

Section E – Producer’s Transportation Authority and Certificate of Compliance

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P-4 Producer's Transportation Authority and Certificate of Compliance

SWR 58-Requires any Operator who operates wells related to Crude Oil or Natural Gas to File a Form P-4.

The Form P-4 Can Be Used for:

- A) To establish a new lease
- B) To change the operator.
- C) To change a lease name.
- D) To name or change the gatherer(s) or purchaser(s) for casinghead gas for an oil lease or gas well gas for a gas well.
- E) To report or change the purchaser's system code. (System code is obtained from the purchaser, not the Railroad Commission. Changing a system code requires an attached letter from purchaser).
- F) To name or change the oil/condensate gatherer on oil leases or gas wells.
- G) To report or change the "percent of take" for a gatherer, or purchaser, for casinghead gas for an oil lease or gas well gas for a gas well.
- H) To report a change to the percent of take for an oil/condensate gatherer.
- I) With a P-6 for a consolidation or subdivision.
- J) With a P-6 for a consolidation or subdivision for an oil lease(s).
- K) With a code sheet for unitization.
- L) To certify that the conservation laws of the State of Texas and all rules, regulations and orders of the Railroad Commission of Texas have been complied with in respect to the property covered on the P-4.

The Form P-4 Can Not Be Used for:

- A) To change a field unless there is Commission action requiring it.
- B) To change the county that a well is reported in.
- C) To change an existing well number.

ADDITIONAL INSTRUCTIONS:

When a P-4 is filed for changes, the form must be completed in its entirety, even if all information did not change from previous filing.

When submitting a P-4 to change the operator of a lease, both signatures on the P-4 must have original signatures.

Gas wells that have more than one gas ID number per API number will need a P-4 submitted for all gas ID numbers. For example, if the operator is changing for a stacked lateral set, a SWR 10 well, or a partially plugged well.

Commission Action P-4:

Commission Action P-4s may be requested by a gatherer or purchaser to be removed from a P-4 when the lease operator is non-responsive. There are certain requirements that must be met for a commission action P-4 can be executed.

- A certified letter should be mailed to the operator of record requesting a P-4 be submitted to the RRC (this would be done by the requestor not RRC staff). The letter should read something to this effect:
- “RRC records show Joe Smith, Inc. as the gatherer on lease, 01 123456. We no longer gather for this lease. Please file a form p-4 with the RRC to remove Joe Smith, Inc. from the record as gatherer of this lease.”
- If no response is received within 30 days, then submit a letter to the RRC requesting removal of Joe Smith, Inc. as record of Gatherer and/or Purchaser along with the certified copies sent to the Gatherer and/or Purchaser

Questions and Answers Pertaining to Producer's Certificate of Compliance and Transportation Authority

Question Pertains to (Form, Rule, Procedure)	Question	Answer	Contact
P-4	What do I do if the previous operator will not sign a P-4?	If you cannot obtain the signature, send a copy of your lease, or other supporting legal documentation, with the P-4 and our legal staff will evaluate.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	I submitted a single signature P-4, how do I find out what is happening with it?	Please use our website to access the CASES system. You can find the link on the RRC home page under Hearings>RRC Cases>find a case.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	What is the process to change the operator for a lease when the previous operator is deceased?	A Letter of Testamentary and the Death Certificate will need to be provided along with the P-4 operator change. The person that is shown on the Letter of Testamentary must sign for the previous/deceased operator.	Well Compliance 512-463-6975 Prorationunit@rrc.texas.gov
P-4	I am the gatherer/purchaser listed on a P-4 and need to be removed. What recourse is there if the operator of the lease will not respond or submit a P-4 to make this change?	A Commission Action P-4 may be requested. Please see the Additional Instructions section for further information.	Well Compliance 512-463-6975 Prorationunit@rrc.texas.gov
P-4	How many copies of my P-4 do I send and where do I send them?	You send only the original P-4 directly to the Austin Office.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Can the same person sign in Box 15 and Box 16 for operator changes if that person works for both operators?	The same person can sign in both Box 15 and Box 16 if they are list on the P-5 for both operators.	Well Compliance 512-463-6975 or Prorationunit@rrc.texas.gov
P-4	How are operators, gatherers and purchasers notified that a P-4 has been approved?	Letters are issued and a nightly updated P-4 query is available through the RRC website.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Do I need a new lease P-4 on each of my wells?	Only the initial P-4 is needed to establish an oil lease. P-4's are required for each new gas well.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov

P-4	We have a problem with the pipeline and need to move some oil before it is repaired. Do I need a new P-4?	If you need to move one month's allowable or less, send a letter to the District Office, the current gatherer, the temporary gatherer, and the Austin Office.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Can I have more than one gatherer?	Yes, but the "percent of take" must equal 100%.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Can I change gatherers in the middle of the month?	A gatherer change can be effective anytime, but not prior to the most recent P-4 on file.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Why hasn't my P-4 been approved?	There could be a "hold" placed on the lease that would prevent the P-4 from being processed. If the P-4 has not been processed within 5 business days of receipt, contact us.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	After submitting an operator change P-4 I received a letter indicating the well was inactive and could not transfer, what do I do?	This is due to HB 2259. To clear this issue please contact the P-5 Department to find out what is required to bring the well into compliance for transfer.	P-5 Department 512-463-6772 P5@rrc.texas.gov
P-4	Do I need to file a P-4 even though the well has not been connected to a pipeline?	Yes, a P-4 must be filed.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Is there a way to change the operator on a large quantity of leases without having to submit individual P-4 forms?	This would be an auto P-4, and these are handled by the P-5 Department.	P-5 Department 512-463-6772 P5@rrc.texas.gov
P-4	Is there a way to change gatherers and/or purchasers on a large quantity of leases without having to submit individual P-4 forms?	This can be accomplished by using the RRC's online "P-4 Change of Gatherer/Purchaser" application, choosing the "multiple leases" option.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Do I need to file a P-4 on a disposal, injection, or other type of nonproducing oil lease or gas well?	Yes, you must file the P-4 as a certification of compliance with the Commission rules.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Can I file my P-4 online?	Gatherer and purchaser change P-4 may be filed online, all other P-4 types need to be mail to the Austin office.	Well Compliance 512-463-6975 or prorationunit@rrc.texas.gov
P-4	Does the Well Compliance Department have a general email address?	The email address is prorationunit@rrc.texas.gov	Well Compliance 512-463-6975

Form P-4 Certificate of Compliance and Transportation Authority

RAILROAD COMMISSION OF TEXAS
 Oil and Gas Division
 PO Box 12967
 Austin TX
 78711-2967
 www.rrc.texas.gov

CERTIFICATE OF COMPLIANCE AND TRANSPORTATION AUTHORITY

P-4

5/02—www-1

READ INSTRUCTIONS ON BACK

1. Field name exactly as shown on proration schedule		2. Lease name as shown on proration schedule			
3. Current operator name exactly as shown on P-5 Organization Report		4. Operator P-5 no.	5. Oil Lse/Gas ID no.	7. RRC district	
8. Operator address including city, state, and zip code		9. Well no(s) <i>(see instruction E)</i>			
		10. Classification <input type="checkbox"/> Oil <input type="checkbox"/> Gas <input type="checkbox"/> Other <i>(see instruction A)</i>		11. Effective Date	
12. Purpose of Filing. <i>(Complete section a or b below.) (See instructions B and G)</i>					
a. Change of: <input type="checkbox"/> operator <input type="checkbox"/> oil or condensate gatherer <input type="checkbox"/> gas gatherer <input type="checkbox"/> gas purchaser <input type="checkbox"/> gas purchaser system code <input type="checkbox"/> field name from: _____ <input type="checkbox"/> lease name from: _____ OR					
b. New RRC Number for: <input type="checkbox"/> oil lease <input type="checkbox"/> gas well <input type="checkbox"/> other well (specify) _____ Due to: <input type="checkbox"/> new completion or recompletion <input type="checkbox"/> reclass oil to gas <input type="checkbox"/> reclass gas to oil <input type="checkbox"/> consolidation, unitization, or subdivision (oil lease only)					
13. Authorized GAS WELL GAS or CASINGHEAD GAS Gatherer(s) and/or Purchaser(s). <i>(See instruction G).</i>					
Gatherer	Purchaser	Name of GAS WELL GAS or CASINGHEAD GAS Gatherer(s) or Purchaser(s) As Indicated in Columns to the Left <i>(Attach an additional sheet in same format if more space is needed)</i>	Purchaser's RRC Assigned System Code	Percent of Take	Full-well stream
14. Authorized OIL or CONDENSATE Gatherer(s). <i>(See instruction G).</i>			RRC USE ONLY		
Name of OIL or CONDENSATE Gatherer(s) - List Highest Volume Gatherer First <i>(Attach an additional sheet in same format if more space is needed)</i>		Percent of Take	Reviewer's initials: _____		
			Approval date: _____		
15. PREVIOUS OPERATOR CERTIFICATION FOR CHANGE OF OPERATOR P-4 FILING. Being the PREVIOUS OPERATOR, I certify that operating responsibility for the well(s) designated in this filing, located on the subject lease has been transferred in its entirety to the above named Current Operator. I understand, as Previous Operator, that designation of the above named operator as Current Operator is not effective until this certificate is approved by the Commission.					
Name of Previous Operator		Signature			
Name (print)		<input type="checkbox"/> Authorized Employee of previous operator <input type="checkbox"/> Authorized agent of previous operator <i>(see instruction G)</i>			
Title		Date		Phone with area code	
16. CURRENT OPERATOR CERTIFICATION. By signing this certificate as the Current Operator, I certify that all statements on this form are true and correct and I acknowledge responsibility for the regulatory compliance of the subject lease including plugging of well(s) pursuant to Rule 14. I further acknowledge that I assume responsibility for the physical operation, control, and proper plugging of each well designated in this filing. I also acknowledge that I will remain designated as the Current Operator until a new certificate designating a new Current Operator is approved by the Commission.					
Name (print)		Signature			
Title		<input type="checkbox"/> Authorized Employee of current operator <input type="checkbox"/> Authorized agent of current operator <i>(see instruction G)</i>			
E-mail Address (optional)		Date		Phone with area code	

INSTRUCTIONS

P-4: Certificate of Compliance and Transportation Authority

Reference. Statewide Rule 58, *Oil, Gas or Geothermal Resource Operator's Report*; Statewide Rule 14, *Plugging*; Statewide Rule 78, *Fees, Performance Bonds and Alternate Forms of Financial Security Required To Be Filed*; and Statewide Rule 1, *Organization Reports, Retention of Records, Notice Requirements*.

A. Who Files: operator of the oil lease or gas well (producing or non-producing), or **other** well (injection/disposal, water source, hydrocarbon storage, observation, brine mining, geothermal, etc.).

B. Purpose of filing: 1) establish the operator of an oil lease, gas well, or other well, 2) certify responsibility for regulatory compliance, including plugging the well(s) in accordance with Statewide Rule 14, *Plugging*, and 3) identify gatherers, purchasers, and purchasers' RRC-assigned system codes authorized for each producing well or lease.

C. When to File: for a 1) new oil lease, gas well, or other well, 2) recompletion, 3) reclassification from oil to gas or gas to oil, 4) consolidation, unitization or subdivision, or 5) change of gatherer, gas purchaser, gas purchaser system, operator, field name or lease name.

D. Where and What to File: original P-4 only with the Commission's Oil and Gas Division in Austin. Additional documents may be required with some P-4 filings.

E. Requirements for Operator Change: signature of previous operator in Item 15 and of new/receiving operator in Item 16. NOTE: regulatory responsibility for wells does not transfer until the P-4 has been approved by the RRC. All entities listed on the P-4 will receive written notification upon approval.

The Commission shall not approve a transfer of operatorship submitted for any well or lease unless the operator acquiring the well or lease has on file with the Commission one of the following approved forms of financial security in an amount sufficient to cover its current operations and the wells being transferred: 1) an individual performance bond, letter of credit or cash deposit; or 2) a blanket performance bond, letter of credit or cash deposit.

H₂S (Hydrogen Sulfide) Certification. The new operator must immediately comply with Statewide 36 if applicable. The Form H-9, *Certificate of Compliance, Statewide Rule 36*, is not transferable.

Oil Lease Change-of-Operator. The new oil lease operator may take responsibility for either:

1) **All Wells on Lease.** Leave **Item 9** blank or write "all". If you leave this item blank or write "all", you are specifically identifying all wells listed for the lease on the RRC Oil Proration Schedule as of the time the P-4 is approved by the Commission as wells for which you are assuming plugging responsibility. Upon approval of the P-4, the new operator will be responsible for regulatory compliance of each of the wells.

OR

Some Wells on Lease. Indicate the well numbers being transferred to the new operator in **Item 9** or attach a separate list of well numbers and write "see attached" in **Item 9**. Note:

When only some of the wells on an existing lease are being transferred, a Form P-6 *Request for Permission to Subdivide or Consolidate Oil Lease(s)* must be filed with the P-4 along with plats showing the lease and wells before and after the subdivision.

Wells listed for a lease on the Oil Proration Schedule can be viewed through an inquiry at any RRC district office, in the Austin office, or on the web at www.rrc.texas.gov. Printouts of an inquiry may be obtained through the Commission's Oil and Gas Division Proration Unit at (512) 463-6838. NOTE: information listed on a printout is not protected and could change at any time; therefore, it cannot be used as part of a P-4 change-of-operator, subdivision, or consolidation filing.

F. Revocation. This certification of compliance may be revoked by the Commission at any time for failure to comply with the oil and gas laws of the State of Texas and the rules, regulations, and orders of the Railroad Commission of Texas. Revocation of the certificate will not relieve the designated operator of its responsibility to maintain the leases and wells in compliance with Statewide Rules.

G. Detailed Instructions. NOTE: When filing a P-4 for changes, the form must be completed in its entirety, not just the areas being changed. Failure to include information in items 13 and 14 may result in deletion of gatherer and purchaser information and in loss of allowable.

Items 1 and 2. Field and Lease Name. If the P-4 is being filed to change the field name or lease name, show the proposed new name in Item 1 or 2.

Item 5. A separate P-4 is required for each RRC Oil Lease/ Gas ID Number in a multiple completion.

Item 11. Effective Date. The effective date is the date the change or acquisition actually takes place.

Item 13. Gas Well Gas or Casinghead Gas. List all active gatherers and purchasers. An RRC-assigned system code must be given for each purchaser. If there is a change of system codes under the same purchaser, attach a letter of explanation from the purchaser to the P-4. If selling gas on the spot market, you may list your company as purchaser if the spot market contract is for 60 days or less. An operator that lists itself as purchaser must request, by separate letter, a purchaser's system code number in accordance with Statewide Rule 34. For split connections, percentages of take must be given to no more than two decimal points. Combined percentages for gas gatherers must equal 100 percent. Combined percentages for gas purchasers must equal 100 percent. If gas is going full-well stream to a processing plant, place an "X" in the last column on the line identifying a gatherer. Full-well stream is the combined production of gas and condensate before the condensate has been separated from the gas.

Items 15 and 16. Certifications. A P-4 must be signed by a duly authorized individual in accordance with Statewide Rule 1.