

COGCC 3rd Quarter 2023 HB 14-1356 Report

Operator	Operator #	NOAV Nos.	NOAV Date	Violations in Order	Penalty (Total)	Penalty Imposed on Defunct and/or Non-Responsive Operator (Y/N)	Penalty (Suspended)	Penalty Days	Daily Penalty	Aggravating Factors	Mitigating Factors	Pattern of Violation (Y/N)	Gross Negligence or Knowing & Willful misconduct (Y/N)	AOC or OFV	Other Rationale	Docket No.	Order No. (1V)	Final Order Date
Argali Exploration Company	3975	403393522	2/23/2023	702	\$3,158	N	0	147	\$21	N	N	N	N	AOC	Duration Matrix; Settlement Inducement	230300084	888	7/13/2023
Berry* Walter V dba Berry Energy	8005	402952033; 402952059	2/2/2022; 2/9/2022	1004.a.	\$326,620	N	0	5,493	\$59	N	N	N	N	OFV	Duration Matrix; Inability to Pay	230700241	896	9/27/2023
D.J. Simmons, Inc.	100178	403165731	9/14/2022	1004.c.(4)	\$643,880	Y	0	1,708	\$377	N	N	N	N	OFV	Duration Matrix	221100310	891	8/7/2023
Danmar Production Company	10675	401781562	10/5/2018	417	\$61,070	N	\$61,070	381	\$160	N	N	N	N	OFV	Duration Matrix; Financial Assurance Foreclosure; Inability to Pay	230300079	878	8/10/2023
Goodwin Energy Mgmt, LLC	10395	402429575; 402453651; 401932810	2/8/2019; 8/18/2020; 8/29/2020	309	\$14,481	Y	0	2,800	\$5	N	N	N	N	OFV	Duration Matrix; Financial Assurance Foreclosure; Inability to Pay	221200358	850	7/13/2023
HighPoint Operating Company	10071	402586926	2/3/2021	308A; 308B	\$89,505	N	\$0	832	\$108	N	Y	N	N	AOC	Duration Matrix; Settlement Inducement	230300078	871	7/13/2023
Laramie Energy, LLC	10433	402884282	12/1/2021	§ 34-60-121	\$55,400	N	\$55,400	258	\$215	N	N	N	N	AOC	Duration Matrix	220900243	846	7/12/2023
PDC Energy Inc.	69175	402796790; 402858574	8/30/2021; 11/01/2021	420	\$29,668	N	0	155	\$191	N	N	N	N	AOC	Duration Matrix; Settlement Inducement	211100226	885	8/16/2023
Public Service Company of Colorado	72400	403328653	2/23/2023	702	\$3,142	N	\$0	147	\$21	N	N	N	N	AOC	Duration Matrix; Settlement Inducement	230300087	879	7/13/2023
TEP Rocky Mountain	96850	402806948; 402986900	9/09/2021; 3/16/2022	207; 207; 603; 608; 902; 905; 912	\$33,000	N	0	44	\$750	N	N	N	N	AOC	Duration Matrix; Settlement Inducement	221000280	886	8/2/2023

Vessels Coal Gas Inc.	10124	403175641	10/9/2022	205.c.	\$3,917	N	0	289	\$14	N	N	N	N`	AOC	Duration Matrix; Settlement Inducement	221100297	883	8/22/2023
WME Yates, LLC	10751	403280147	1/4/2023	702	\$3,572	Y	\$3,572	174	\$21	N	N	N	N	OFV	Duration Matrix; Settlement Inducement; Inability to Pay	230300092	889	9/8/2023

Total Penalties Assessed: \$1,356,578

A. Aggravating Factors

1. The violator acted with gross negligence or knowing and willful misconduct.
2. The violation resulted in significant waste of oil and gas resources.
3. The violation had a significant negative impact on correlative rights of other parties.
4. The violator was recalcitrant or uncooperative with the Commission or other agencies in correcting or responding to the violation.
5. The violator falsified reports or records.
6. The violator benefited economically from the violation, in which case the amount of such benefit shall be taken into consideration.
7. The violator has engaged in a pattern of violations.
8. The violation led to death or serious injury.

B. Mitigating Factors

1. The violator self-reported the violation.
2. The violator demonstrated prompt, effective and prudent response to the violation, including assistance to any impacted parties.
3. The cause of the violation was outside of the violator's reasonable control and responsibility, or is customarily considered to be force majeure.
4. The violator made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation.
5. The cost of correcting the violation reduced or eliminated any economic benefit to the violator, excluding circumstances in which increased costs stemmed from non-compliance.
6. The violator has demonstrated a history of compliance with the Act, and Commission rules, orders, and permits.