



August 6, 1996

New Mexico Oil Conservation Commission
2040 South Pacheco
Santa Fe, New Mexico 87505

RE: **GOV - STATE & LOCAL**
CASE 11596 - COMMISSION MEETINGS
DOCKET DATED 8-15-96

Gentlemen:

Please refer to your Case 11596 scheduled for hearing on the August 15, 1996 Docket. Texaco Exploration & Production Inc. (Texaco) wishes to comment for the record in this case in the form of this letter and to potentially testify at the hearing on August 15, 1996.

Texaco appreciates the hardships caused by requiring members of the commission to be present at the hearings; however, the hearing testimony as well as supporting or opposition evidence, is most often presented in the form of "exhibits". These exhibits would not always be available for viewing by participants that were on the telephone. Such inability to view exhibits, clarify concerns and get questions answered at the hearing would potentially prolong the time between hearing and a final ruling and could result in decisions not based on all the relevant information concerning the matter at hand.

Texaco would like to propose two revisions to the proposed Rule 19 NMAC 15.A.19 as follows:

1. The rule be changed to reflect that Commission members might participate in meetings and hearings by video-conference rather than telephone. This would facilitate the viewing of exhibits and get all the evidence considered on record at the hearing. It is recognized that such video-conferencing equipment is expensive; however, if properly placed it could be used by the various arms of the Energy, Minerals and Natural Resource Department thus resulting in a very cost effective tool. It has been proven many times that video-conferencing is a very cost effective means of communication. Video-conferencing equipment is now available for rent at such places as Kinko's for those that cannot justify the investment or that are traveling and can't make the meeting.
2. It is proposed that witnesses also be allowed to participate in meetings and hearings by video-conferencing. Many times a witness must travel to Santa Fe, spend the night and then only testify in the hearing for a minute with no cross-examination taking place. Video-conferencing could in this type situation save operators several hundred dollars per hearing. It would be up to the operator to determine which witnesses were sufficiently important to the case to require being present at the hearing.

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It is therefore proposed that the rule read as follows:

OIL CONSERVATION DIVISION RULE 19 (19 NMAC 15.A.19)

Pursuant to Section 10-15-1 NMSA 1978, Commission members and *witnesses* may participate in Commission meetings and hearings by means of ~~a conference~~ *video-conferencing* or other similar communications equipment when it is *not economically advantageous* or otherwise difficult or impossible ~~for members~~ to attend the meeting or hearing in person. Each member *or witness* participating *in the meeting or hearing* by ~~conference telephone~~ *video-conference* or other similar communications equipment must be ~~identified when speaking~~ *able to be seen and heard by all those participating in the meeting or hearing at the hearing location*. ~~All participants must be able to hear each other at the same time~~. Members of the public attending the meeting or hearing must be able to hear *and see* the Commission members *or witnesses* who speak during the meeting or hearing.

Texaco feels that this approach to cost effective meetings will result in improvement to the meeting and hearing process. Your consideration of these comments and proposed revisions to Rule 19 will be appreciated.

Yours respectfully,

A handwritten signature in cursive script, appearing to read "R. J. Schneider" followed by a flourish.

RFG/s

File
Chrono

Deborah Seligman, NMOGA

