

OKLAHOMA
Corporation Commission

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Oil & Gas Deliberation Decision Sheet

**Cause No(s) &
Type of Action:**

CD 200604826 – Pooling

**Scheduled Date
of Deliberation:**

October 17, 2017

Applicant(s):

Mewbourne Oil Company ("Mewbourne")

Respondent(s):

Optima Oil & Gas Company, LLC ("Optima"), et al.

Decision of

Commissioners:

On February 2, 2017, Mewbourne filed its Motion to Dismiss the Motion to Reopen to Determine Sanctions and Restitution arising from Applicant's Adjudicated Misconduct filed on behalf of Optima Oil & Gas Company, LLC ("Motion to Dismiss") in the captioned cause.

The deliberation by the Commissioners is on the oral exceptions of Mewbourne to the oral recommendation of the Administrative Law Judge ("ALJ") regarding Mewbourne's Motion to Dismiss, the Report of the Administrative Law Judge filed July 26, 2017 ("ALJ Report"), and the resulting Recommendation Sheet of the Oil and Gas Appellate Referee ("Referee") filed September 18, 2017 ("Referee Report"). On July 21, 2017, after hearing Mewbourne's Motion to Dismiss, the ALJ announced that he would withhold his recommendation on such motion until after he had also heard Optima's Motion to Reopen. The Referee subsequently affirmed the ALJ's recommendation.

After deliberating the above referenced ALJ Report, Referee Report, and a review of the record, the Commission affirms the recommendation of the Referee which affirmed the recommendation of the ALJ which results in the ALJ hearing Mewbourne's Motion to Dismiss with Optima's Motion to Reopen. The Commission finds that OAC 165:5-9-5(d) is not applicable to this cause as such rule relates to the consolidation of two or more causes for hearing, not two motions filed within the same cause and heard by the ALJ at the same time. As a result, the Commission adopts the Referee Report less the citations to OAC 165:5-9-5(d) and any analysis thereof.

E-mail notice to:

Richard A. Grimes, Attorney for Mewbourne
Russell J. Walker and Andrew J. Waldron, Attorneys for Optima

FILED
OCT 27 2017

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OF OKLAHOMA

Order to be prepared by: Deliberations Attorney

Date Order Due: N/A

Copies to: Andrew T. Dunn, Administrative Law Judge
Patricia D. MacGuigan, Oil & Gas Appellate Referee
Maribeth Snapp, Director, Judicial and Legislative Services
Mary Candler, Managing Deputy Administrative Law Judge
James L. Myles
Matt Mullins
Elizabeth Cates
Garey Wortham

(Prepared by Matt Mullins, Deliberating Attorney)