

# EIB 21-27

## Day 10 Looking Ahead

### **In the Matter of Proposed New Regulation, 20.2.50 NMAC - Oil and Gas Sector – Ozone Precursor Pollutants**

#### Looking Ahead

#### Post-Hearing Timeline:

- The Notice of Transcript Filing will be issued by the court reporter to the parties indicating that the hearing transcripts are available. The Notice of Transcript Filing will include the deadline for post-hearing submissions. The deadline for post-hearing submissions will be 45 days from the Notice of Transcript Filing.
- Post-hearing submissions should include: (a) Closing Argument, which should include any and all legal arguments; (b) proposed findings and conclusions that are part of the parties' statement of reasons. As part of this submission, the parties should "explode" the rule and provide an explanation under each paragraph/provision of the rule and cite to evidence in support of the parties' position on the provision. This "exploded" version of the rule should be provided to the Hearing Officer in Word format. The Hearing Officer will provide a sample of such a submission to the parties.
- The Hearing Officer will synthesize all of the comments from the parties into one document, which will be included in the Hearing Officer's Report. The Hearing Officer's report will include the synthesized comments and the basic facts of the hearing. It will not include any recommendations, except for those regarding the admission of evidence.
- 30 days after the post-hearing submissions are filed, the Hearing Officer will provide the Hearing Officer's Report to the Board.
- Parties will not have an opportunity to request a hearing on the Hearing Officer's Report, but can contact the Hearing Officer if any corrections to the report are needed (typographical errors, etc.).
- The Board will deliberate on the rule at a meeting, likely a special meeting, to be scheduled after it receives the Hearing Officer's Report. It has to deliberate on the rule within 60 days of receipt of the Hearing Officer's Report.