

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION
STATE OF COLORADO**

**IN THE MATTER OF CHANGES TO THE)
RULES AND REGULATIONS OF THE OIL)
AND GAS CONSERVATION COMMISSION)
OF THE STATE OF COLORADO)**

CAUSE NO. 1R

DOCKET NO. 0803-RM-02

Objection to Proceedings by M. Sue Sheridan Jarrett

The First Prehearing Order set forth rules for party status for cross-examination and objections that state "a party may make objections". Once again the commission fails to recognize an individual's right that was granted "party status" to represent themselves as a Pro Se party and misconstrued the attempt to place a verbal objection on the record. I was not standing up to provide public testimony but rather to exercise my rights to place an objection on the record per the prehearing order. The chair is using his power and 'bullying' parties and that is unacceptable. The 'Prehearing Officer' threatened to remove my party status for wanting to place an objection on the record which was entirely within my constitutional rights and party status rights.

You fail to read the plain and simple language provided and have hindered my due process rights. These proceedings do not provide an office set up to record a written objection at the time the proceedings need objected to and therefore per the law during a hearing you may make a formal verbal objection at the time a party deems appropriate and if you fail to object at the appropriate time you may lose your right to object.

Therefore I continue to object and consider this my notice that I place a standing objection on the record to the proceedings and at this time I place a written formal objection to the proposed executive session that the commission refused to disclose on the hearing proceedings forcing a party to go find and pay for a computer service to read and respond. I live over three hours from the hearing proceedings and do not have a portable office to access all electronic recordings. You have placed an unnecessary burden on a party by failing to disclose all relevant material in a timely fashion as I also could not get a hard copy of the order responding to my handwritten motion and it was not immediately placed on line as stated; and in fact was not available to me until after the proceedings on Tuesday June 24, 2008, over a full day after the order was entered. You failed to allow or ask for clarification and you failed to respond to my direct rights to object to the proceedings.

At this time per the internet there is the following Notice:

Executive Session: June 25 Rulemaking Hearing

The Colorado Oil and Gas Conservation Commission will go into an Executive Session on Wednesday, June 25, at approximately 10:30 to discuss attorney-client privileged confidential legal advice to the Commission regarding the Draft Rules, pursuant to C.R.S. § 24-6-402(3)(a)(II) & (III).

Here is the statute specified from the internet at

<http://www.cde.state.co.us/cdelib/LibDev/LibraryDistrictInformation/download/pdf/4.3ColoradoSunshineLawannotated.pdf>

(3) (a) The members of a state public body subject to this part 4, upon the announcement by the state public body to the public of the topic for discussion in the executive session, including specific citation to the provision of this subsection (3) authorizing the body to meet in an executive session and identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized, and the affirmative vote of two-thirds of the entire membership of the body after such announcement, may hold an executive session only at a regular or special meeting and for the sole purpose of considering any of the matters enumerated in paragraph (b) of this subsection (3) or the following matters; except that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action, except the review, approval, and amendment of the minutes of an executive session recorded pursuant to subparagraph (I) of paragraph (d.5) of subsection (2) of this section, shall occur at any executive session that is not open to the public:

(II) Conferences with an attorney representing the state public body concerning disputes involving the public body that are the subject of pending or imminent court action. Governing boards of state institutions of higher education including the regents of the university of Colorado may also confer with an attorney concerning specific claims or grievances or for purposes of receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an executive session of a governing board of a state institution of higher education including the regents of the university of Colorado is not sufficient to satisfy the requirements of this subsection (3). (III) Matters required to be kept confidential by federal law or rules, state statutes, or in accordance with the requirements of any joint rule of the senate and the house of representatives pertaining to lobbying practices;

Based on the disclosure that the executive session is for legal consulting for the draft rules I do not find a basis for the executive session and so place a formal objection on the record that the commission has failed to adequately provide a legal basis for the executive session. Furthermore, as previously stated, consider this my standing objection to the inconsistency of these proceedings and violations of my party status standing rights to participate in full to the proceedings and for the failure to allow full and adequate time for parties to place their issues properly before this commission and I consider these proceedings to be an ongoing abuse of the process.

Once last issue on this motion, there was a handout of a BLM letter that was requested to be added as an exhibit and to place it on line as of last Tuesday night June 24, 2008 and this morning June 25, 2008 prior to 7 am it was not available on line. Please post it immediately and also this motion as I do not have office capabilities at the hearing where this will be handed in.

Submitted and Hand delivered to the commission this 25 day of June 2008.

Sincerely,



M. Sue Sheridan Jarrett

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