

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION

APPLICATION OF DUKE ENERGY FIELD
SERVICES, LP FOR AN ACID GAS INJECTION
WELL, LEA COUNTY, NEW MEXICO.

CASE NO. 13589

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DCP'S OBJECTION TO LATE-FILED PRE-HEARING STATEMENT

DCP Midstream, LP ("DCP") objects to the Smiths' Pre-Hearing Statement because it was filed after the deadline mandated by Commission rules. NMAC19.15.4.13 requires pre-hearing statements to be filed "at least four business days in advance of a scheduled hearing before the division or the commission, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date." The Smiths did not file their pre-hearing statement until Friday, July 8, 2011 at 4:35 p.m. Due to the late-filing, DCP and its counsel did not get to review the pre-hearing statement until Monday, July 11th.

Respectfully submitted,

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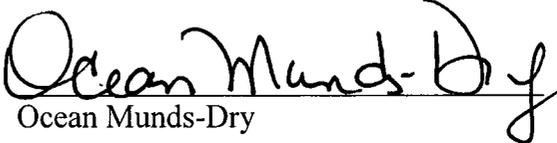
CERTIFICATE OF SERVICE

I certify that on July 12, 2011 I served a copy of DCP's Motion to the following by:

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