

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

IN THE MATTER OF THE  
OIL CONSERVATION DIVISION  
DOCKET 46-20

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS  
PRE-HEARING TRANSCRIPT  
DECEMBER 17, 2020  
SANTA FE, NEW MEXICO

BEFORE: FELICIA ORTH, HEARING EXAMINER  
JOHN GARCIA, TECHNICAL EXAMINER

This matter came on for hearing before the New Mexico Oil Conservation Division, HEARING EXAMINER FELICIA ORTH and TECHNICAL EXAMINER JOHN GARCIA, on December 17, 2020, via Webex Virtual Platform.

Reported by: Irene Delgado, NMCCR 253  
PAUL BACA PROFESSIONAL COURT REPORTERS  
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1 HEARING EXAMINER ORTH: All right. Good morning.  
2 My name is Felicia Orth. I'm the hearing officer appointed  
3 by the director of the Oil Conservation Division to conduct  
4 hearings this morning under 19.15.4 of the New Mexico  
5 Administrative Code. You will find the spreadsheet showing  
6 the hearings that will be called this morning on the  
7 Division's web page. These hearings are being recorded and  
8 transcribed by Irene Delgado of the Paul Baca Court Reporter  
9 service.

10 We have staff on the line. John Garcia is our  
11 technical examiner this morning. I believe he has an  
12 announcement this morning. In the event this session is  
13 interrupted by technical difficulties or mischief, please go  
14 to your e-mail and we will find another way to continue.

15 (Cases were called/heard, following which  
16 discussion was had as follows:)

17 MS. SHAHEEN: Madam Examiner, I do have a  
18 question about the new filing portal system, and I don't  
19 know if it's appropriate for me to ask it now or if it's  
20 something I should reach out to Marlene about. So I suppose  
21 I should ask Marlene if she wants to entertain any questions  
22 about it now.

23 HEARING EXAMINER ORTH: So let me suggest that  
24 why don't you pose the question. There are two or three  
25 technical staff members on the line right now and Marlene.

1 They can at least hear the question and reflect on it and  
2 get back to you.

3 MS. SHAHEEN: Okay. So I noticed yesterday when  
4 I was filing an NSL application that when you are in the  
5 portal that requires you to sign in, there is actually a  
6 drop-down box for filing prehearing statements among other  
7 things.

8 And so -- and yet yesterday I went ahead and  
9 just submitted our amended exhibits and our notice by e-mail  
10 because I wasn't sure if we were supposed to be signing in  
11 under our operator's OGRID number to file prehearing  
12 statements, and if so, how we are going to accomplish that  
13 with respect to who does the filing in our firm.

14 So for example, I have to get -- I have to be  
15 added as a user to the operators' internal access and don't  
16 ordinarily have my assistant added. So that's my question.  
17 Should we be all getting access to our operators' OGRID  
18 numbers, or can we file the prehearing statements and  
19 Exhibits outside of that system?

20 HEARING EXAMINER ORTH: All right. Thank you for  
21 posing the question. I will pause for a moment in the event  
22 any staff person would like to speak up.

23 (No audible response.)

24 HEARING EXAMINER ORTH: Okay. I think they want  
25 to get together and talk about it. So thank you very much,

1 Ms. Shaheen.

2 MS. BENNETT: Madam Examiner, this is Deana  
3 Bennett. I have the same question as Ms. Shaheen. I do  
4 have access to my client's operator access number. I use it  
5 very infrequently, and I'm the only one in my office who has  
6 access to it. My assistant does not for the same reason Ms.  
7 Shaheen just noted.

8 So to the extent that there is some sort of  
9 further guidance on this point, if that could be distributed  
10 at least to the lawyers who routinely appear before the  
11 Division, I understand maybe it doesn't need to be sent out  
12 to the whole e-mail blast, but certainly for those of us who  
13 routinely appear, that would be helpful for us to understand  
14 the parameters of that.

15 HEARING EXAMINER ORTH: Thank you. Sounds like  
16 it is a broader question than it is ().

17 MS. LUCK: This is Kaitlyn Luck, again. I also  
18 wanted to mention that I share the same concern because I  
19 don't have access to all of our client operator accounts.  
20 And it seems, because of the number of the operators that  
21 our office represents, is that something we need to go  
22 through and be added to all of those accounts. I also share  
23 Ms. Bennett's and Ms. Shaheen's concern about those.

24 MR. BRUCE: And this is Jim Bruce. That's a good  
25 point that she just made because it gets difficult enough,

1 you've got multiple clients and then you have to have  
2 multiple different passwords for each one of them. And I  
3 went in to file some NSLs the other day and I gave up hope.  
4 And I'm going to try it again this weekend, but I found it  
5 very difficult to do compared to the way it used to be.

6 HEARING EXAMINER ORTH: Thank you, all of you for  
7 making it clear that that's that's an issue for all of you.

8 And I trust the Division staff will research that  
9 question and will be discussing it amongst themselves and  
10 after discussion will provide some guidance to you.

11 MR. BRUCE: Thank you.

12 HEARING EXAMINER ORTH: Thank you. Is there  
13 anything else this more morning while we are all together?

14 MR. BRUCE: Ho, ho, ho. Merry Christmas, to the  
15 extent we can have it.

16 HEARING EXAMINER ORTH: You have the best Santa  
17 Claus voice. Thank you all very much. Have a wonderful  
18 holiday. We will see you again in January.

19 (Adjourned.)

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STATE OF NEW MEXICO  
COUNTY OF BERNALILLO

REPORTER'S CERTIFICATE

I, IRENE DELGADO, New Mexico Certified Court Reporter, CCR 253, do hereby certify that I reported the foregoing virtual proceedings in stenographic shorthand and that the foregoing pages are a true and correct transcript of those proceedings to the best of my ability.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties or attorneys in this case and that I have no interest in the final disposition of this case.

I FURTHER CERTIFY that the Virtual Proceeding was of poor to good quality.

Dated this 17th day of December 2020.

/s/ Irene Delgado

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Irene Delgado, NMCCR 253  
License Expires: 12-31-20