

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICANT: MICHAEL S. BATTLES,)
DIRECTOR, OIL AND GAS)
CONSERVATION DIVISION) CAUSE OGC NO. 200100072
OKLAHOMA CORPORATION COMMISSION)
RESPONDENT: ASTRO ENERGY CORP.) CITATION NO. 4-0383-A
1019 Waterwood Parkway)
Edmond, OK 73083-3607)
Operator No. 07963)
RELIEF SOUGHT: MONETARY FINES AND) ORDER NO. 460618
COMPLIANCE WITH)
COMMISSION RULES)

FINAL ORDER

This Cause came on for hearing before Carolyn J. Tucker, Administrative Law Judge for the Corporation Commission of the State of Oklahoma, on the Citation Docket, on the 18th day of January 2002, at 8:30 a.m., in the Commission's Courtroom, Jim Thorpe Office Building, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Commission for the purpose of taking testimony and reporting to the Commission.

At the time of the hearing, Jim Hamilton, attorney for the Oil and Gas Conservation Division, appeared for the Applicant, Michael S. Battles, Director of the Oil and Gas Conservation Division of the Corporation Commission. Guy E. Taylor, attorney, appeared for the Respondent, Astro Energy Corporation. The Administrative Law Judge proceeded to hear the cause and reports as follows:

FINDINGS

1. That the Respondent/Operator, Astro Energy Corporation, operates under Operator No. 07963. Service of said citation to Respondent's agent, Ray E. Garner, was made on November 27, 2001. A copy of the citation was mailed by first class mail to the address of the Respondent on November 30, 2001.
2. That the Commission has jurisdiction over the subject matter, and notice has been given in all respects as required by law and rules of the Commission.
3. That Gary Wood, Oklahoma Corporation Commission Oil and Gas Supervisory Field Inspector, testified that the alleged violation of OCC-OAC 165:10-5-2(a) provides on Schedule A for a contempt fine of Five Thousand Dollars (\$5,000.00) for failure to obtain a permit for a well for disposal or injection purposes. The violation relates to the Earlsboro #19-1A well operated by the Respondent and located in the NE/4 of the NE/4 of the NW/4 of Section 19, Township 09 North, Range 05 East, Pottawatomie County, Oklahoma. Mr. Wood testified that he had researched Commission records and that the Respondent had not received a permit for water injection into the Earlsboro #19-1A well. Further, on his visit to the well on November 15, 2001, Mr. Wood observed that the well was configured in a manner consistent with water injection and fluid was heard flowing into the well. On a subsequent visit to the well on November 27, 2001, Mr. Wood verified that saltwater was being injected into the well.
4. That Mr. Charles Starrett, President of the Respondent, testified that he had plumbed the Earlsboro #19-1A well for disposal and had attempted to dispose of water into the well, but that the operation was only for a couple of weeks to determine whether the well would take water. No permit had been obtained from the Commission. Mr. Starrett requested that, should the Commission assess a fine, that Astro Energy Corporation, be permitted to pay the fine in equal installments over a one-year period.

5. That the Administrative Law Judge accepted the exhibits, substantial evidence and testimony, and recommended that, based on such, that the Respondent/Operator, Astro Energy Corporation, be fined under citation procedures prescribed by the field citation rule OCC-OAC 165:10-5-2(a) in the amount of Five Thousand Dollars (\$5,000.00).

ORDER

IT IS THEREFORE THE ORDER OF THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA:

1. That the findings of the Administrative Law Judge are accepted.
2. That the Respondent, Astro Energy Corporation, is found in contempt of OCC-OAC 165:10-5-2(a) which provides on Schedule A for a contempt fine of Five Thousand Dollars (\$5,000.00) for failure to obtain a permit for a well for disposal or injection purposes. The violation relates to the Earlsboro #19-1A well operated by the Respondent and located in the NE/4 of the NE/4 of the NW/4 of Section 19, Township 09 North, Range 05 East, Pottawatomie County, Oklahoma
3. That the fine shall be paid by the Respondent, Astro Energy Corporation, in monthly installments of not less than Four Hundred Sixteen Dollars and Sixty-Seven Cents (\$416.67) to the Cashier, Finance Department, Corporation Commission, 2101 N. Lincoln Boulevard, P.O. Box 52000-2000, Oklahoma City, OK 73152-2000. The first installment shall be paid within thirty (30) days from the date of this order, and each month thereafter until the entire sum of Five Thousand Dollars (\$5,000.00) shall be paid in full.
4. **THAT PAYMENT OF THIS FINE IS DUE WITHIN THE TIME PROVIDED AND FAILURE TO PAY SHALL RESULT IN A STATE COURT JUDGMENT AND COLLECTION ACTION BEING FILED AGAINST THE RESPONDENT, AND A LIEN BEING FILED AGAINST THE PROPERTIES BEING OPERATED BY THE RESPONDENT ACCORDING TO 17 O. S. 1998, SECTION 6.**

OKLAHOMA CORPORATION COMMISSION

Denise A. Bode

DENISE A. BODE, CHAIRMAN

Bob Anthony

BOB ANTHONY, VICE-CHAIRMAN

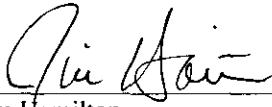
Ed Apple

ED APPLE, COMMISSIONER

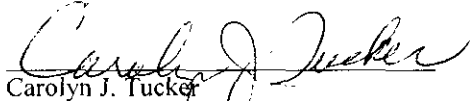
DONE AND PERFORMED this 7 day of February 2003.
BY ORDER OF THE COMMISSION

Peggy Mitchell
PEGGY MITCHELL, Secretary

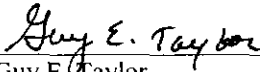
The foregoing order is the report and recommendation of the Administrative Law Judge.



Jim Hamilton
Attorney for Applicant,
OBA #3762



Carolyn J. Tucker
Administrative Law Judge



Guy E. Taylor
Attorney for Respondent,
OBA #

By
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