

I N D E X

February 26th, 1998
Commission Hearing
CASE NO. CV-97-29

PAGE

REPORTER'S CERTIFICATE

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A P P E A R A N C E S

FOR THE COMMISSION:

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1 WHEREUPON, the following proceedings were had at
2 9:35 a.m.:

3 MS. WROTENBERY: And then we have one other case
4 that we need to deliberate, although I understand we need
5 to close the meeting to do that.

6 Before we do that, I do have one question to ask
7 about the next scheduled meeting of the Commission. I know
8 we had one on the schedule for March 12th, although at this
9 point I don't believe we have any items on the agenda or
10 the docket for that particular meeting. The cases that
11 have been postponed from this meeting have been postponed
12 till the April 9th meeting of the Commission.

13 What is the pleasure of the Commission? Should
14 we go ahead and just announce that that meeting has been
15 canceled, or should we reserve that date in case something
16 comes up? What's the usual practice here?

17 MR. LEMAY: Madame Chairman, I think the usual
18 practice sometimes could stand some improvement. I know in
19 the past I've asked Florene, Are there any cases at the
20 last minute? We would call Commissioners that were
21 traveling here, and then we wouldn't have the meeting.

22 But if we know ahead of time, like --

23 MS. DAVIDSON: We -- past advertising deadline
24 for that --

25 MR. LEMAY: I think that's the key, the

1 advertising deadline. Many times we don't have this -- one
2 Commission hearing following another so quickly, so that at
3 the meeting we know there's no cases that have been
4 proposed, so we don't have the opportunity to cancel a
5 meeting. But I think it's probably appropriate to cancel
6 the March meeting, because we don't have any cases.

7 MS. WROTENBERY: Okay, so -- That seems to make
8 sense. And of course, we do have provisions for emergency
9 meetings if something comes up, or special meetings if
10 something out of the ordinary comes up that needs
11 attention, we can rely on those procedures. Okay.

12 MR. LEMAY: I move we close the -- or we cancel
13 the March meeting, Madame Chairman.

14 COMMISSIONER BAILEY: I second.

15 MS. WROTENBERY: Okay, all in favor say aye.

16 MR. LEMAY: Aye.

17 COMMISSIONER BAILEY: Aye.

18 MS. WROTENBERY: Aye.

19 Okay, so we'll meet again next on April 9th,
20 1998.

21 Okay. Then I think that takes us to the last
22 item on the agenda, and I'll entertain a motion to close
23 this meeting in order to deliberate the Read and Stevens
24 case.

25 COMMISSIONER BAILEY: I so move.

1 MR. LEMAY: I second.

2 MS. WROTENBERY: All in favor say aye.

3 COMMISSIONER BAILEY: Aye.

4 MR. LEMAY: Aye.

5 MS. WROTENBERY: Okay. In that case, we'll ask
6 the people in the audience to please step out of the room.
7 And we will be coming back into open session to announce
8 the decision of the Commission in this matter.

9 (Off the record at 9:38 a.m.)

10 (The following proceedings had at 10:00 a.m.)

11 MS. WROTENBERY: Okay, we'll go back into open
12 session at this particular point, and I will be sitting out
13 on the action on this particular case because I didn't hear
14 it, have not reviewed the record.

15 So I think I'll turn the matter over to Bill, if
16 that would be okay with you, to take action.

17 MR. LEMAY: Madame Chairman, I move that the
18 Commission accept the new findings as revised and
19 incorporated into a new order to be signed by all three
20 Commissioners on this particular case, but that it be
21 signed by just the two Commissioners, which would be
22 Commissioner Bailey and myself, and that be the revised
23 order.

24 COMMISSIONER BAILEY: It's my intent to sign such
25 a revised order. I agree with all changes that we have

1 discussed as part of the findings.

2 MR. LEMAY: And it is also my intent to sign a
3 revised order incorporating the new findings as approved
4 under this new draft, and I so move.

5 COMMISSIONER BAILEY: I second.

6 MR. LEMAY: All in favor signify by saying aye.

7 COMMISSIONER BAILEY: Aye.

8 MR. LEMAY: Aye.

9 Opposed, nay?

10 Thank you, Madame Chair.

11 MS. WROTENBERY: Okay, are there any other
12 matters before the Commission this morning?

13 Any other comments anybody would like to make?

14 Okay, with that, then, we will adjourn this
15 meeting of the Commission, and I thank everybody very much.

16 (Thereupon, these proceedings were concluded at
17 10:02 a.m.)

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CERTIFICATE OF REPORTER

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Commission was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL February 28th, 1998.



STEVEN T. BRENNER
CCR No. 7

My commission expires: October 14, 1998