

LOUISIANA PUBLIC SERVICE COMMISSION

DOCKET NO. T-35575

LOUISIANA PUBLIC SERVICE COMMISSION

VS.

DAVIS ELITE ENERGY SERVICES, LLC (KILGORE, TEXAS)

RECEIVED

OCT 05 2020

FISCAL
LA Public Service Commission

In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating Intrastate without LPSC authority to transport saltwater utilized in oil well exploration and production on three hundred twenty-four (324) counts; allegedly occurring on or about April 30, 2019 through May 31, 2019.

AFFIDAVIT AND STIPULATION

I, Jim L. Davis, whose title or position is Manager of **Davis Elite Energy Services, LLC** (“**Davis Elite**”), herein admit that **Davis Elite** violated La. R.S. 45:161 through 180.1, by operating intrastate without LPSC authority to transport saltwater utilized in oil well exploration and production on three hundred twenty-four (324) counts occurring on or about April 30, 2019 through May 31, 2019. As a result, I agree to the imposition of a fine of \$80,000.00, with \$40,000.00 of the fine being suspended contingent on **Davis Elite** not being found guilty of, entering a plea of guilty to, or entering a plea of no contest to violating any of the rules and regulations of the Commission for a period of one year from the date of this executed stipulated agreement.

Davis Elite agrees to remit to the Commission the fine of \$40,000.00, together with a \$25.00 citation fee, for a total of \$40,025.00, paid by certified funds, and submit this executed Affidavit and Stipulation, on or before October 09, 2020.

Davis Elite also agree that it shall implement changes to its corporate training policy which provide that all employees will receive an orientation on LPSC-related statutes, rules, and orders upon employment, and thereafter on an annual basis.

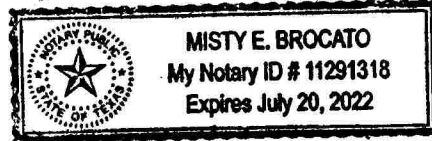
Davis Elite also understands that failure to comply with any of the above will result in the \$40,000.00 suspended fine per count becoming due immediately.

Davis Elite further understands that that its Common Carrier Certificate No. 8311 issued by the Commission on August 25, 2020 only authorizes intrastate transportation of saltwater (labeled as ‘01’ on a UIC-28 manifest), and that, in order to haul any other type of LPSC regulated waste intrastate, **Davis Elite** would be required to apply for and obtain a common carrier certificate of waste.

Davis Elite waives an appearance at a hearing on the citation.

Jim L. Davis Signature of Affiant
Printed Name of Affiant

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 2nd DAY OF October 2020.
Misty E Brocato Signature Notary Public
Printed Notary Name Notary Number 11291318



This Stipulation is agreed to by Commission Staff:

JLD
[Signature]

Staff Attorney
Louisiana Public Service Commission
602 North Fifth Street, Galvez Bldg., 12th Fl.
Baton Rouge, Louisiana 70802
Telephone: (225) 342-4999
Counsel for LPSC Staff

STATE OF LOUISIANA
LA PUBLIC SERVICE COMMISSION
POST OFFICE BOX 91154
BATON ROUGE, LOUISIANA 70821-9154

RECEIPT OF PAYMENT

Date: 10/05/2020

Receipt #: 7075

Applied To:

Davis Elite Energy Services, LLC
PO Box 460
Marshall, TX 75633

Payee:

Davis Elite Energy Services, LLC

Details

File #: 604986

LPSC #: 8311

Payment Details

Check #: 696604

Amount Applied: \$40000.00

Fees/Fines

Voucher #: 116422

Fee Code: 1710

Description: FINES - Illegal Operations

Docket #: T-35575

A Stipulation for Consideration by Commissioners stating that Davis Elite Energy Services, LLC and Commission staff had reached a stipulation. This docket will be placed on an upcoming Agenda of a Commission's Business and Executive Meeting. Subsequent to the Commissioners' vote, Davis Elite Energy Services, LLC will be mailed an Order reflecting the vote, which will be the final decision of the Commission regarding this docket.

This is a receipt of payment ONLY. This payment alone does not constitute authority to operate. All required filing must be in compliance and on file with Louisiana Public Service Commission prior to conducting operations in Louisiana. Failure for noncompliance may result in further action to be taken by the Louisiana Public Service Commission.

STATE OF LOUISIANA
LA PUBLIC SERVICE COMMISSION
POST OFFICE BOX 91154
BATON ROUGE, LOUISIANA 70821-9154

RECEIPT OF PAYMENT

Date: 10/05/2020

Receipt #: 7357

Applied To:

Davis Elite Energy Services, LLC
PO Box 460
Marshall, TX 75633

Payee:

Davis Elite Energy Services, LLC

Details

File #: 604986

LPSC #: 8311

Payment Details

Check #: 696604

Amount Applied: \$25.00

Fees/Fines

Voucher #: 116422

Fee Code: 1700

Description: FINES & Penalties -
Citations

Docket #: T-35575

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