



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

September 4, 2018

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Bureau of Investigation  
and Enforcement v. Xtreme Energy Company  
Docket No. C-2017-2599145  
**Amended Complaint**

Dear Secretary Chiavetta:

Enclosed for filing please find the Amended Complaint in the above referenced case on behalf of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission. The Amended Complaint updates the alleged violations.

Copies are being served on the parties of record in accordance with the attached Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Stephanie M. Wimer  
Senior Prosecutor  
Attorney ID No. 207522

Enclosure

cc: Honorable Joel H. Cheskis  
Michael L. Swindler, Deputy Chief Prosecutor  
As per Certificate of Service

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SECRETARY'S BUREAU  
FRONT DESK

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Pennsylvania Public Utility  
Commission, Bureau of Investigation  
and Enforcement,

Complainant

v.

Xtreme Energy Company,  
Respondent

2018 SEP -4 PM 3: 18

PA PUC  
SECRETARY'S BUREAU  
FRONT DESK

Docket No. C-2017-2599145

**NOTICE**

A. **You must file an Answer within 20 days of the date of service of this Amended Complaint.** The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Amended Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Stephanie M. Wimer, Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Ms. Wimer at: [stwimer@pa.gov](mailto:stwimer@pa.gov)

B. If you fail to answer this Amended Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the civil penalty and the amounts due.

C. You may elect not to contest this Amended Complaint by paying the civil penalty and amounts due within 20 days. Your certified check, cashier's check or money order should be payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Amended Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the civil penalty and amounts due as set forth in this Amended Complaint.

E. If you file an Answer which contests the Amended Complaint, the matter will proceed before the assigned presiding Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Amended Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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SEP - 4 2018

Pennsylvania Public Utility Commission, :  
Bureau of Investigation and Enforcement, :  
Complainant :

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

v. :

Docket No. C-2017-2599145

Xtreme Energy Company, :  
Respondent :

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**AMENDED COMPLAINT  
and  
NOTICE OF AMOUNT DUE**

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NOW COMES the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its prosecuting attorneys, pursuant to Section 2307(b) of Act 13 of 2012, the Unconventional Gas Well Impact Fee Act ("Act 13" or "Act"), 58 Pa.C.S. §§ 2301-2318, and files this Amended Complaint and Notice of Amount Due against Xtreme Energy Company ("Xtreme Energy" or "Respondent"), alleging violations of Act 13 and to include alleged violations that pertain to the 2016 calendar year. In support of its Amended Complaint, I&E respectfully represents the following:

**I. PARTIES AND JURISDICTION:**

1. The Pennsylvania Public Utility Commission ("Commission"), with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted

agency of the Commonwealth of Pennsylvania empowered to make all inquiries and determinations necessary to calculate and collect the fee, administrative charges or assessments imposed under Act 13, including, if applicable, interest and penalties.

2. Complainant's prosecuting attorneys are as follows:

Stephanie M. Wimer  
Senior Prosecutor  
[stwimer@pa.gov](mailto:stwimer@pa.gov)  
717.772.8839

Michael L. Swindler  
Deputy Chief Prosecutor  
[mwindler@pa.gov](mailto:mwindler@pa.gov)

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

3. Respondent is an unconventional gas well producer, as defined in Section 2301 of Act 13, 58 Pa.C.S. § 2301, with a principal place of business at P.O. Box 2326, Victoria, TX 77902, attn. Michael Hahn.

4. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this Amended Complaint and the actions of Respondent related thereto.

## II. BACKGROUND:

5. Chapter 23 of Act 13 authorizes the Commission to collect, administer and distribute fees collected from unconventional gas well producers.<sup>1</sup>

6. Impact fees imposed under Act 13 were due by September 1, 2012, for wells spud<sup>2</sup> before January 1, 2012, and April 1 for each subsequent year. 58 Pa.C.S. § 2303(a).

7. Act 13 also authorizes the Commission to impose an annual administrative charge, not to exceed \$50 per spud unconventional gas well, to cover the actual costs incurred to enforce the requirements of Act 13. 58 Pa.C.S. § 2303(c)(1).<sup>3</sup>

8. Administrative charges must be paid with impact fees on April 1 of each year. 58 Pa.C.S. § 2303(c)(1).

9. The Act provides that, for producers with delinquent fees, the Commission shall assess interest. 58 Pa.C.S. § 2308(a). For the calendar years 2014, 2015 and 2016, the interest rate was set at 3.0% pursuant to 61 Pa. Code § 4.2.

10. In addition to the assessed interest, the Commission shall add a penalty of 5% of the amount of the fee if the failure to timely pay is for less than one month, with an

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<sup>1</sup> An “unconventional gas well” is a “bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.” 58 Pa.C.S. § 2301. An “unconventional formation” is a “geological shale formation...where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.” *Id.*

<sup>2</sup> “The actual start of drilling of an unconventional gas well.” 58 Pa.C.S. § 2301.

<sup>3</sup> See also *Act 13 of 2012 - Implementation of Unconventional Gas Well Impact Fee Act, Proposed Rulemaking*, Docket No. L-2013-2375551 (Order entered May 10, 2012) (*Proposed Rulemaking Order*).

additional 5% penalty for each additional month or fraction of a month, not to exceed 25% in the aggregate. 58 Pa.C.S. § 2308(b).

11. The Commission may also assess civil penalties of up to \$2,500 per unconventional well impact fee and administrative charge for each day that a producer fails to make and continues to fail to make timely payment. 58 Pa.C.S. § 2310.

12. Respondent was required to file an Annual Report with the Commission listing the number of its spud unconventional gas wells subject to impact fees and administrative charges for the previous calendar year. 58 Pa.C.S. § 2303(b). The Annual Reports for 2014, 2015 and 2016 were due by April 1, 2015, April 1, 2016 and April 3, 2017, respectively.

13. To date, Respondent has not filed Annual Reports for 2014, 2015 or 2016.

14. Because Respondent failed to file Annual Reports, the Commission's Fiscal Office prepared a Fund Well Summary for 2014, 2015 and 2016, based on information from Respondent, the wells' previous owners,<sup>4</sup> and the Pennsylvania Department of Environmental Protection ("DEP").

15. According to the Commission's Fiscal Office and the Fund Well Summary for calendar years 2014, 2015 and 2016, Respondent operated two unconventional wells.

16. Specifically, based on the Fund Well Summary and DEP production data for 2014, attached hereto as Attachment A, Respondent operated the following wells:

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<sup>4</sup> Onshore Royalties, LLC, a company related to Xtreme Energy, purchased the wells at issue from Samson Resources Co. effective November 1, 2014. When it owned the wells, Samson Resources Co. filed its annual reports as required by Act 13.

**Permit Number**

1. 111-20272
2. 111-20277

17. Based on the Fund Well Summary and DEP production data, Respondent owed a total of \$40,200 in impact fees on its wells.

18. These impact fees were due by April 1, 2015.

19. To date, Respondent has not yet paid the \$40,200 in impact fees due for 2014.

20. For 2014, the administrative charge due under Act 13 was \$50 per well. 58 Pa.C.S. § 2303(c)(1); *See also Proposed Rulemaking Order.*

21. Based on the Fund Well Summary for 2014, Respondent operated two wells subject to Act 13 administrative charges, for a total due of \$100.

22. These administrative charges were due by April 1, 2015.

23. To date, Respondent has not yet paid the \$100 in administrative charges due for 2014.

24. Respondent did not file a dispute contesting the amount of its impact fees and administrative charges for 2014.

25. According to the Fund Well Summary and DEP production data for calendar year 2015, Respondent operated two unconventional wells.

26. Specifically, based on the Fund Well Summary and DEP production data for 2015, attached hereto as Attachment B, Respondent operated the following wells:

**Permit Number**

1. 111-20272
2. 111-20277

27. Based on the 2015 Fund Well Summary and DEP production data, Respondent owed a total of \$30,200 in impact fees on its wells.

28. These impact fees were due by April 1, 2016.

29. To date, Respondent has not yet paid the \$30,200 in impact fees due for 2015.

30. For 2015, the administrative charge due under Act 13 was \$50 per well. 58 Pa.C.S. § 2303(c)(1); *See also Proposed Rulemaking Order.*

31. Based on the Fund Well Summary, Respondent operated two wells subject to Act 13 administrative charges, for a total due of \$100.

32. These administrative charges were due by April 1, 2016.

33. To date, Respondent has not yet paid the \$100 in administrative charges due for 2015.

34. Respondent did not file a dispute contesting the amount of its impact fees and administrative charges for 2015.

35. On April 20, 2016, the Commission's Fiscal Office sent Respondent Past Due Impact Fee Statements for reporting years 2014 and 2015, listing the amounts due as stated above. These statements are attached hereto as Attachment C.

36. According to the Fund Well Summary and DEP production data for calendar year 2016, Respondent operated two unconventional wells.

37. Specifically, based on the Fund Well Summary and DEP production data for 2016, attached hereto as Attachment D, Respondent operated the following wells:

**Permit Number**

1. 111-20272
2. 111-20277

38. Based on the 2016 Fund Well Summary and DEP production data, Respondent owed a total of \$30,200 in impact fees on its wells.

39. These impact fees were due by April 3, 2017.

40. To date, Respondent has not yet paid the \$30,200 in impact fees due for 2016.

41. For 2016, the administrative charge due under Act 13 was \$50 per well. 58 Pa.C.S. § 2303(c)(1); *See also Proposed Rulemaking Order.*

42. Based on the Fund Well Summary for 2016, Respondent operated two wells subject to Act 13 administrative charges, for a total due of \$100.

43. These administrative charges were due by April 3, 2017.

44. To date, Respondent has not yet paid the \$100 in administrative charges due for 2016.

45. Respondent did not file a dispute contesting the amount of its impact fees and administrative charges for 2016.

46. On April 14, 2017, the Commission's Fiscal Office sent Respondent Past Due Impact Fee Statements for reporting year 2016, listing the amounts due as stated above. These statements are attached hereto as Attachment E.

47. On June 5, 2018, the Commission's Fiscal Office received a partial payment of the impact fee and administrative fee related to well 111-20277 for the 2016 calendar year.

48. On June 7, 2018, representatives from the Commission's Fiscal Office notified representatives from Xtreme that the payment did not cover the total cost of the impact fee and administrative charge related to well 111-20277 for the 2016 calendar year and requested full payment of the amount due.

49. Full payment of the impact fee and administrative charge related to well 111-20277 for the 2016 calendar year has not yet been received. The Commission's Fiscal Office has not cashed the check related to the partial payment for the 2016 calendar year as the amount remitted was incorrect. No payment related to well 111-20272 was remitted even though Xtreme did not dispute the impact fee and administrative charge for this well for the 2016 calendar year.

### **III. VIOLATIONS:**

#### **COUNT ONE**

50. All allegations in paragraphs 1-49 are incorporated as if fully set forth herein.

51. To date, Respondent has failed to comply with Act 13 in that it has not paid the full amount of impact fees and administrative charges imposed under the Act for its unconventional gas wells listed in Paragraph 16. Payment in full of the impact fees and administrative charges for these wells in the amount of \$40,300 was due by April 1, 2015.

If proven, this is a continuing violation of 58 Pa.C.S. § 2303(c) from April 2, 2015, until the impact fees and administrative charges are paid in full.

### **COUNT TWO**

52. All allegations in paragraphs 1-49 are incorporated as if fully set forth herein.

53. To date, Respondent has failed to comply with Act 13 in that it has not paid the full amount of impact fees and administrative charges imposed under the Act for its unconventional gas wells listed in Paragraph 26. Payment in full of the impact fees and administrative charges for these wells in the amount of \$30,300 was due by April 1, 2016.

If proven, this is a continuing violation of 58 Pa.C.S. § 2303(c) from April 2, 2016, until the impact fees and administrative charges are paid in full.

### **COUNT THREE**

54. All allegations in paragraphs 1-49 are incorporated as if fully set forth herein.

55. To date, Respondent has failed to comply with Act 13 in that it has not paid the full amount of impact fees and administrative charges imposed under the Act for its unconventional gas wells listed in Paragraph 37. Payment in full of the impact fees and administrative charges for these wells in the amount of \$30,300 was due by April 3, 2017.

If proven, this is a continuing violation of 58 Pa.C.S. § 2303(c) from April 4, 2017, until the impact fees and administrative charges are paid in full.

**VI. RELIEF REQUESTED:**

56. Based on the foregoing allegations, the Bureau of Investigation and

Enforcement hereby requests the following relief:

- a. Respondent be ordered to pay its past due impact fees and administrative charges in the amount of \$100,900, plus interest and penalties pursuant to 58 Pa.C.S. §§ 2303(a) and (b) in the amount of \$28,252, for total amount due of \$129,152;
- b. Respondent be ordered to pay a civil penalty of \$31,770; and
- c. The Commission grant such other relief as the Commission deems appropriate.

**WHEREFORE**, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that, after consideration of the record, the Office of Administrative Law Judge and the Commission find Xtreme Energy Company in violation of each and every count as set forth herein and grant the relief specified above.

Respectfully submitted,



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Stephanie M. Wimer  
Senior Prosecutor  
PA Attorney ID No. 207522  
717.772.8839  
[stwimer@pa.gov](mailto:stwimer@pa.gov)

Michael L. Swindler  
Deputy Chief Prosecutor  
PA Attorney ID No. 43319

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
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Date: September 4, 2018

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SECRETARY'S BUREAU

Pennsylvania Public Utility  
Commission, Bureau of Investigation  
and Enforcement,

Complainant

v.

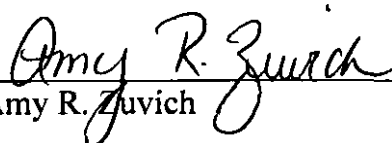
Xtreme Energy Company,  
Respondent

Docket No. C-2017-2599145

**VERIFICATION**

I, Amy R. Zuvich, Budget Analyst of the Pennsylvania Public Utility Commission's Fiscal Office ("Fiscal Office"), hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Fiscal Office will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: September 4, 2018

  
\_\_\_\_\_  
Amy R. Zuvich

# **ATTACHMENT A**

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**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**



Pennsylvania Public Utility Commission



Fund Well Summary

Permit Number	Producer Name	Reporting Year	Well Type	Well Status	Oper Year	Is Paying Fee	Is Restimulated	Is Disputed	Impact Fee
111-20277	XTREME ENERGY CO	2014	Horizontal	Active	4	TRUE	FALSE	FALSE	\$20,100.00
111-20272	XTREME ENERGY CO	2014	Horizontal	Active	4	TRUE	FALSE	FALSE	\$20,100.00

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Days	Avg Gas Production Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	22368		181	123.5801105 SAMSON RES CO	Y	HORIZ	Jan - Jun 2014 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	59566		181	329.0939227 SAMSON RES CO	Y	HORIZ	Jan - Jun 2014 (Unconventional wells)

\*The bill of sale was signed on 2/19/15. However, the sale was effective November 1, 2014. Therefore, Samson is listed as the operator through January 2015.

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	23060	184	125.326087	SAMSON RES CO	Y	HORIZ	Jul - Dec 2014 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	60966	176	346.3977273	SAMSON RES CO	Y	HORIZ	Jul - Dec 2014 (Unconventional wells)

\*The bill of sale was signed on 2/19/15. However, the sale was effective November 1, 2014. Therefore, Samson is listed as the operator through January 2015.

# **ATTACHMENT B**

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**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**



Pennsylvania Public Utility Commission



Fund Well Summary

Permit Number	Producer Name	Reporting Year	Well Type	Well Status	Oper Year	Is Paying Fee	Is Restimulated	Is Disputed	Impact Fee
111-20277	Xtreme Energy Co	2015	Horizontal	Active	5	TRUE	FALSE	FALSE	\$15,100.00
111-20272	Xtreme Energy Co	2015	Horizontal	Active	5	TRUE	FALSE	FALSE	\$15,100.00

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2856	31	92.12903226	SAMSON RES CO	Y	HORIZ	Jan 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	8017	31	258.6129032	SAMSON RES CO	Y	HORIZ	Jan 2015 (Unconventional wells)

\*The bill of sale was signed on 2/19/15. However, the sale was effective November 1, 2014. Therefore, Samson is still listed as the operator through January 2015.

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Average MCF/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2118	28	75.64285714	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Feb 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	6925	28	247.3214286	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Feb 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg MCF/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2898	31	93.48387097	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Mar 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	9291	31	299.7096774	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Mar 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg MCF/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2572	30	85.73333333	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO Y		HORIZ	Apr 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	8145	30	271.5	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO Y		HORIZ	Apr 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2986	31	96.32258065	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	May 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	8713	31	281.0645161	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	May 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	3061	30	102.0333333	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY	Y	HORIZ	Jun 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	8548	30	284.9333333	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY	Y	HORIZ	Jun 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2973	31	95.90322581	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Jul 2015 (Unconventional)
111-20277	HILLEGASS 2H	2H	7/17/2009	8047	31	259.5806452	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Jul 2015 (Unconventional)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2772	31	89.41935484	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY	Y	HORIZ	Aug 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	8679	31	279.9677419	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY	Y	HORIZ	Aug 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2653	30	88.43333333	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Sep 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	8029	30	267.63333333	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Sep 2015 (Unconventional wells)

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2547	30	84.9	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Nov 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	7522	30	250.7333333	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Nov 2015 (Unconventional

Well Permit #	Farm Name	Well #	SPUD Date	Gas Quantity (Mcf)	Gas Production Days	Avg Mcf/Production Day	Operator Name	Unconventional	Well Configuration Code	Reporting Period
111-20272	MENHORN 2H	2H	6/3/2009	2723	31	87.83870968	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Dec 2015 (Unconventional wells)
111-20277	HILLEGASS 2H	2H	7/17/2009	7672	31	247.483871	WEST TEXAS OPERATING CO LLC D/B/A XTREME ENERGY CO	Y	HORIZ	Dec 2015 (Unconventional wells)

# **ATTACHMENT C**

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**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

STATEMENT DATE	STATEMENT NUMBER
04/20/2016	14-35-0000317770-1

REPORTING YEAR
January 1, 2014 - December 31, 2014

**IMPACT FEE STATEMENT**

**PAST DUE**

XTREME ENERGY CO  
P.O. Box 2326  
Victoria, TX 77902-2326

Description	Amount
Impact fee for 2 Horizontal Gas Wells	\$40,200.00
Pay this amount by April 1, 2015	\$40,200.00

**MAKE CHECK PAYABLE TO:**

Commonwealth of Pennsylvania  
FEIN:

**MAIL PAYMENT TO:**

PA PUC  
PO BOX 3265  
HARRISBURG, PA 17105-3265

**ACH and Wire Payments:**

Bank:	Wells Fargo Bank
ABA#:	
Account Name:	Commonwealth of PA
Account #:	
OBI:	Gas Well Fees



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17106-3265

STATEMENT DATE: 04/20/2016  
STATEMENT NUMBER: 14-35-0000317770-2

REPORTING YEAR:  
January 1, 2014 - December 31, 2014

**SPUD FEE STATEMENT**

**PAST DUE**

XTREME ENERGY CO  
P.O. Box 2326  
Victoria, TX 77902-2326

Description	Amount
Spud fee for 2 Horizontal Gas Wells	\$100.00
<b>Pay this amount by April 1, 2015</b>	<b>\$100.00</b>

**MAKE CHECK PAYABLE TO:**

Commonwealth of Pennsylvania  
FEIN:

**MAIL PAYMENT TO:**

PA PUC  
PO BOX 3265  
HARRISBURG, PA 17105-3265

**ACH and Wire Payments:**

Bank: Wells Fargo Bank  
ABA#:   
Account Name: Commonwealth of PA  
Account #:   
OBI: Spud Fee



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

STATEMENT DATE	STATEMENT NUMBER
04/20/2016	15-35-0000317770-1

REPORTING YEAR
January 1, 2015 - December 31, 2015

**IMPACT FEE STATEMENT**

**PAST DUE**

Xtreme Energy Co  
P.O. Box 2326  
Victoria, TX 77902-2326

Description	Amount
Impact fee for 2 Horizontal Gas Wells	\$30,200.00
<b>Pay this amount by April 1, 2016</b>	<b>\$30,200.00</b>

**MAKE CHECK PAYABLE TO:**

Commonwealth of Pennsylvania  
FEIN:

**MAIL PAYMENT TO:**

PA PUC  
PO BOX 3265  
HARRISBURG, PA 17105-3265

**ACH and Wire Payments:**

Bank:	Wells Fargo Bank
ABA#:	
Account Name:	Commonwealth of PA
Account #:	
OBI:	Gas Well Fees



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

STATEMENT DATE    STATEMENT NUMBER  
04/20/2016        15-35-0000317770-2

REPORTING YEAR  
January 1, 2015 - December 31, 2015

**SPUD FEE STATEMENT**

**PAST DUE**

Xtreme Energy Co  
P.O. Box 2326  
Victoria, TX 77902-2326

Description	Amount
Spud fee for 2 Horizontal Gas Wells	\$100.00
<b>Pay this amount by April 1, 2016</b>	<b>\$100.00</b>

**MAKE CHECK PAYABLE TO:**

Commonwealth of Pennsylvania  
FEIN:

**MAIL PAYMENT TO:**

PA PUC  
PO BOX 3265  
HARRISBURG, PA 17105-3265

**ACH and Wire Payments:**

Bank: Wells Fargo Bank  
ABA#: \_\_\_\_\_  
Account Name: Commonwealth of PA  
Account #: \_\_\_\_\_  
OBI: Spud Fee

**ATTACHMENT D**

**RECEIVED**

SEP - 4 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



# Pennsylvania Public Utility Commission



## Fund Well Summary

Permit Number	Producer Name	Reporting Year	Well Type	Well Status	Oper Year	Is Paying Fee	Is Restimulated	Is Disputed	Impact Fee
111-20277	XTREME ENERGY CO	2016	Horizontal	Active	6	TRUE	FALSE	FALSE	\$15,100.00
111-20272	XTREME ENERGY CO	2016	Horizontal	Active	6	TRUE	FALSE	FALSE	\$15,100.00



# **ATTACHMENT E**

**RECEIVED**

**SEP - 4 2018**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

STATEMENT DATE	STATEMENT NUMBER
04/13/2017	16-35-0000317770-1

REPORTING YEAR
January 1, 2016 - December 31, 2016

**IMPACT FEE STATEMENT**

**PAST DUE**

XTREME ENERGY CO  
P.O. Box 2326  
Victoria, TX 77902-2326

Description	Amount
Impact fee for 2 Horizontal Gas Wells	\$30,200.00
<b>Balance Due by April 3, 2017</b>	<b>\$30,200.00</b>

**MAKE CHECK PAYABLE TO:**  
Commonwealth of Pennsylvania  
FEIN:

**MAIL PAYMENT TO:**  
PA PUC  
BUREAU OF ADMINISTRATION/FISCAL OFFICE  
PO BOX 3265  
HARRISBURG, PA 17105-3265

**ACH and Wire Payments:**  
Bank: Wells Fargo Bank  
ABA#:   
Account Name: Commonwealth of PA  
Account #:   
OBI: Gas Well Fees



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

STATEMENT DATE	STATEMENT NUMBER
04/13/2017	16-35-0000317770-2

REPORTING YEAR
January 1, 2016 - December 31, 2016

**SPUD FEE STATEMENT**

**PAST DUE**

XTREME ENERGY CO  
P.O. Box 2326  
Victoria, TX 77902-2326

Description	Amount
Spud fee for 2 Horizontal Gas Wells	\$100.00
<b>Balance Due by April 3, 2017</b>	<b>\$100.00</b>

**MAKE CHECK PAYABLE TO:**  
Commonwealth of Pennsylvania  
FEIN:

**MAIL PAYMENT TO:**  
PA PUC  
BUREAU OF ADMINISTRATION/FISCAL OFFICE  
PO BOX 3265  
HARRISBURG, PA 17105-3265

**ACH and Wire Payments:**  
Bank: Wells Fargo Bank  
ABA#:   
Account Name: Commonwealth of PA  
Account #:   
OBI: Spud Fee

Pennsylvania Public Utility  
Commission, Bureau of Investigation  
and Enforcement,  
Complainant

v.

Xtreme Energy Company,  
Respondent

Docket No. C-2017-2599145

### CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by First Class Mail and Electronic Mail:

Karen O. Moury, Esquire  
Carl R. Shultz, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, 8<sup>th</sup> Floor  
Harrisburg, PA 17101  
[kmoury@eckertseamans.com](mailto:kmoury@eckertseamans.com)  
[cshultz@eckertseamans.com](mailto:cshultz@eckertseamans.com)

*Counsel for Xtreme Energy Company*



Stephanie M. Wimer  
Senior Prosecutor  
PA Attorney ID No. 207522

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 772.8839  
[stwimer@pa.gov](mailto:stwimer@pa.gov)

Dated: September 4, 2018

RECEIVED  
2018 SEP -4 PM 3:18  
PA PUC  
SECRETARY'S BUREAU  
FRONT DESK