

DOMESTIC SERVICE			
Check the class of service desired; otherwise this message will be sent at the full rate			
FULL RATE TELEGRAM	SERIAL		
DAY LETTER	NIGHT LETTER		

INTERNATIONAL SERVICE			
Check the class of service desired; otherwise this message will be sent at the full rate			
FULL RATE	DEFERRED		
CODE	NIGHT LETTER		

# WESTERN UNION

1206

JOSEPH L. EGAN, PRESIDENT

NO. WDS.-CL. OF SVC.	PD. OR COLL.	CASH NO.	CHARGE TO THE ACCOUNT OF	TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

SANTA FE, NEW MEXICO  
JANUARY 13, 1949

CONTINENTAL CARBON COMPANY  
1400 WEST 10TH STREET  
AMARILLO, TEXAS

RE CASE 169 BEFORE NEW MEXICO OIL CONSERVATION COMMISSION, YOUR APPLICATION FOR RESIDUE GAS IN THE AMOUNT OF EIGHTEEN MILLION CUBIC FEET PER DAY IS HEREBY GRANTED BY THE COMMISSION. WILL FORWARD ORDER BY MAIL.

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

S/ GUY SHEPARD, MEMBER  
S/ R. R. SPUNGLER, SECRETARY

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it repeated, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeatd message rate is charged in addition. Unless otherwise indicated on its face, this is an unrepeatd message and paid for as such, in consideration whereof it is agreed between the sender of the message and this Company as follows:

1. The Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the unrepeatd-message rate beyond the sum of five thousand dollars; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the repeated-message rate beyond the sum of five thousand dollars, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines.
2. In any event the Company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the actual loss, not exceeding in any event the sum of five thousand dollars, at which amount the sender of each message represents that the message is valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the repeated-message rate is paid or agreed to be paid, and an additional charge equal to one-tenth of one per cent of the amount by which such valuation shall exceed five thousand dollars.
3. The Company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other company when necessary to reach its destination.
4. Except as otherwise indicated in connection with the listing of individual places in the filed tariffs of the Company, the amount paid for the transmission of a domestic telegram or an incoming cable or radio message covers its delivery within the following limits: In cities or towns of 5,000 or more inhabitants where the Company has an office which, as shown by the filed tariffs of the Company, is not operated through the agency of a railroad company, within two miles of any open main or branch office of the Company; in cities or towns of 5,000 or more inhabitants where, as shown by the filed tariffs of the Company, the telegraph service is performed through the agency of a railroad company, within one mile of the telegraph office; in cities or towns of less than 5,000 inhabitants in which an office of the Company is located, within one-half mile of the telegraph office. Beyond the limits above specified the Company does not undertake to make delivery, but will endeavor to arrange for delivery as the agent of the sender, with the understanding that the sender authorizes the collection of any additional charge from the addressee and agrees to pay such additional charge if it is not collected from the addressee. There will be no additional charge for deliveries made by telephone within the corporate limits of any city or town in which an office of the Company is located.
5. No responsibility attaches to this Company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender.
6. The Company will not be liable for damages or statutory penalties in the case of any message except an intrastate message in Texas where the claim is not presented in writing to the Company within sixty days after the message is filed with the Company for transmission, and in the case of an intrastate message in Texas the Company will not be liable for damages or statutory penalties where the claim is not presented in writing to the Company within ninety-five days after the cause of action, if any, shall have accrued; provided, however, that neither of these conditions shall apply to claims for damages or overcharges within the purview of Section 415 of the Communications Act of 1934.
7. It is agreed that in any action by the Company to recover the tolls for any message or messages the prompt and correct transmission and delivery thereof shall be presumed, subject to rebuttal by competent evidence.
8. Special terms governing the transmission of messages according to their classes, as enumerated below, shall apply to messages in each of such respective classes in addition to all the foregoing terms.
9. No employee of the Company is authorized to vary the foregoing.

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CLASSES OF SERVICE

DOMESTIC SERVICES

FULL RATE TELEGRAMS

A full rate expedited service.

DAY LETTERS

A deferred service at lower than the full rate

SERIALS

Messages in sections during the same day.

NIGHT LETTERS

Accepted up to 2 A.M. for delivery not earlier than the following morning at rates substantially lower than the full rate telegram or day letter rates.

CABLE SERVICES

FULL RATE CABLES

The standard fast service at full rates. May be written in any language that can be expressed in Roman letters or in cipher.

CODE (CDE)

A fast message service consisting of words formed without condition or restriction, counted at 5 characters per word. Minimum charge of 5 words applies.

DEFERREDS (LC)

Plain language messages, subject to being deferred in favor of full rate and CDE messages.

NIGHT LETTERS (NLT)

Overtight plain-language messages. Minimum charge of 25 words applies.

Case  
169

January 11, 1949

Mr. Glenn Staley  
Lea County Operators Committee  
Drawer Eye  
Hobbs, New Mexico

Dear Glenn:

In line with our Case 169, which involves the application of the Continental Carbon Company for additional gas in the South Eunice area, I should appreciate it if you will address a letter to all operators, oil and gas, in this South Eunice pool, as follows:

What per cent, or what volume, of the gas currently produced in the South Eunice pool with oil, is used for the manufacture of carbon black and what volume is flared.

The Commission does not favor the use of gas well gas or dry gas, for the manufacture of carbon black while wet gas or residue gas is being flared from this pool or from any other pool in New Mexico.

We should therefore like to have this additional information to complete our record, in Case 169. Thank you very much.

Very truly yours,

---

R. R. Spurrier  
Secretary and Director

RRS:bw

*See Case 169  
"Wet Gas"  
"Flared Gas"*