



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

June 26, 2003

Hon. Lori Wrotenbery, Chairman
Oil Conservation Division
1220 S. St. Francis Dr.
Santa Fe, NM 87505

Re: Case No. 13069; Application of the New Mexico Oil Conservation Division, Through the Engineering Bureau Chief, for Adoption of a New Rule Relating to Compulsory Pooling and Prescribing Risk Charges.

Dear Chairman Wrotenbery

At the hearing on June 12, 2003, the Commission requested the undersigned to file two things on or before June 26, 2003:

1. excerpts from testimony in a previous case, which the Division proposed to offer on the question of risk charges in the Fruitland Coal Gas Pool; and
2. a revised draft of the proposed rule correcting a mistake in the text submitted.

With respect to the first item, after considerable searching, I have been unable to find the testimony in question, and accordingly respectfully request to withdraw the Division's offer of that evidence.

With respect to the second item, I cannot remember the language to which the Commission called my attention as constituting a mistake in the text, and accordingly request an extension of the time to submit a corrected text until Thursday, July 10, 2003, when the transcript of the June 12 hearing will be available.

Very truly yours,

David K. Brooks

Assistant General Counsel

cc. Carol Leach, General Counsel

Mr. W. Thomas Kellahin
Kellahin and Kellahin
P.O.Box 2265
Santa Fe, NM 87504-2265

Mr. William F. Carr
Holland & Hart
P.O.Box 2208
Santa Fe, NM 87504-2208