourage early dispute resolution, resolve any  
6 misunderstandings, clarify issues, narrow the scopes  
7 of disputes, facilitate exchange of information, and  
8 potentially, hopefully, streamline cases. If parties  
9 are able to reach settlement because we encourage  
10 mediation, great. If not, the idea is that hopefully  
11 a mediator or neutral third-party facilitator can at  
12 least clarify what the dispute is about so that when  
13 it does come to Commission, if mediation is not 100  
14 percent successful, the Commission hopefully will be  
15 able to -- hopefully, the parties will be able to  
16 present a more clarified and narrowed set of disputes  
17 and decision points for the Commission to decide.

18 And I'll quickly go through just a few  
19 points here. I'm not going to read the whole thing  
20 into the record here, but there is -- the State of New  
21 Mexico does have a Governmental Dispute Prevention and  
22 Resolution Act that explicitly authorizes state  
23 agencies to use alternative dispute resolution  
24 mechanisms, such as mediation. And that act, along  
25 with the Mediation Procedures Act, also provides

1 statutory confidentiality protections for mediation  
2 communications that explicitly exempts mediation  
3 discussions from disclosure under the Inspection of  
4 Public Records Act.

5 So, I just wanted to get the  
6 Commission's blessing of potentially introducing  
7 mediation as a concept, at sort of a conceptual level  
8 at this point. In the future, I think one of the ways  
9 that we might be able to encourage parties to  
10 participate in mediation -- well, let me back up for  
11 one second.

12 Typically, parties involved in disputes  
13 typically split the mediators' fees. However, one of  
14 the ways that we might potentially be able to  
15 encourage that is to use the Fee Fund, or the Hearings  
16 Fund created under the Oil and Gas Act, which collects  
17 oil and gas industry permitting fees and can be used  
18 for hearing administration costs. So, if there is  
19 interest from the Commission in potentially sort of  
20 nudging parties towards participating in mediation,  
21 I'm going to look into whether or not the Commission  
22 could use that Hearings Fund to potentially even pay  
23 the new tools or mediators' fees.

24 So, at this point, I just thought I'd  
25 invite any comments from Commissioners to see if

1 there's any concerns or thoughts on the concept.

2 COMMISSIONER WILLIAM AMPOMAH: I'll go  
3 first.

4 COMMISSION CHAIR ALBERT CHANG: Okay.

5 COMMISSIONER WILLIAM AMPOMAH: So, Mr.  
6 Chair, I reckon this -- you know, my first impression  
7 is that this is a great idea. I do have a couple of  
8 questions, if I may?

9 COMMISSION CHAIR ALBERT CHANG: Please.

10 COMMISSIONER WILLIAM AMPOMAH: So, the  
11 first one that I do have is what will initiate this  
12 mediation process?

13 COMMISSION CHAIR ALBERT CHANG: I think  
14 the concept is that the parties can certainly ask for  
15 it, and we can certainly put that into a pre-hearing  
16 schedule -- a pre-hearing order of some sort, at the  
17 parties' request.

18 We can also offer it as an option. So  
19 either way, that can work, right? I think the Dispute  
20 Prevention and Resolution Act says that the agency  
21 shall provide interested parties with access to  
22 alternative dispute resolution procedures. So, it's  
23 merely an option that we can offer. And at this  
24 point, what I'm proposing is voluntary mediation. So,  
25 it would be up to the parties whether or not they're

willing to participate in such a process.

COMMISSIONER WILLIAM AMPOMAH: And is there any limit as to the scope, especially, for instance, let's say, will this apply to rulemaking, some portions of rulemaking, or is this going to be contested cases?

COMMISSION CHAIR ALBERT CHANG: You know, at this point, I just wanted conceptual buy-in, and certainly I think we'd want to test this out as a pilot in relatively contained adjudicatory disputes. I would -- I think I would limit it to just that, at least for now. And if there really is interest in expanding it later, I'm certainly open to that, but I would limit it to just adjudications for now.

COMMISSIONER WILLIAM AMPOMAH: Thank you, Mr. Chairman. I don't have any further questions.

COMMISSION CHAIR ALBERT CHANG:

COMMISSIONER GREG BLOOM: No, Mr. Chair. I like this idea, and I believe we should move ahead with it and see how it works for us and the parties in front of the OCC. And I appreciate you thinking about the cost of it and potentially using some funds that are available.

1 I mean, it's well thought out and I  
2 think we should give it a try. Thank you.

3 COMMISSION CHAIR ALBERT CHANG:  
4 Awesome. Well, thank you all very much. I appreciate  
5 your votes of confidence. I promise I didn't pay any  
6 of them to say that.

7 Okay. Well, with that, I'm going to  
8 turn to the cases. Just give me one moment to  
9 reorganize my files up here.

10 Agenda Item Number 5, case -- our first  
11 case in front of us, I'm going to call Case No. 25603,  
12 which is a status conference on the application by  
13 Matador Production Company for a de novo hearing on  
14 Division Orders Number R-23869 and Division Case No.  
15 25283-84 -- 25283 and 25284. I'll entertain the  
16 appearances of Counsel.

17 MR. RANKIN: Good morning, Mr. Chair.  
18 Adam Rankin (inaudible).

19 MS. HARDY: Good morning, Mr. Chair,  
20 Commissioners. Dana Hardy and Jackie McLean with  
21 Hardy McLean on behalf of Permian Resources.

22 COMMISSION CHAIR ALBERT CHANG: Thank  
23 you all very much.

24 MR. SAYER: Mr. Chair, apologies.  
25 Matthias Sayer, on behalf of EOG Resources.

COMMISSION CHAIR ALBERT CHANG: Thank you. Any other appearances? All right. Thank you very much. I will -- I'll turn to the applicant first, if you could let us know where you're at?

MR. SAYER: Good morning, Mr. Chair and Commissioners. Thank you very much. Since our last status conference in December, at the direction of the Commission, we have continued to engage in discussions as we prepared for our hearing.

The parties have been discussing and I believe we're close to an agreement, but nevertheless we have -- we're prepared for a hearing (inaudible) if the parties are unable to reach an agreement. So, I had conferred with Ms. Hardy, and we agree that we'll be filing our pre-hearing statement, and we pre-filed the testimony one week in advance that we had previously discussed of the February 12th hearing date.

We'll let you know, of course, as soon as possible, if the parties have reached agreement in advance. I know that from my (inaudible), I think there's some hope that that will be the case, but nevertheless we'll be ready to move forward if it doesn't happen. Now, I'll pass it off to Ms. Hardy, to hear her side of the story. Thank you.

1 MS. HARDY: Thank you. And I agree  
2 with Mr. Rankin. I think the parties are in  
3 discussions, but at this point, we would still like to  
4 keep our February 12th hearing date and refile our  
5 prewritten statements testimony, so that's a week  
6 prior.

7 COMMISSION CHAIR ALBERT CHANG:  
8 February happens to be a challenging month for the  
9 entirety of the Commission anyway, because it's  
10 legislative -- at least two out of three of us,  
11 because it is the legislative session.

12 So, if the parties want an extension to  
13 have more time to negotiate, that would potentially --  
14 the Commission would be open to that if you guys  
15 needed that, I think. And if you're close to an  
16 agreement, let me know if this might be one of those  
17 cases where you might want the third-party neutral to  
18 facilitate and maybe just nudge the parties towards a  
19 settlement.

20 If you can at least narrow the scope of  
21 the hearing so that if you can think about stipulating  
22 to the testimony that's already been provided in the  
23 record in the underlying case, or narrowing the number  
24 of witnesses that need to be presented, narrowing the  
25 scope of disputed facts, certainly the shorter that

1 hearing is, if there is a need for a hearing, the more  
2 likely it is the Commission will be able to entertain  
3 it. Again, given the challenges of operating during  
4 the legislative session.

5 And also, I know that the minimum rule  
6 requirements is only a week, but it's certainly,  
7 again, with the challenges of being a legislative  
8 session. If this really does seem like this has to go  
9 to hearing, I think most Commissioners would  
10 appreciate having a little bit more than a week to be  
11 able to review the materials, or at least more than a  
12 week, because, again, for at least two of us, we're  
13 going to have a lot of competing demands on our time  
14 during the legislative session. So, I'll put it out  
15 there.

16 Do the parties have a sense of what --  
17 or would you -- are the parties ready to maybe put on  
18 the record what you think the major sticking points  
19 might be? Or is that something you'd like to hold off  
20 on for now?

21 MR. SAYER: So, I would say it's a  
22 little bit difficult without getting into merits, but  
23 I think potentially it is a -- as to general, it's a  
24 dispute over how to best develop potentially a portion  
25 of the section where there's (inaudible) and so that's

1 not a (inaudible).

2 COMMISSION CHAIR ALBERT CHANG: Okay.

3 And so it's going to be a significant factual dispute  
4 then?

5 MR. SAYER: I think it's -- I think  
6 maybe the best way to articulate it is, I think it's  
7 fair to say we can narrow it to that track, at least  
8 from our perspective. I think how best to deal with  
9 (inaudible) and how best to (inaudible) would be the  
10 best track. (inaudible) I think, all things  
11 considered, that will be the thrust and the focus of  
12 the hearing, I think.

13 COMMISSION CHAIR ALBERT CHANG: Okay,  
14 sounds good. And if it would benefit the parties to  
15 have a -- I can hold status conferences on my own as  
16 Chair in between Commission Hearings, so if it would  
17 help, I'm open to trying to schedule something in  
18 between hearings if there is a -- if that would be  
19 helpful in sort of making sure we have them organized  
20 and orderly it would be an efficient hearing. So, let  
21 me know if there's any further that the parties might  
22 need from me on that.

23 MR. SAYER: I will -- as we check with  
24 our respective clients, I will also reach out to Ms.  
25 Hardy to discuss the basis of potentially streamlining

1 if we need to go to hearing (inaudible) on record or  
2 factual testimony so that we can pass over some of  
3 that focus on what we think we need the most.  
4 (inaudible). And if it's appropriate to reach out to  
5 request a status conference to address those and  
6 present those options to the Commission Chair.

7 MS. HARDY: I agree.

8 COMMISSION CHAIR ALBERT CHANG: Thanks  
9 so much. I appreciate it. Is there anything further  
10 for this particular case before we move on for today?

11 MS. HARDY: No. Thank you.

12 COMMISSION CHAIR ALBERT CHANG: Sounds  
13 good. In that case, I will move on to Case No. 24683,  
14 which is the Application for Rulemaking to amend a  
15 whole series of NMAC provisions.

16 This is a status conference. It is my  
17 understanding that the parties to that rulemaking have  
18 been in discussions and have been negotiating over the  
19 contents of the rule. And I'd like to -- since this  
20 is a rulemaking and therefore public policymaking  
21 process of significant interest to a portion of the  
22 public beyond the parties, I'd like to invite the  
23 parties to at least put on the record a little bit  
24 about what is happening amongst the parties that maybe  
25 the public isn't aware of. With that, I'll turn it

1 over to the applicant.

2 MS. FOX: Thank you, Mr. Chair, Members  
3 of the Commission. It's nice to see you. I'm Tannis  
4 Fox. I'm a lawyer with Western Environmental Law  
5 Center. I'm representing applicants in this  
6 proceeding. With me today is Morgan O'Grady and Matt  
7 Nykiel online.

8 During the hearing, the parties heard  
9 the Commission's request loud and clear to meet  
10 afterwards and negotiate to try to narrow differences  
11 and come to some common ground on the rules. Toward  
12 that end, applicants OCD, IPANM, NMOGA, OXY, and EOG  
13 began meeting in November directly after the close of  
14 the hearing. And we have met twice a week since then,  
15 except for the holiday period, for a total of nine  
16 two-hour meetings.

17 And during this time, we have discussed  
18 proposed revisions to OCD and applicants' proposed  
19 amendments in a lot of detail. We've exchanged  
20 proposals, counter-proposals. We've exchanged  
21 analyses of the parties' positions in an attempt to  
22 come to some agreements and to address concerns raised  
23 by the Commission during the hearing.

24 In applicants' view, all parties have  
25 been negotiating in good faith and we've made

1 substantial progress, which is why we jointly  
2 requested an extension to file post-hearing briefs.  
3 We appreciate the Commission granting that request.  
4 As the Commission knows, the issues raised by  
5 applicants and OCD's proposed amendments are complex,  
6 and as a result, negotiations necessarily take some  
7 time.

8                   While all parties must ultimately  
9 obtain client approval for any agreements, the  
10 parties, as I stated, have made substantial progress  
11 and negotiations are ongoing and productive. While  
12 consensus has not been reached on every issue, the  
13 scope of disagreement has narrowed. And I'll walk  
14 through very briefly each part to inform the  
15 Commission and the public where we are at.

16                   We have discussed all five parts of the  
17 Commission's rules that we propose for amendments,  
18 beginning with Part 5, which is the part that deals  
19 with compliance. We have largely completed those  
20 negotiations. We have reached some agreements, and we  
21 have agreed to disagree on some areas. On Part 9,  
22 which is a more complicated set of proposals, they  
23 govern operator registration and trunk well transfers.  
24 We have had discussions on Part 9 at length and in  
25 detail. We have exchanged a lot of proposed language,

some agreements have been made, and while discussions are ongoing, I believe that those discussions will be concluded promptly.

Part 25 deals with the proposed presumptions of no beneficial use and sort of the legal framework about putting inactive wells, either plugging them or putting them in temporary abandonment. That's also a critical provision -- critical provisions are there, and applicants at OCD have proposed pretty wide-sweeping amendments into the current process. And I am very pleased to report that the parties have reached substantial agreement on the framework for placing wells in temporary abandonment, have agreed to a disagree on discrete issues in those sections, and are refining language. We are still in discussions on the presumptions of no beneficial use and testing for mechanical integrity, and I believe those negotiations should conclude soon as well.

Part 8 governs financial assurance. The parties have agreed on certain changes related to terminology and timing for assessing financial assurance requirements. Our next focus actually will be on financial assurance categories and amounts. As to the definitions in Part 2, we have discussed those and we're going to come back to those at the very end.

1 of negotiations after we sort of see what's happened  
2 in the substantive provisions.

3 At this point, we foresee continuing  
4 negotiations through the first week of February, and  
5 we are considering filing a joint stipulation that  
6 would set forth the agreements that have been reached  
7 so that that's clear for the Commission. And while  
8 disagreements will remain, there will be things for  
9 you to decide, I can assure you of that. We really do  
10 believe the negotiations have gone very well. From my  
11 perspective, it's very helpful to sit down in that  
12 kind of a setting with industry and hear everybody's  
13 concerns. It's been just a very good set of  
14 negotiations and, you know, we hope that they will be  
15 helpful to the Commission at the end of the day.

16 And if the other parties want to weigh  
17 in as well, and I'm happy to answer any questions from  
18 any of the Commissioners.

19 COMMISSION CHAIR ALBERT CHANG: Thank  
20 you so much. I know that it is a ton of work, and I  
21 just want to make sure that you know how much the  
22 parties -- the Commission appreciates the work that  
23 all the parties are putting into that, and how much we  
24 really appreciate everyone coming to the table in good  
25 faith in making these negotiations.

1                   But let me first turn to, and I'm sure  
2 the other Commissioners will want to echo me on that,  
3 but I'll turn to the other parties and let everybody  
4 get their two cents in.

5                   MR. TREMAINE: I'll jump in here. Mr.  
6 Chair, this is Jesse Tremaine for the Oil Conservation  
7 Division. I just want to generally echo the comments  
8 and what I expect the other party comments to be when  
9 we discussed this in detail actually yesterday.

10                  Regardless of where we end up on the  
11 specific substance and positions, we do believe that  
12 there will be a narrowing of contested issues before  
13 the Commission once we get to deliberation. We will -  
14 - also, (inaudible) -- I can guarantee we will not be  
15 able to secure a universal consensus, but the time  
16 commitment has been (inaudible) to narrow the scope of  
17 that disagreement.

18                  I will underline and highlight the  
19 substance and time commitment from all the parties, as  
20 the Chair has probably observed. I've effectively  
21 commandeered the conference room for over half of the  
22 work time so far. So, we will -- and that will  
23 continue for a little while. I think that we are on  
24 track to, as Ms. Fox indicated, outline the areas of  
25 consensus and file closings on a narrow scope of

1 disagreement. And I believe that we are on track to  
2 accomplish that by the current deadline.

3 COMMISSION CHAIR ALBERT CHANG: Thank  
4 you so much. Any other -- Mr. Suazo, Mr. Cloutier,  
5 Ms. Tripp, anyone else?

6 MR. SUAZO: Sure. Thank you, Mr.  
7 Chair. This is Miguel Suazo with Beatty and Wozniak.  
8 I'm appearing today on behalf of the New Mexico Oil  
9 and Gas Association. I think I'd like to largely echo  
10 the statements of Ms. Fox and Mr. Tremaine.

11 I've always appreciated the chance to  
12 learn from OCD and from WELC, their concerns and kind  
13 of their reasoning behind some of these proposals, as  
14 well as the opportunity to voice industry's concerns  
15 and put forth some recommendations for making the  
16 rules, you know, effective but still easier to comply  
17 with than they were originally proposed. And so, I  
18 think the time has been well spent.

19 As the other parties mentioned, there's  
20 not going to be complete alignment on these proposals,  
21 but I think that they will be narrowed, which is what  
22 you all have directed us to achieve, and I think we've  
23 done that. And I think, you know, you'll be able to  
24 more easily review the reasoning behind why we support  
25 and oppose certain provisions, once we submit our

1 final posting documents and hopefully they'll make the  
2 Commissions' job easier, but I would like to thank the  
3 parties and the support of NMOGA and their members to  
4 give us the opportunity and the time to hopefully work  
5 out a better framework for the regulations that have  
6 been proposed and ultimately the regulations that are  
7 easier for it to be administered and to comply with.

8 COMMISSION CHAIR ALBERT CHANG: Thank  
9 you very much. I'll turn to Mr. Cloutier. You might  
10 be muted, sir.

11 MR. CLOUTIER: Thank you, Chair Chang,  
12 and members of the Commission. I likewise sing from  
13 the same hymn book as my free -- as counsel before me.  
14 I would indicate that I think areas where the parties  
15 may be reaching an agreement, some of that agreement  
16 may be not that the Commission should adopt a rule or  
17 the Commission has the power to adopt a rule, but  
18 should the Commission conclude, it should adopt a rule  
19 and then has the power to, it will eliminate some of  
20 the disputes about the implementation and  
21 feasibilities of the rule.

22 I do think that the time has been well  
23 spent and it will enable the Commission in its  
24 deliberation to focus much more on the bigger  
25 questions that the parties have raised and perhaps

1 less of the minutiae in the rules, and I do appreciate  
2 Ms. Fox and her team, and Mr. Tremaine and Ms. Hall  
3 working with us and providing explanations as to what  
4 the issues were that they were trying to address. And  
5 Mr. Suazo and his team and me and my team to attempt  
6 to address those concerns and reduce the burden on the  
7 industry and (inaudible). Thank you very much.

8 COMMISSION CHAIR ALBERT CHANG: Thank  
9 you very much. Mr. Rankin?

10 MR. RANKIN: Thank you very much,  
11 Commissioners and Chair Chang. Yes, I guess just to  
12 reiterate, I think the times spent has been fruitful  
13 in narrowing the issues as Mr. Cloutier mentioned. I  
14 think that while we reserve some of our own  
15 (inaudible) and concerns, we've been able to focus on  
16 the most contentious issues and have largely moved the  
17 ball (inaudible).

18 We have all in all made substantial  
19 progress on many issues, and so I think commend all  
20 the parties for their efforts (inaudible). So,  
21 hopefully at the end, whether we reach a final  
22 (inaudible) we will be (inaudible) at the of the  
23 process.

24 COMMISSION CHAIR ALBERT CHANG: Thank  
25 you. Mr. Sayer or any other counsel want to jump in?

1 Ms. Tripp? No. All right. Well, good. I will turn  
2 to the Commission then. Any comments from the  
3 Commission? Any questions or concerns?

4 COMMISSIONER WILLIAM AMPOMAH: Mr.  
5 Chairman, I'll say that this is great news.  
6 (inaudible) because there were a lot of issues that  
7 were at stake, so thanks so much for adhering to the  
8 Commission's consent and then trying to come to a  
9 consensus. Thank you.

10 COMMISSION CHAIR ALBERT CHANG:  
11 Commissioner Bloom?

12 COMMISSIONER GREG BLOOM: Mr. Chair,  
13 thank you. I would echo Dr. Ampomah's comments there.  
14 I really appreciate that the parties have been able to  
15 make some progress and took the time to (inaudible).  
16 It sounds like it's been fruitful. I think we'll have  
17 a better rule because of it. So, thank you all very  
18 much and just keep at it. Thanks.

19 COMMISSION CHAIR ALBERT CHANG: Yeah,  
20 and I'll just say what I -- you know, reiterate what I  
21 already said. I thank you all very much. I thought  
22 that I heard the word enjoyable and I think I just  
23 fell out of my chair. But I think that has been a  
24 huge shift in tone, and I really appreciate that from  
25 everybody, and the willingness. I really think that

1 when we come to -- when the parties come to the table  
2 like that, we make better public policy for the entire  
3 state. We can maximize the benefits to the public  
4 while minimizing costs to the regulated community in  
5 looking for resolutions where they exist.

6 Understanding, of course, that the  
7 Commission at the end of the day will have some  
8 decisions to make, that's entirely appropriate. I  
9 really, really do appreciate the parties taking so  
10 much time and really engaging with each other in good  
11 faith. It very much is appreciated, and I know it  
12 will lead to a product at the end of the day that is -  
13 - that will have more buy in from all the stakeholders  
14 and we'll deliver it for the public. So, thank you  
15 all very, very much again.

16 All right. Thank you all. And I will  
17 turn next to issuing orders from cases that were  
18 argued and deliberated on at the last Commission  
19 meeting. I will now turn to Case No. 25700. But I'm  
20 going to pause for a moment in case there are counsel  
21 who wish to recombobulate.

22 All right. Case No. 25700. This is  
23 the Application from Lillie and Warren Anderson for a  
24 de novo hearing. The Commission has already heard  
25 arguments. There was a summary judgment motion that

1 was argued at the last Commission meeting. The  
2 Commission deliberated and provided instructions,  
3 brought outline of a decision to Commission counsel.  
4 And Commission counsel provided a draft back to  
5 Commissioners. I have provided some, just a few  
6 editorial edits beyond what the Commission counsel  
7 provided the Commissioners. And a thank you to the  
8 Commissioners for putting up with my very late-night  
9 emails.

10 At this point, I will open the floor to  
11 the Commissioners to see if there are any concerns,  
12 wording changes, proposed edits with the latest draft  
13 that was sent out digitally last evening.

14 Commissioner Ampomah or Commissioner  
15 Bloom?

16 COMMISSIONER WILLIAM AMPOMAH: Yeah,  
17 Mr. Chair, I had the chance to read through the  
18 updated version of the order, and I do not have any  
19 additional comments or input on that. Thank you.

20 COMMISSION CHAIR ALBERT CHANG:  
21 Commissioner Bloom?

22 COMMISSIONER GREG BLOOM: (inaudible)  
23 and I appreciate all your edits and I'm very  
24 comfortable with (inaudible).

25 COMMISSION CHAIR ALBERT CHANG: In that

1 case, may I have a motion to approve the orders as  
2 drafted so that I can approve and issue the orders?

3 COMMISSIONER GREG BLOOM: Mr. Chair, so  
4 moved.

5 COMMISSIONER WILLIAM AMPOMAH: Mr.  
6 Chair, I second it.

7 COMMISSION CHAIR ALBERT CHANG: Much  
8 appreciated. Is there any objection? Without  
9 objection, so ordered. I'm going to sign these and  
10 issue them. If the Commission will just bear with me  
11 for a moment, I'm going to sign them right now. I  
12 have to stop and think and make sure I didn't put  
13 2025.

14 With that, just for the record, for the  
15 audio record, the Commission has ordered -- has issued  
16 an order granting Alpha Energy Partners a motion for  
17 summary judgment. And dismissing the Anderson's  
18 application for a de novo hearing. I have a hard copy  
19 here for anybody in the room who wishes to have it.  
20 We will also have a digital copy filed at some point  
21 today. Thank you very much.

22 Now, I will turn to consolidated cases  
23 25694, 25695, and 25696. The Commission, similarly, I  
24 think, received a draft order also from Commission  
25 Council. Deliberations were already held during the

1 last Commission meeting. We received the draft back  
2 from Commission Council. There were some edits, just  
3 a few last evening.

4 Have the Commissioners had a chance to  
5 review? And are there any comments or concerns or  
6 debate on the proposed order?

7 COMMISSIONER WILLIAM AMPOMAH: Mr.  
8 Chair, so I had a chance to review the original  
9 version and also the edited version. I feel  
10 comfortable with it, and I do not have any additional  
11 input. Thank you.

12 COMMISSION CHAIR ALBERT CHANG:  
13 Commissioner Bloom?

14 COMMISSIONER GREG BLOOM: Yeah, I'm  
15 comfortable with your changes again (inaudible).

16 COMMISSION CHAIR ALBERT CHANG: In that  
17 case, may I please have a motion to adopt the proposed  
18 order?

19 COMMISSIONER GREG BLOOM: Mr. Chair, I  
20 so move.

21 COMMISSIONER WILLIAM AMPOMAH: Mr.  
22 Chair, I second.

23 COMMISSION CHAIR ALBERT CHANG: Any  
24 objections? Without objection, so ordered. The  
25 applications are dismissed without prejudice or lack

1 of standing. The applicant is welcome to refile,  
2 assuming they can meet other statutory deadlines, if  
3 they can demonstrate that they have sufficient  
4 property interest to demonstrate standing in this  
5 case. All other motions filed by the parties are also  
6 denied as moved at this time. I'm going to sign this  
7 order, and it will be filed online at some point  
8 today. Thank you.

9 MR. SAMANIEGO: American objected to  
10 the order (inaudible).

11 COMMISSION CHAIR ALBERT CHANG: I think  
12 the transcript will reflect that there is an  
13 objection, and the objection is noted. Unfortunately,  
14 the floor is not open, and the record for this case  
15 was closed during the last hearing, so -- and the  
16 Commission has now adopted the order. So, thank you.

17 As I mentioned, if the objecting party  
18 can resolve the standing issue, they are welcome --  
19 they are welcome if they can meet all the other  
20 procedural rules to refile, once they can demonstrate  
21 standing. Thank you.

22 MR. SAMANIEGO: Can you remind me what  
23 exactly are you referring to as standing? There has  
24 been numerous evidence clearly stating American  
25 defense, and I don't believe that even -- Alpha not

1 having an adequate financial assurances is a violation  
2 of obligated duties of the Commission and the Division  
3 to be granting including operators orders to drill  
4 wells that are going to cause future abandonment wells  
5 because they currently have abandoned wells. To be  
6 giving orders like that is not only erroneous, but it  
7 creates public harm of health.

13 MR. SAMANIEGO: And you're ignoring the  
14 merits of the motion, and you're (inaudible) legally  
15 ignoring --

16 COMMISSION CHAIR ALBERT CHANG:  
17 Commission Clerk, we're going to have to control the  
18 vault -- we're going to have to control -- thank you.  
19 We're going to have to bring some order to the  
20 hearing.

21 I encourage any party who is interested  
22 in this order to review the order in detail, to read  
23 it carefully, and to proceed as the order advises,  
24 once it is posted and it will be posted today.

With that, I'm going to move on to the

1 next matter, which actually, since we had said that we  
2 would reconvene for the Rulemaking Petition at 1:00  
3 p.m., I'm going to call a recess now, take an early  
4 lunch break, and we'll come back after lunch at 1:00  
5 p.m. Thank you all very much.

6 (Recess)

7 COMMISSION CHAIR ALBERT CHANG: Good  
8 afternoon. Noting the time, it's just after 1:00 p.m.  
9 on January 15th, 2026. We're going to call ourselves  
10 -- this is Albert Chang, the Chair of the Oil  
11 Conservation Commission, calling the Commission back  
12 to order from a pre-lunch recess. Just to reconfirm a  
13 quorum, Ms. Commission Clerk, would you please call  
14 the roll again?

15 COMMISSION CLERK SHEILA APODACA: Okay.  
16 Commissioner Chair Chang?

17 COMMISSION CHAIR ALBERT CHANG:  
18 Present.

19 COMMISSION CLERK SHEILA APODACA:  
20 Commissioner Ampomah?

21 COMMISSIONER WILLIAM AMPOMAH: Present.

22 COMMISSION CLERK SHEILA APODACA: And  
23 Commissioner Bloom?

24 COMMISSIONER GREG BLOOM: Present.

25 COMMISSION CHAIR ALBERT CHANG: Thank

you. We are back on our agenda. We are now on Case No. 25875, Application of the Oil Conservation Division on a rulemaking petition to adopt changes to NMAC 19.15.41, 19.15.42, and 19.15. -- or I guess the new, not changes, but to adopt 41, 42, and 43.

What is my understanding is that this is a petition seeking a public hearing to consider and to adopt proposed rules for underground injection of carbon dioxide for geologic sequestration consistent with the classics underground injection control program and rules under the Federal Safe Drinking Water Act.

I will take entries of appearances from the parties and then turn it over to the applicant to make their remarks.

MR. TREMAINE: Good afternoon, Mr. Chair, Commissioners, members of the public, thank you for hearing this case today. I am Jesse Tremaine for the Oil Conservation Division.

MS. O'GRADY: Good afternoon, Commissioners. My name is Morgan O'Grady. I'm here on behalf of the Western Environmental Law Center, which has entered an appearance in this rulemaking, and with me on the platform is Rose Rushing. Thank you.

COMMISSION CHAIR ALBERT CHANG: Thank you. Additional counsels or parties?

MR. PAVLIK: Good afternoon, all Commissioners. My name is Zach Pavlik making an appearance for (inaudible).

COMMISSION CHAIR ALBERT CHANG: Thank you.

MR. RANKIN: Good afternoon, Chairman Chang. Adam Rankin with the office of Holland & Hart appearing on OXY USA Incorporated.

COMMISSION CHAIR ALBERT CHANG: Thank you. Are there any other entered parties at this time? Seeing no other parties entered at this time, I will turn it over to the applicant.

MR. TREMAINE: Good afternoon. Thank you, Chair and Commissioners. Again, my name is Jesse Tremaine. I represent the New Mexico Oil Conservation Division. We are here today on this application to adopt a three-part rule because the State of New Mexico and Oil Conservation Division is engaged in a process seeking Class VI UIC primacy in the form of grant primacy from the United States Environmental Protection Agency. I have a few comments just about the structure and the process that we're going through.

1                   New Mexico already has primacy for the  
2 other UIC class wells, and so a prospective final  
3 application for Class VI primacy, which if we  
4 successfully move forward through the complication of  
5 this rule it will be filed with the EPA, it would  
6 constitute a program modification as opposed to a new  
7 program application. Knowing that the subject matter  
8 was likely to garner a significant amount of interest,  
9 OCD and our contractors and subcontractors with New  
10 Mexico Tech held public outreach meetings in  
11 Farmington, Carlsbad, and through a hybrid format  
12 throughout last spring and summer.

13                   We also elected to solicit public  
14 comments in written format, which were received and  
15 reviewed by our team in September. We did reference  
16 the review and incorporation of those comments in the  
17 petition, and so I really -- I wanted to clarify one  
18 thing for the Commission in that we did make a mistake  
19 in the public comment process. The public comments  
20 that were submitted by Western Environmental Law  
21 Center and our consortium of constituents were not  
22 incorporated and reviewed at the same time. We  
23 realize that mistake. We've reviewed those comments.  
24 We will be engaging with those various parties in the  
25 future to discuss.

1                   After review of those, we believe that  
2 any resulting edits or modifications to the proposal  
3 can be fully and adequately incorporated during the  
4 pendency of the hearing. So, we are incorporating  
5 those, but we had a clerical error that led to a  
6 process that was different and occurring later than  
7 incorporation of the other rules.

8                   The structure of the proposal here is  
9 in three parts, and we've separated the proposed rules  
10 into those three separate parts in order to mirror the  
11 Federal Rule Analog. The specific sections, the bulk  
12 of the rules mirror and adopt the language of the CFR,  
13 the EPA rules for Class VI. However, there are  
14 specific sections which we drew a long and engaged  
15 process identified as areas where New Mexico may  
16 propose rules that are more stringent than the federal  
17 rules and, frankly, more specific to the geology and  
18 the local concerns of stakeholders in New Mexico.

19                   So, there are specific sections of our  
20 proposal that deviate from the EPA standard language  
21 and those have been circulated to parties when they  
22 are available for review through a crosstalk where we  
23 compare the federal rules with the proposed  
24 requirements. And so, there are -- to highlight in  
25 that there are very specific rules which are likely to

1 be the bulk of the content for discussion at hearing  
2 where New Mexico's proposal deviates from the federal  
3 analog.

4 There are -- in terms of a hearing  
5 structure, OCD expects to present five to seven  
6 witnesses in support of the petition. If I can assume  
7 that the structure of the hearing will be similar to  
8 recent rulemakings, I would expect each of those  
9 witnesses to take about half of the -- up to half of  
10 the day depending on cross-examination, et cetera.  
11 Again, I'm assuming some things here that I think the  
12 Commission would like to see (inaudible) direct  
13 testimony, et cetera.

14 So, depending on the format, I think  
15 OCD's presentation of this will last three to four  
16 days. If we change up the process of rules here, then  
17 obviously that will change, but I'm just trying to  
18 give you a little bit of a heads up.

19 So, I think without belaboring the  
20 point, and the petition largely speaks for itself, OCD  
21 does ask the Commission to hear the petition and to  
22 set this for the earliest appropriate and reasonable  
23 date this spring for a merits hearing.

24 COMMISSION CHAIR ALBERT CHANG: Thank  
25 you. Other parties?

1 MS. O'GRADY: Chair Chang and Members  
2 of the Commission, we are still in the process of  
3 identifying experts. We have several identified, but  
4 we are still working on lining up our full list. We  
5 expect to have two to three experts, but because we're  
6 still in the process of identifying experts at this  
7 time, we would ask for early summer if that's  
8 possible?

9 COMMISSION CHAIR ALBERT CHANG: Okay.  
10 Any other parties in this particular -- you want to  
11 weigh in here, Mr. Rankin?

12 MR. RANKIN: Thank you very much,  
13 Commissioners, and Chair Chang. We appreciate the  
14 opportunity to be part of this rule making. OXY did  
15 submit comments in advance, during the public comment  
16 period. We're looking forward to being a part of the  
17 hearing and presenting our input on the rule. And I  
18 don't yet have any details for you, in terms of who  
19 our experts will be, or how many, (inaudible) as well.

20 I anticipate that I'll be able to give  
21 you a better sense of that in the next few weeks, but  
22 at the moment, I wouldn't be able to give you -- I'm  
23 not able to give you any more specifics. But I think  
24 we would be a part of the rulemaking and participate  
25 in presenting some expert testimony. Yeah, and I

1 think (inaudible) probably makes a lot more sense from  
2 our perspective as well. We appreciate the  
3 opportunity. Thank you.

4 COMMISSION CHAIR ALBERT CHANG: Great.  
5 All right. I believe I see one more counsel, or one  
6 more party wishing to be --

7 MR. PAVLIK: Yes, thank you. I would  
8 just reiterate we're in a similar (inaudible) final  
9 process of winding those up and we'll have more  
10 information. (inaudible), but either a June or July  
11 date would be I think a little bit easier (inaudible).

12 COMMISSION CHAIR ALBERT CHANG: Okay.  
13 All right. If we've heard from all entered parties,  
14 it looks like there might be some public comment on  
15 this -- or members of the public who wish to comment  
16 on this rulemaking.

17 Anybody who wishes to comment on the  
18 platform, or anybody who wishes to comment in the  
19 room, somehow wave or stand or do jumping jacks,  
20 somehow let us know that you're interested.

21 Anybody on the platform, if you'd be so  
22 kind as to raise your hand and let us know that you're  
23 interested in speaking, I will now open the floor to  
24 public comment. I'm going to start with -- actually,  
25 Madam Commissioner Clerk, could you let us know who

1 the -- it looks like you might have them in some sort  
2 of order, and I'm happy to take them in order.

3 COMMISSION CLERK SHEILA APODACA: Okay.  
4 Well, I pinned Alicia Corbell.

5 COMMISSION CHAIR ALBERT CHANG: Thanks.  
6 Ms. Corbell, please go ahead. Oh, I'm sorry, give me  
7 just one second. I'm going to ask that everybody  
8 limit -- I'm going to limit public comments, just in  
9 the interest of expediency, to three minutes per  
10 person. Please, I appreciate everybody working with  
11 us on that. Thank you. Please go ahead, Ms. Corbell.

12 MS. CORBELL: Thank you very much.  
13 Good afternoon, my name is Alicia Corbell, and I serve  
14 as the Dean of the School of Energy with San Juan  
15 College. It's good to see people on here that I've  
16 met in the past.

17 For those of you who are not familiar  
18 with the School of Energy, we've been training  
19 generations of workforce for over 25 years. Annually,  
20 we train over 2,500 people in industrial safety and  
21 well control. And we're really encouraging the State  
22 to move forward with Class VI wells permitting and  
23 going through the process. We are prepared to support  
24 those wells. We have the expertise and the  
25 partnerships that will allow us to develop inspector

1 training, workforce training. We work closely with  
2 the Texas Railroad Commission, and we'll collaborate  
3 with them, New Mexico Tech, and global industry  
4 partners who are in this space already.

5 So with that, I would just like to say  
6 we do support this effort, and if you have any  
7 questions, please feel free to reach out to me. Thank  
8 you.

9 COMMISSION CHAIR ALBERT CHANG: Thank  
10 you very much. If I could have the next public  
11 commenter on the platform? And if your name is not  
12 identified on the platform, if you would please  
13 identify yourself for the -- if you could please  
14 identify your name for the reporter?

15 COMMISSION CLERK SHEILA APODACA: Okay.  
16 I have pinned a phone number, 1-575-499-7330.

17 COMMISSION CHAIR ALBERT CHANG: The  
18 participant with the phone number ending in 7330, if  
19 you'd like to unmute yourself, I'm happy to start your  
20 three-minute public comment now.

21 MR. SAMANIEGO: Yes, Jonathan  
22 Samaniego, representative of American Energy  
23 Resources. American would like to make on record that  
24 it objects to the following rulings proceedings for  
25 they violate -- that there are significant changes,

1 especially (inaudible) requiring statutory authority,  
2 and that because of the significance American believes  
3 that this shouldn't go before legislative action  
4 because to making the rulings of the Commission, it  
5 would be arbitrary, capricious, and erroneous.

6                   And let me just point to a few things  
7 that I've reviewed it. I haven't had much time to see  
8 it, (inaudible) ten minutes but I have a few things,  
9 19.52.8.15, one of the changes, asset retirement,  
10 obligation of a tangible asset. That's out of the  
11 range of jurisdiction of the Commission. There's no  
12 jurisdiction to allow retirement of any of these  
13 assets. 19.15.27.8(B)(6), beneficial purpose and use  
14 (inaudible) speculative purpose. That's too big of a  
15 statute because there is no definition of what  
16 (inaudible) beneficial purpose (inaudible) and  
17 speculative purpose (inaudible).

18                   Therefore, that ruling is arbitrary,  
19 capricious, and erroneous. And I'm aware that the  
20 Commission doesn't even understand that implementation  
21 because it didn't give definition more specifically.  
22 You know, 19.15.8.98, changes to the bonding. I  
23 believe that American was added into this case on  
24 1/12/26. It was Monday, and I see that Alpha cases  
25 (inaudible) because they did not comply with the

1 following rules that the Commission is trying to make  
2 changes for. So, Alpha cases under --

3 COMMISSIONER GREG BLOOM: Mr. Chair,  
4 Mr. Samaniego --

5 MR. SAMANIEGO: 19.15.8.98(B) inflation  
6 adjustment is overly inflated from the current  
7 inflation reality. The (inaudible) the inflation on  
8 the (inaudible) is over inflated. Inflation is not  
9 that high. (Inaudible).

10 COMMISSIONER GREG BLOOM: You're  
11 speaking to a case that we're not even on. We've  
12 moved past this case and we're dealing with other  
13 matters if I'm not mistaken.

14 MR. SAMANIEGO: I think you are  
15 mistaken.

16 COMMISSION CHAIR ALBERT CHANG:  
17 Commissioner Bloom, that's okay. We'll -- Mr.  
18 Samaniego, I will -- we'll take your public comment on  
19 the record either way. If you are -- I will ask you  
20 to wrap up in about -- you've got about 30 seconds  
21 left. If you wouldn't mind just wrapping up and  
22 making sure -- and just hitting your key points, we've  
23 got about 30 more seconds for you.

24 MR. SAMANIEGO: Yes, sir. I appreciate  
25 the time. Thank you. I go back to the inflation.

1 The inflation adjustment is overinflated. American  
2 did have inflation, but it's not that high. To  
3 implement inflation that are far beyond the reality  
4 and really without any inflation approval that far  
5 exceeds the significant changes of those impacted --  
6 it becomes infringement and violations of due process  
7 rights, trying to creatively make rulemakings that  
8 requires legislation approval because of the impact.  
9 Thank you.

10 COMMISSION CHAIR ALBERT CHANG:  
11 Appreciate it. Thank you for your comments, and they  
12 are all noted for the record. We appreciate it.

13 It looks like -- and I apologize for  
14 butchering anybody names, but it looks like my next  
15 commenter is it Ms. or Madam Arambula? Forgive me if  
16 I'm completely mispronouncing that, but I'm happy to  
17 start your time.

18 MS. LOPEZ-ARAMBULA: Good afternoon,  
19 Commissioners. My name is Ennedith Lopez and I'm  
20 speaking today on behalf of Los Jardines Institute.  
21 We are here to urge you to schedule a formal hearing  
22 process regarding the State's application for Class VI  
23 wells. We find it important that you all create the  
24 appropriate avenues for our communities to properly  
25 engage in so-called economic development projects that

1 will be built in their backyard.

Historically, communities of color have faced the brunt of environmental racism, pollution, and contamination due to unconsented projects built in their backyard. Class VI wells are a critical issue regarding the buildup of carbon capture and storage and hydrogen projects that will impact working-class Indigenous, Hispanic, and Latino communities across Permian and San Juan Basin.

10 Alongside the New Mexico No-False  
11 Solutions Coalition, we share the same concerns of the  
12 need to uphold free, informed, and prior consent as  
13 established by the United Nations Indigenous Peoples  
14 Forum. Our communities should have the opportunity to  
15 voice their public comments and also engage in a  
16 process that will drastically impact their futures.  
17 Thank you.

18 COMMISSION CHAIR ALBERT CHANG: Thank  
19 you very much. Any further public comment? It looks  
20 like we've got Representative Dixon.

21 MS. DIXON: Thank you. I wanted to  
22 provide some public comment regarding the application  
23 for Class VI well primacy and wanted to express my  
24 support for the process. We have a (inaudible) our  
25 wonderful team, very experienced in the subject matter

from New Mexico Tech and private industry.

And I appreciate the Commission working on this issue and making sure that we get it right for this state with our unique attributes and communities. I think one of the reasons that it's so important for the State to have primacy is because then we can later on -- some of the things that we want to make sure happened, when it's community benefit agreements, additional mechanisms to reach out and talk to communities when these projects are being undertaken.

So, I really appreciate the Commission's look at this, and the sort of background and the research that goes into this and the science in evidence, and just wanted to add my appreciation for what you do and my support for Class VI primacy. So, thank you very much.

COMMISSION CHAIR ALBERT CHANG: Thank you very much, Representative. If there's no further public comment at this time -- any further public comment at this time? If there's no further public comment at this time, I'd like to turn -- open the session for Commissioners.

Commissioner Ampomah or Commissioner Bloom. is there any thoughts that you'd like to share?

COMMISSIONER GREG BLOOM: Mr. Chair,

certainly, the important matter for our state, I know there's been talk about Class VI primacy for a long time. So, I would be very supportive of hearing this in front of the Commission.

COMMISSIONER WILLIAM AMPOMAH: Mr. Chair, so I'll just echo Commissioner Bloom's comments on this. It is an important issue for the state and I'm looking forward to the hearing (inaudible). Thank you.

COMMISSION CHAIR ALBERT CHANG: All right. I'm operating without Commission counsel here, so I might be, you know, maybe going an extra mile to dot my I's and cross my T's, but I think I'm going to ask Commissioners to then make a motion to vote -- to take the position -- to accept the petition for a hearing. If somebody would be so kind as to make that motion?

COMMISSIONER GREG BLOOM: Mr. Chair, I  
so move.

COMMISSIONER WILLIAM AMPOMAH: Mr. Chair, I do have a quick question?

COMMISSION CHAIR ALBERT CHANG: Oh,  
please.

COMMISSIONER WILLIAM AMPOMAH: So, I read in there that we will be receiving pre-hearing

1 statements, does that mean all the evidence will be  
2 received 10 days to the hearing, or -- I just want to  
3 clarify that?

4 COMMISSION CHAIR ALBERT CHANG: So, I  
5 think -- all I'm asking for is whether or not we even  
6 want to accept the petition for a hearing. Once we  
7 make that -- if we make the decision that we will hold  
8 hearings and that this petition is worthy of the  
9 Commission's time and is properly in front of us for a  
10 hearing, I think we'll have separate status  
11 conferences once the parties have had a better chance  
12 to identify exactly how many witnesses they wish to  
13 present, what the scope of the dispute is, and also  
14 availability of a hearing officer, if we plan on doing  
15 that. All of that, I think, will help us make a  
16 better decision on the specifics of a scheduling  
17 order.

18 COMMISSIONER WILLIAM AMPOMAH: Thank  
19 you. I second.

20 COMMISSION CHAIR ALBERT CHANG: So, it  
21 looks like we've got a motion on the floor from  
22 Commissioner Bloom and seconded by Commissioner  
23 Ampomah. Is there any objection? Hearing no  
24 objection, it's unanimously ordered that the  
25 Commission will be holding a hearing on the proposal

1 in front of us on the application to adopt rules for  
2 underground injection of carbon dioxide consistent  
3 with Class VI underground injection controls.

4 At this point, I think the questions  
5 that Dr. Ampomah raised about logistics and schedule  
6 comes into play, but I'm not sure that all the parties  
7 have all the details necessary for us to make any  
8 determinations there. It looks like I've got --

9 MS. PATTON: Yeah, sorry, Mr. Chair.  
10 You didn't actually vote. You took the motion, but  
11 you didn't vote. I think you have to take the motion  
12 and then all --

13 COMMISSION CHAIR ALBERT CHANG: You  
14 want it on a roll call? We can certainly do it on a  
15 roll call, sure.

16 COMMISSION CLERK SHEILA APODACA: Okay.  
17 We'll call the roll on the Commission on the motion to  
18 accept the application. Commissioner Bloom?

19 COMMISSIONER GREG BLOOM: Approve.

20 COMMISSION CLERK SHEILA APODACA:  
21 Commissioner Ampomah?

22 COMMISSIONER WILLIAM AMPOMAH: Approve.

23 COMMISSION CLERK SHEILA APODACA: And  
24 Commissioner Chair Chang?

25 COMMISSION CHAIR ALBERT CHANG:

1 Approved.

2 COMMISSIONER GREG BLOOM: Mr. Chair, my  
3 Internet cut out or it could have been on your end,  
4 I'm not sure if anyone else is experiencing any  
5 difficulties or losing a signal (inaudible).

6 COMMISSION CHAIR ALBERT CHANG: I don't  
7 know.

8 COMMISSIONER GREG BLOOM: Maybe it's  
9 just me, yeah.

10 COMMISSION CHAIR ALBERT CHANG: Let us  
11 know if we need to slow down or do anything  
12 differently to make sure that -- though, I think we're  
13 about to wrap up here anyway because I think we're  
14 just going to -- at this point, I think I'm going to  
15 probably ask the parties to do as much as they can to  
16 figure out their own cases, their own schedules, what  
17 they wish to present, and then set it for a status  
18 conference at our regular February Commission Hearing.

19 Potentially, if parties are ready for  
20 us to discuss logistics before that, I'm happy to set  
21 a special status conference in between if the parties  
22 are ready for that, but otherwise I will make sure --  
23 I ask the parties to just give me a status update as  
24 to where you are all at by the next Commission  
25 meeting.

1                       Okay. With that, I believe we've come  
2 to the end of our agenda for today. I'd like to -- I  
3 think there was a note about Commissioner availability  
4 for the regularly scheduled March meeting. Did you  
5 want to make a comment about that, Commissioner  
6 Ampomah?

7                       COMMISSIONER WILLIAM AMPOMAH: Yes, so  
8 I do have a week of travel and that's going to be on  
9 the week of March 9th and then the week of March 16th.  
10 So, I will not be available during those two weeks.

11                      COMMISSION CHAIR ALBERT CHANG: Okay.  
12 Commissioner Bloom, do you have scheduling -- do you  
13 know your schedule in March far enough out for us to  
14 be able to reschedule the March Commission Meeting, or  
15 would you like our Commission Clerk to reach out  
16 separately after this meeting to maybe find an  
17 alternate date for the three of us?

18                      COMMISSIONER GREG BLOOM: I do know my  
19 schedule in March. Unfortunately, I think Thursday  
20 the 5th I have obligations and the 26th and 27th I'm  
21 out of town. So, preferably two dates that are not  
22 Thursdays and are not the couple of weeks that Dr.  
23 Ampomah is out.

24                      COMMISSION CHAIR ALBERT CHANG: Well,  
25 instead of making everybody sit through this, I'm sure

1 we can coordinate through our Commission Clerk to find  
2 an alternate date in March then.

3 COMMISSIONER GREG BLOOM: (inaudible).

4 COMMISSION CHAIR ALBERT CHANG: Great.

5 Okay. Any other announcements for the good of the  
6 order? If not, I will take a motion to adjourn.

7 COMMISSIONER GREG BLOOM: Mr. Chair, I  
8 so moved.

9 COMMISSIONER WILLIAM AMPOMAH: Mr.  
10 Chair, I second.

11 COMMISSION CHAIR ALBERT CHANG: Thank  
12 you. Without objection, so ordered. Thank you.

13 (Whereupon, at 1:32 p.m., the  
14 proceeding was concluded.)

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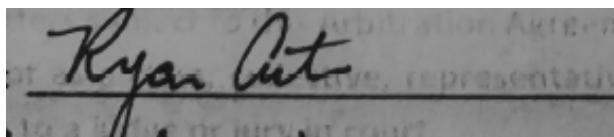
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1 CERTIFICATE OF NOTARY PUBLIC

2 I, RYAN AUTEN, the officer before whom the  
3 foregoing proceedings were taken, do hereby certify  
4 that any witness(es) in the foregoing proceedings,  
5 prior to testifying, were duly sworn; that the  
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7 to typewriting by a qualified transcriptionist; that  
8 said digital audio recording of said proceedings are a  
9 true and accurate record to the best of my knowledge,  
10 skills, and ability; that I am neither counsel for,  
11 related to, nor employed by any of the parties to the  
12 action in which this was taken; and, further, that I  
13 am not a relative or employee of any counsel or  
14 attorney employed by the parties hereto, nor  
15 financially or otherwise interested in the outcome of  
16 this action.

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18  
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20

21 RYAN AUTEN  
22 Notary Public in and for the  
23 STATE OF NEW MEXICO  
24  
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9 which this was taken; and, further, that I am not a  
10 relative or employee of any counsel or attorney  
11 employed by the parties hereto, nor financially or  
12 otherwise interested in the outcome of this action.

13

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Sonya M. Ledanski Hyde

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SONYA LEDANSKI HYDE

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## [provisions - representative]

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