

State of New Mexico  
Energy, Minerals and Natural Resources Department

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## **NOTICE**

# **OCD HEARINGS UPDATES: Compulsory Pooling Checklist and Request for Additional Information Process**

**November 29, 2022**

Due to the increase in applications for hearings which request a Compulsory Pooling and Non-Standard Spacing Unit ("NSP") combined, OCD is introducing an amended Compulsory Pooling Checklist ("Checklist"). This Checklist will be used for all Compulsory Pooling cases beginning on January 5, 2023, including those with or without NSP requests attached to them. The changes made to the checklist allow the OCD to verify proper notice has been met per 19.15.16.15(B)(5) NMAC. From January 5, 2023, onward, if the updated Checklist is not utilized the case will be dismissed.

During the hearings conducted in August, September, October, and the first hearing of November, OCD took under advisement 132 cases. Of those cases **56%** required additional information or contained errors. This necessitated OCD to solicit edits or additional information prior to further review of the applications. Due to this large percentage of cases missing information or containing errors, OCD is issuing a new process for those cases in which additional information is required by the Examiners. Effective the January 5, 2023 hearing, any information requested by the examiners must be submitted to OCD within two-weeks. It is the applicants responsibility to meet the two-week deadline. If the OCD has not received the information by the end of that two-week time period then the OCD will dismiss the application for being incomplete. The application will need to be refiled in order to proceed. Exceptions may be considered upon documentation of extenuating circumstances establishing good cause.

This new process will encourage more complete and accurate submissions enabling the OCD to process hearing orders in a more timely manner.