

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

**APPLICATION TO RE-OPEN CASE NO.21593:
APPLICATION OF SOZO I LP AND SOZO NATURAL
RESOURCES, LLC TO REQUIRE A COMMON
PURCHASER TO RATABLY TAKE GAS ON
REASONABLE TERMS UNDER THE TERMS OF NMSA
1978 §70-2-19.D AND NMAC 19.15.24.12, LEA COUNTY,
NEW MEXICO.**

Case No. 21726

SOZO'S REPLY REGARDING MOTION TO DISMISS

Sozo I LP and Sozo Natural Resources, LLC (collectively "Sozo") submit this reply in support of its motion to dismiss the application filed by Targa Midstream Services LLC ("Targa"). In support thereof, Sozo states:

1. Sozo's application was set for hearing on January 7, 2021, and Sozo gave notice of the hearing to Targa as required Division rules. Certified notice of the hearing was received by Targa on December 21, 2000, 17 days before the hearing. Targa did not timely enter an appearance in the case or present evidence. It has not submitted substantial evidence why it could not timely enter an appearance.

2. Sozo did not request a status conference, and presented evidence in its case on January 7th. The case was taken under advisement subject only to submission of a memo on points and authorities. The record was not kept open for additional evidence or entries of appearance.

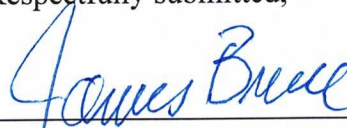
3. Targa filed its application to re-open Case No. 21593 on January 20, 2021, claiming that it "did not receive actual notice." Targa had proper notice and had sufficient time to prepare for hearing and present its case. It did not do so, and waived its rights.

4. Targa has not complied with the Division's rules.

5. Sozo submitted on the record substantial evidence of discriminatory treatment by Targa. It has met its burden of proof.

WHEREFORE, Sozo requests that the Division dismiss Case No. 21726.

Respectfully submitted,



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CERTIFICATE OF SERVICE


I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 2nd day of April, 2021 by e-mail:

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