



# RAILROAD COMMISSION OF TEXAS

## HEARINGS DIVISION

**RULE 37 CASE NO. 0272178**  
**STATUS NO. 695124**  
**District 09**

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**APPLICATION OF CHESAPEAKE OPERATING, INC. FOR A RULE 37 EXCEPTION  
FOR THE BMX COOK UNIT, WELL NO. 1H, NEWARK, EAST (BARNETT SHALE)  
FIELD, TARRANT COUNTY, TEXAS**

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### APPEARANCES:

#### FOR APPLICANT:

Glenn E. Johnson  
Ray Oujesky  
David C. Triana  
Bill G. Spencer  
Matt Reser  
Steve Mills

#### APPLICANT:

Chesapeake Operating, Inc.

#### FOR PROTESTANT:

David Jackson  
Eddy McCarthy

#### PROTESTANT:

Commerce Limited Partnership No. 9105

### PROPOSAL FOR DECISION

### PROCEDURAL HISTORY

<b>DATE APPLICATION FILED:</b>	August 19, 2011
<b>DATE OF NOTICE OF HEARING:</b>	January 27, 2012
<b>DATE OF HEARING:</b>	March 23, 2012
<b>HEARD BY:</b>	Michael Crnich, Hearings Examiner Andres Trevino, Technical Examiner
<b>DATE TRANSCRIPT RECEIVED:</b>	April 4, 2012
<b>DATE PFD CIRCULATED:</b>	October 19, 2012
<b>DATE AMENDED PFD CIRCULATED:</b>	December 4, 2012

**STATEMENT OF THE CASE**

In this matter, Chesapeake Operating, Inc. (“*Chesapeake*”) seeks an amended permit pursuant to the provisions of Statewide Rule 37 for the BMX Cook Lease, Well No. 1H, Newark, East (Barnett Shale) Field, Tarrant County, Texas. The third drilling permit for the BMX Cook No. 1H was approved administratively on August 18, 2011. This third permit is the drilling permit currently in effect for the BMX Cook No. 1H and is subject to three no perforation zones (“*NPZs*”) opposite unleased tracts internal to the BMX Cook pooled unit. Appendix 1 to this proposal for decision is a plat (Chesapeake Exhibit No. 19) showing the external boundary of the BMX Cook Unit, unleased tracts internal to the unit, and the BMX Cook No. 1H. Shown in red along the horizontal lateral of the BMX Cook No. 1H are the NPZs in place under the current permit. Moving from lower to upper perforation point, the first NPZ is 659 feet opposite unleased Tract No. 14A; the second is 866 feet opposite Tract No. 29; and the third is 834 feet surrounding Tract Nos. 63 and 64.

The purpose of this application is to obtain a fourth permit eliminating the NPZs from the BMX Cook No. 1H so that the entire drainhole from the upper perforation point to the lower perforation point can be perforated. Appendix 2 to this proposal for decision is a revised plat (included in Chesapeake Exhibit No. 10) showing the configuration of the BMX Cook No. 1H proposed by the application. If Chesapeake is allowed to perforate the BMX Cook No. 1H from the proposed upper perforation to the proposed lower perforation, the well will have a drainhole of about 6,566 feet. The application is protested by Commerce Limited Partnership No. 9105, which owns the 0.929-acre Tract No. 14A.

After the issuance of the original PFD in this case, the Protestant filed exceptions alleging, among other things, that as a result of leasing activity after the filing of the current application, only two NPZs were necessary to avoid encroaching within 330 feet of unleased tracts. The Protestant further asserted that removal of only those two NPZs should be considered in the analysis. After consideration of these exceptions, the examiners concluded that the PFD should be amended to address the reduction in required NPZs and the effect of this reduction on the well’s recovery.

**DISCUSSION OF THE EVIDENCE**

***Chesapeake***

A Rule 37 exception is needed for the BMX Cook No. 1H because the section of the well proposed to be perforated is closer than 330 feet to tracts with unleased mineral interests that are internal to the BMX Cook pooled unit. Special field rules for the Newark, East (Barnett Shale) Field provide for 330-foot lease-line spacing. As to horizontal wells, where the horizontal portion of the well is cased and cemented back above the top of the Barnett Shale formation, the distance to any property line, lease line, or subdivision line is calculated based on the distance to the nearest perforation in the well, and not based on the penetration point or terminus. According to the plat associated with the Form W-1 submitted on August 19, 2011, the Commerce LP’s Tract No. 14A

is, at its closest point, about 187 feet from the BMX Cook No. 1H. As of the date of the hearing, there were 19 unleased tracts within the perimeter of the BMX Cook pooled unit, but only two of these were within 330 feet.<sup>1</sup> As of the date of the hearing, total acreage in the BMX Cook pooled unit was 337.477 acres, of which 320.348 acres were leased and 17.129 acres were unleased.

The BMX Cook No. 1H location is within Haltom City, Texas. The surface location of the well is off-lease, 621 feet from the south line and 992 feet from the east line of the Akers, T. Survey. The penetration point is 293 feet from the east line and 381 feet from the north line of the BMX Cook Unit. The upper perforation point is 462 feet from the east line and 384 feet from the north line of the unit. The lower perforation point is 367 feet from the west line and 468 feet from the south line of the unit. The terminus is 298 feet from the west line and 174 feet from the north line of the Elliott, S. Survey.

A Chesapeake reservoir engineer presented an isopach map and a stratigraphic cross section to show thickness of the Barnett Shale in the area of the BMX Cook Unit. The isopach map was based on information taken from three well data points in the vicinity of the BMX Cook No. 1H. The isopach map shows that Barnett Shale thickness ranges from 329 to 350 feet, and in the area of the BMX Cook Unit is about 347 feet.

A Chesapeake reservoir engineer presented a plot of estimated ultimate recovery versus drainhole length for 114 producing Barnett Shale wells located within three-and-a-half miles of the BMX Cook Unit. A computer generated least squares regression of the data points on the plot developed a line through the data points with a positive slope of 0.956 and an intercept of 1050.047. The implication of this plot is that a horizontal well in the Barnett Shale ultimately will recover 0.956 MMCF, or about 956 MCF, of gas per foot of drainhole plus the plot's intercept of 1050.047 MMCF.

Chesapeake's reservoir engineer also volumetrically calculated original gas in place beneath Chesapeake's leased acreage in the BMX Cook Unit and estimated current recoverable gas beneath the unit. He based his calculations on a study performed by Devon Energy that estimated the gas in place beneath one square mile, where the average thickness of the Barnett Shale was 433 feet, was 139 BCF. Adjusting for an average thickness of 345 feet, the engineer calculated that gas in place beneath the 320.35 leased acres in the BMX Cook Unit is 55.4355 BCF. Chesapeake believes that a 45% recovery factor is reasonable in this area. Assuming a 45% recovery factor, the original recoverable gas beneath the 320.35 leased acres in the BMX Cook Unit was 24.946 BCF. At the time of hearing, the BMX Cook No. 2H had produced 0.013 BCF of gas and the BMX Cook No. 3H had produced 0.015 BCF; therefore, Chesapeake believes that the remaining recoverable gas in place is 24.92 BCF.

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<sup>1</sup> Tract No. 63 is partially leased. Without a Rule 37 exception, the portion of the wellbore located on Tract No. 63 could be perforated, but NPZs would need to be imposed on the portions of the wellbore within 330 feet of each side of the tract's border.

Using the projected recovery predicted by Chesapeake's Exhibit No. 14, the plot of estimated ultimate recoveries versus drainhole length for 114 producing Barnett Shale wells, Chesapeake's reservoir engineer also calculated the estimated ultimate recoveries of the BMX Cook No. 2H (drilled and productive), BMX Cook No. 3H (drilled and productive), and BMX Cook No. 4H (drilled but not completed). The BMX Cook No. 2H will recover an estimated 4.424 BCF of gas; the BMX Cook No. 3H will recover an estimated 6.964 BCF; and the BMX Cook No. 4H will recover an estimated 4.195 BCF. The total estimated recovery of these three existing wells is 15.583 BCF, as compared to original recoverable gas in place beneath the BMX Cook Unit of 24.946 BCF. An additional well will be needed to recover as much as possible of the 9.363 BCF that will not be recovered by the BMX Cook Nos. 2H, 3H, and 4H.

Removal of the three currently-imposed NPZs would allow the entire 6,566 feet of the BMX Cook No. 1H's drainhole to be perforated. Based on the recovery predicted by Chesapeake's Exhibit No. 14, the plot of estimated ultimate recoveries versus drainhole length for 114 producing Barnett Shale wells, perforation of 6,566 feet of drainhole should allow the BMX Cook No. 1H ultimately to recover 7,327 MMCF.

After the current permit application was filed on August 19, 2011, Chesapeake was able to lease Tract No. 29 and Tract No. 64. As a consequence, at the time of hearing the only unleased or partially leased tracts within 330 feet of the wellbore were Tract Nos. 14A and 63. Chesapeake accordingly presented calculations assuming that only the NPZ opposite the Protestant's unleased tract and the NPZs around partially-leased Tract No. 63 were retained<sup>2</sup>. Under this scenario, only 5,206 feet of drainhole could be perforated, and the No. 1H ultimately would recover about 6,027 MMCF. Gas that would go unrecovered if these NPZs were retained amounts to 1,300 MMCF. There is no other well that would give Chesapeake and its lessors an opportunity to recover this 1,300 MMCF, the recovery of which is necessary to give them a reasonable opportunity to recover as much as possible of their fair share of recoverable gas.<sup>3</sup>

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<sup>2</sup> Because Tract No. 29 is now leased, Chesapeake could file an application for an amended permit that would remove only the NPZ opposite this tract. This application could be approved administratively. Thus, even if the current Rule 37 exception were denied, Chesapeake would have the ability to remove the NPZ opposite Tract No. 29 and perforate that section of the wellbore. Further, because Tract No. 64 is now leased, the NPZ opposite it could be removed by filing an application for an amended permit, which could be administratively approved. However, the NPZ opposite Tract No. 64 also covered the NPZ around Tract No. 63. Thus, without a Rule 37 exception, the NPZ with respect to Tract No. 63 (361 feet on one side and 340 feet on the other) would need to remain in place because the tract is partially leased.

<sup>3</sup> Chesapeake also presented evidence showing expected ultimate recovery if only the NPZ around Protestant's Tract remained. If only the 659-foot NPZ around the Protestant's tract were retained, then 5,907 feet of the BMX Cook No. 1H drainhole could be perforated. Perforation of 5,907 feet of drainhole would allow the BMX Cook No. 1H ultimately to recover only about 6,697 MMCF. Gas that would go unrecovered if only the 659-foot NPZ around Protestant's Tract were retained amounts to 630 MMCF. Recovery of this 630 MMCF is necessary to give Chesapeake and its lessors a reasonable opportunity to recover as much as possible of their fair share of recoverable gas.

Chesapeake has already permitted and drilled the BMX Cook Nos. 2H, 3H, and 4H. With a total of four wells, the BMX Cook Unit is considered fully developed. Chesapeake argues that it will need to be able to perforate the entire drainhole of the BMX Cook No. 1H in order to recover as much as possible of the current recoverable gas in place beneath the BMX Cook Unit of 24.92 BCF.

**Commerce Limited Partnership No. 9105**

Commerce opposed the removal of the NPZ opposite its tract. Commerce established that if that NPZ is removed, the No. 1H well will likely drain the gas underlying its tract. Based on Chesapeake's estimates of original gas in place and recoverable gas under the 320.35 leased acres, Commerce elicited that about 0.078 BCF of recoverable gas would underlie a one-acre tract within the BMX Cook Unit. Thus, at 0.929 acres, Commerce's tract would have about 0.072 BCF of recoverable gas. Commerce noted that without any arrangement with Chesapeake, it will have no other way to recover that gas. If the NPZ is removed, Commerce believed its gas would be confiscated.

Commerce contested some of the figures used in Chesapeake's calculations. Commerce disputed that a 45% recovery factor was reasonable given Chesapeake's application of a lower recovery factor to some of its other Barnett Shale production. Also, Commerce contended that Chesapeake failed to prove the need for this Rule 37 exception. In specific, Commerce established that Chesapeake's calculations of gas in place and recoverable gas related to only the BMX Cook Unit, and not the Barnett Shale Field in the aggregate. Without evidence relating to field-wide gas in place and recoverable gas for Chesapeake and its lessors, Chesapeake's true fair share in the field could not be determined, Commerce argued.

**EXAMINERS' OPINION**

An owner of oil and gas is entitled to an opportunity to recover the reserves underlying his tract, and any denial of that opportunity amounts to confiscation. *Atl. Ref. Co. v. Railroad Commn. of Tex.*, 346 S.W.2d 801 (Tex. 1961); *Imperial Am. Resources Fund, Inc. v. Railroad Commn. of Tex.*, 557 S.W.2d 280 (Tex. 1977). When the subject tract is capable of supporting a regular location, the applicant for a Rule 37 exception based on confiscation must prove that the proposed irregular location is necessary because of surface or subsurface conditions and that the proposed location is reasonable. To do this, the applicant must show that it is not feasible to recover its fair share of hydrocarbons from regular locations.

The examiners believe that Chesapeake proved that granting the Rule 37 exception for the BMX Cook No. 1H to accomplish the removal of the NPZs is necessary to prevent confiscation. Chesapeake and its lessors within the BMX Cook Unit are entitled to an opportunity to recover their fair share of gas from the reservoir, and their "fair share" of gas, within the context of the legal confiscation theory, is measured by the current recoverable gas beneath the drillable portion of the BMX Cook Unit that is under lease to Chesapeake. The evidence shows that the current recoverable gas beneath the 320.348 leased acres in the BMX Cook Unit is 24.92 BCF.

The BMX Cook No. 1H is one of four horizontal wells drilled on the BMX Cook Unit. The BMX Cook No. 2H (drilled and producing), No. 3H (drilled and producing), and No. 4H (drilled but not producing) will have a combined estimated ultimate recovery of 15.583 BCF. Additional wells will be needed to recover the 9.363 BCF of remaining recoverable gas that will not be recovered by the BMX Cook Nos. 2H, 3H, and 4H. If the BMX Cook No. 1H can be perforated along the entire drainhole without the NPZs opposite Tract Nos. 14A, 29, and 63, the well will have an estimated ultimate recovery of about 7,327 MMCF. If the requested Rule 37 exception is denied and the NPZs opposite tracts with unleased mineral interests remain in place, the well will have an estimated ultimate recovery of 6,027 MMCF. This means that 1,300 MMCF that could be recovered by the BMX Cook No. 1H will remain unrecovered. Recovery of this 1,300 MMCF is necessary to give Chesapeake and its lessors a reasonable opportunity to recover as much as possible of their fair share of recoverable gas.

Chesapeake presented testimony that the BMX Cook Unit has three other drilled wells – the Nos. 2H, 3H, and 4H. It may be concluded from this evidence and the horizontal well recoveries predicted by Chesapeake’s Exhibit No. 14, the plot of estimated ultimate recoveries versus drainhole length for 114 producing Barnett Shale wells, that even if Chesapeake perforates the full-length drainholes of these other three unit wells, as it has the right to do under its current permits, Chesapeake will not be able to recover its fair share of gas from the reservoir if the NPZs on the No. 1H remain in place. In fact, even if the NPZs are removed from the No. 1H, the combined estimated ultimate recovery of the four unit wells will amount to 22.91 BCF, which is about 2 BCF less than the fair share of Chesapeake and its lessors.

Protestant Commerce questioned the 45% recovery factor used by Chesapeake to calculate the amount of recoverable gas. Chesapeake’s reservoir engineer testified that this factor was determined by taking the average recovery factor of several nearby units that were fully developed with 500-foot between-well spacing. Given that the BMX Cook Unit is considered fully developed with four wells spaced about 500 feet apart, the assumed 45% recovery factor – which is based on other nearby units that were fully developed using the same spacing practice – would seem to be reasonably applicable to the BMX Cook Unit. The examiners cannot conclude that the 45% recovery factor assumed here is unreliable.

The examiners have considered the correlative rights of Commerce associated with its mineral interest in its tract, which appears to be about 187 feet from the BMX Cook No. 1H at its closest point. However, Commerce’s correlative rights must be weighed against the correlative rights of hundreds of surrounding mineral owners who have agreed to lease to Chesapeake and be pooled into the BMX Cook Unit. Leaving 1,300 MMCF of gas unrecovered by the BMX Cook No. 1H is not a practical solution from either perspective. Commerce established that a one-acre tract in the unit would have about 0.078 BCF of recoverable gas, but this is only a fraction of the 1.3 BCF that would go unrecovered if the NPZs opposite Tract Nos. 14A and 63 remain in place.<sup>4</sup>

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<sup>4</sup> Approximately 0.630 BCF of gas would go unrecovered if only the NPZ around the Protestant’s tract were retained.

The evidence shows that Chesapeake has attempted to lease Commerce's tract. There may still be a chance that Commerce and Chesapeake can reach an agreement for the lease of Commerce's minerals. Commerce has the right not to lease if it is dissatisfied with the terms offered by Chesapeake, but the decision not to lease has certain consequences. The Commission has no authority to condition disposition of a Rule 37 application on the making of any such private agreement.

The examiners are of the opinion that the location of the BMX Cook No. 1H is reasonable. There is no regular location on the unit where a comparable horizontal well, unencumbered by no perforation zone restrictions, might be drilled. There is no less irregular location that would be more reasonable or that would afford Chesapeake an opportunity to recover its fair share of gas. The BMX Cook No. 1H is reasonably located, taking into account the between-well spacing that must be observed in order to avoid interference with other horizontal wells that have been permitted and drilled on the unit and the exterior boundary of the unit.

Based on the record in this case, the examiners recommend adoption of the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. At least ten (10) days notice of this hearing was provided to all affected persons as defined by Statewide Rule 37(a)(2) and 37(a)(3) and the special field rules for the Newark, East (Barnett Shale) Field.
2. Chesapeake Operating, Inc. ("*Chesapeake*") seeks an exception to Statewide Rule 37 for the BMX Cook Lease, Well No. 1H, Newark, East (Barnett Shale) Field, Tarrant County, Texas.
3. The third permit approved on August 18, 2011, is the drilling permit currently in effect for the BMX Cook No. 1H, and is subject to three no perforation zones ("*NPZs*") opposite tracts internal to the BMX Cook pooled unit, a 834-foot NPZ around Tract Nos. 64 and 63, a 866-foot NPZ opposite Tract No. 29, and a 659-foot NPZ opposite Tract No. 14A.
4. Special field rules for the Newark, East (Barnett Shale) Field provide for 330-foot lease-line spacing. As to horizontal wells, where the horizontal portion of the well is cased and cemented back above the top of the Barnett Shale formation, the distance to any property line, lease line, or subdivision line is calculated based on the distance to the nearest perforation in the well, and not based on the penetration point or terminus.
5. Tract No. 14A is, at its closest point, about 187 feet from the BMX Cook No. 1H. As of the date of the hearing, there were 19 unleased tracts within the perimeter of the BMX Cook pooled unit, but only two of these were within 330 feet. As of the date of the hearing, total acreage in the BMX Cook pooled unit was 337.477 acres, of which 320.348 acres were leased and 17.129 acres were unleased.

6. The BMX Cook No. 1H is located within Haltom City, Texas. The surface location of the well is off-lease, 621 feet from the south line and 992 feet from the east line of the Akers, T. Survey. The penetration point is 293 feet from the east line and 381 feet from the north line of the unit. The upper perforation point is 462 feet from the east line and 384 feet from the north line of the unit. The lower perforation point is 367 feet from the west line and 468 feet from the south line of the unit. The terminus is 298 feet from the west line and 174 feet from the north line of the Elliott, S. Survey.
7. As demonstrated by an isopach map and a stratigraphic cross section presented at the hearing, Barnett Shale thickness in the area of the BMX Cook Unit is about 345 feet.
8. A Chesapeake reservoir engineer presented a plot of estimated ultimate recovery versus drainhole length for 114 producing Barnett Shale wells operated by Chesapeake (*“Exhibit 14 plot”*). A computer generated least squares regression of the data points on the plot developed a line through the data points with a positive slope of 0.956 and an intercept of 1,050.047. This plot predicts that a horizontal well in the Barnett Shale ultimately will recover 0.956 MMCF, or about 956 MCF, of gas per foot of additional drainhole plus the plot’s intercept of 1,050.047 MMCF.
9. Volumetrically calculated gas in place beneath the 320.348 leased acres in the BMX Cook Unit is 55.4355 BCF. Chesapeake believes that a 45% recovery factor is reasonable in this area. Assuming a 45% recovery factor, the original recoverable gas beneath the 320.348 leased acres in the BMX Cook Unit was 24.946 BCF. The BMX Cook No. 2H has produced about 0.013 BCF, and the No. 3H about 0.015 BCF; therefore, the remaining recoverable gas in place is 24.918 BCF.
10. Chesapeake’s “fair share” of gas, within the meaning of the legal confiscation theory, is measured by the amount of current recoverable gas beneath the drillable portion of the BMX Cook Unit that is under lease to Chesapeake.
11. Wells previously permitted and drilled by Chesapeake on the BMX Cook Unit are not sufficient to enable Chesapeake and its lessors to recover their fair share of gas from beneath the BMX Cook Unit.
  - a. The BMX Cook No. 1H is one of four horizontal wells already drilled on the BMX Cook Unit. The BMX Cook Nos. 2H, 3H, and 4H are permitted and drilled on the same unit.
  - b. Using the recovery predicted by Chesapeake’s Exhibit No. 14 plot, the BMX Cook No. 2H will recover an estimated 4.424 BCF of gas; the BMX Cook No. 3H will recover an estimated 6.964 BCF; and the BMX Cook No. 4H will recover an estimated 4.195 BCF. The total estimated recovery of these three wells is 15.583 BCF, as compared to original recoverable gas in place beneath the BMX Cook Unit of 24.946 BCF.

- c. An additional well or wells will be needed to recover as much as possible of the 9,363 BCF of original recoverable gas that will not be recovered by the BMX Cook Nos. 2H, 3H, and 4H.
12. Retention of the 659-foot NPZ opposite Tract No. 14A and the 701 feet of NPZ around tract No. 63 on the BMX Cook No. 1H will preclude an opportunity for Chesapeake and its lessors to recover as much as possible of their fair share of gas from beneath the BMX Cook Unit.
  - a. Removal of all NPZs from the BMX Cook No. 1H drainhole would allow 6,566 feet of the drainhole to be perforated.
  - b. Based on the projected recovery predicted by Chesapeake's Exhibit No. 14 plot, perforation of 6,566 feet of drainhole should allow the BMX Cook No. 1H ultimately to recover 7,327 MMCF.
  - c. If the requested Rule 37 exception is denied, and the NPZs around Tract Nos. 14A and 63 are retained, only 5,206 feet of the BMX Cook No. 1H drainhole can be perforated.
  - d. Perforation of 5,206 feet of drainhole would allow the BMX Cook No. 1H ultimately to recover only about 6,027 MMCF.
  - e. Gas that would go unrecovered if the NPZs around Tract Nos. 14A and 63 are retained amounts to 1,300 MMCF.
  - f. There is no other well or potential regular location that would give Chesapeake an opportunity to recover this 1,300 MMCF.
13. Chesapeake has permitted and drilled four horizontal wells on the BMX Cook Unit. Even if Chesapeake perforates the full length of the drainholes for the BMX Cook Nos. 2H, 3H, and 4H, Chesapeake will not be able to recover as much as possible of its fair share of gas from the reservoir if the NPZs opposite tracts having unleased interests remain in place on the BMX Cook No. 1H.
14. The location of the BMX Cook No. 1H is reasonable.
  - a. There is no regular location on the unit where a comparable horizontal well, unencumbered by no perforation zone restrictions, might be drilled.
  - b. There is no less irregular location that would be more reasonable or that would afford Chesapeake an opportunity to recover its fair share of gas.
  - c. The BMX Cook No. 1H is reasonably located taking into account the between-well

spacing that must be observed in order to avoid interference with other horizontal wells that have been permitted and drilled on the unit and the external boundaries of the unit.

**CONCLUSIONS OF LAW**

1. The Railroad Commission timely issued proper notice of hearing to appropriate persons legally entitled to notice.
2. All things necessary to the Commission attaining jurisdiction over the subject matter and the parties in this hearing have been performed.
3. Approval of a Rule 37 exception for the BMX Cook Lease, Well No. 1H, Newark, East (Barnett Shale) Field, Tarrant County, Texas, is necessary to prevent confiscation and protect the correlative rights of mineral owners.

**RECOMMENDATION**

The examiners recommend that the application of Chesapeake Operating, Inc. for a Rule 37 exception for the BMX Cook Lease, Well No. 1H, in the Newark, East (Barnett Shale) Field, Tarrant County, Texas, be granted as necessary to prevent confiscation and protect correlative rights.

Respectfully submitted,



Michael R. Crnich  
Hearings Examiner



Andres J. Trevino  
Technical Examiner