



Daniel P. Craig  
724.743.3091 (phone)  
724.746.6645 (fax)  
[dcraig@burllesonllp.com](mailto:dcraig@burllesonllp.com)

March 10, 2014

**VIA EMAIL AND U.S. MAIL**

Michael L. Bangs  
Hearing Officer  
429 South 18<sup>th</sup> Street  
Camp Hill, PA 17011

RE: In Re. Hilcorp Energy Company  
MMS No. 2013-SLAP-000528  
Docket No. 2013-01

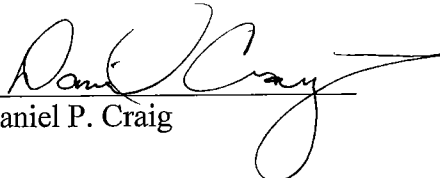
Dear Mr. Bangs,

Hilcorp Energy Company ("Hilcorp") submits this letter in order to take issue, on the record, with statements contained in the attached Department Status Report filed in this matter on March 7, 2014. Specifically, Hilcorp disagrees with the contention that it did not provide all information and documents requested by the Department of Environmental Protection (the "Department") in its letter dated January 22, 2014 until March 7, 2014. The Department requested an *additional* document from Hilcorp on March 4, 2014, subsequent to Hilcorp's production of all documents requested in the Department's January 22, 2014 letter. Hilcorp produced the additional document on March 7, 2014.

Hilcorp raises this issue for the purpose of preserving a defense of timeliness in the event of a dispositive motion or appeal in this matter.

Thank you, and please contact me with any questions.

Sincerely,

  
Daniel P. Craig

Enclosure

cc: Glenda K. Davidson, Docket Clerk (via email and U.S. Mail)  
Donna Duffy, Esquire (via email)  
Michael Braymer, Esquire (via email)  
Elizabeth Nolan, Esquire (via email)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS MANAGEMENT

In Re. The Matter of the Application of     )  
Hilcorp Energy Company for             )  
Well Spacing Units                     )     Docket No. 2013-01  
   )

DEPARTMENT STATUS REPORT

In a letter dated, January 22, 2014, the Commonwealth of Pennsylvania, Department of Environmental Protection (“DEP”) notified Hilcorp Energy Company (“Hilcorp”) of DEP’s determination that the Application for Well Spacing Units was materially deficient and incomplete and, therefore, not a “proper” application under the Oil and Gas Conservation Law. To correct the material deficiencies with the Application, DEP requested that Hilcorp provide information and documents as identified in the letter, dated January 22, 2014.

Pursuant to the Hearing Officer’s Order, dated February 19, 2014, Hilcorp has now provided the information and documents that DEP requested in the January 22, 2014 letter. Hilcorp provided paper and/or accessible electronic copies of the requested information and documents to DEP on February 27, and 28, 2014, and March 7, 2014.

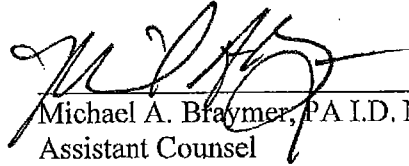
Accordingly, pursuant to the Hearing Officer’s Order, dated February 19, 2014, DEP has until March 14, 2014, to “either notify the Hearing Officer and Hilcorp that the application is complete and that the hearing as scheduled should move forward or file a Motion to Dismiss with the Hearing Officer stating why the hearing should not occur.”

The Department anticipates being able to file such notice or Motion to Dismiss before

March 14, 2014.

Respectfully submitted,

COMMONWEALTH OF  
PENNSYLVANIA,  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION



Michael A. Braymer, PA I.D. No. 89215  
Assistant Counsel  
mbraymer@pa.gov  
Northwest Regional Counsel  
230 Chestnut Street  
Meadville, PA 16335

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS MANAGEMENT

In Re. The Matter of the Application of )  
Hilcorp Energy Company for )  
Well Spacing Units ) Docket No. 2013-01  
)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of DEP's Status Report in the above-captioned matter was this day served upon the following Counsel for Hilcorp *via* E-mail:

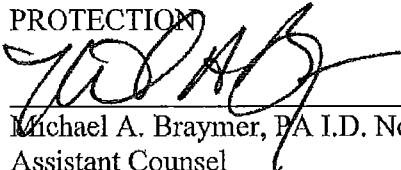
Kevin L. Colosimo  
Daniel P. Craig  
Burleson LLP  
501 Corporate Drive, Suite 105  
Canonsburg, PA 15317  
[dcraig@burlesonllp.com](mailto:dcraig@burlesonllp.com)

Michael L. Bangs  
Bangs Law Office, LLC  
429 South 18<sup>th</sup> Street  
Camp Hill, PA 17011  
Hearing Officer  
[mikebangs@verizon.net](mailto:mikebangs@verizon.net)

Glenda Davidson  
Department of Environmental Protection  
400 Market Street  
Rachel Carson State Office Building, 16<sup>th</sup> Floor  
Harrisburg, PA 17101  
Docket Clerk  
[gdaavidson@pa.gov](mailto:gdaavidson@pa.gov)

Respectfully submitted,

COMMONWEALTH OF  
PENNSYLVANIA,  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION



Michael A. Braymer, PA I.D. No. 89216  
Assistant Counsel  
[mbraymer@pa.gov](mailto:mbraymer@pa.gov)  
Northwest Regional Counsel  
230 Chestnut Street  
Meadville, PA 16335

Date: March 7, 2014