

Edgar Filing: SM Energy Co - Form 8-K

SM Energy Co  
Form 8-K  
December 21, 2012

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported)  
December 21, 2012 (December 19, 2012)

SM Energy Company  
(Exact name of registrant as specified in its charter)

Delaware (State or other jurisdiction of incorporation)	001-31539 (Commission File Number)	41-0518430 (I.R.S. Employer Identification No.)
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1775 Sherman Street, Suite 1200, Denver, Colorado (Address of principal executive offices)	80203 (Zip Code)
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Registrant's telephone number, including area code: (303) 861-8140

Not applicable  
(Former name or former address, if changed since last report.)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2.):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))



Item 7.01 Regulation FD Disclosure.

In accordance with General Instruction B.2. of Form 8-K, the following information, including Exhibit 99.1, shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liabilities of that section, nor shall such information and Exhibit be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

On December 19, 2012, SM Energy Company (the “Company”) issued a press release announcing its 2013 capital expenditure budget and performance guidance. A copy of the press release is furnished as Exhibit 99.1 to this report and incorporated by reference herein.

The press release included as an exhibit to this report contains forward-looking statements within the meaning of Section 27A of the Securities Act of 1933, as amended. These forward-looking statements and the uncertainties and risks associated therewith are discussed under the heading “Information About Forward-Looking Statements” contained in the press release. Due to those uncertainties and risks, readers of this report and the press release are cautioned not to place undue reliance on such forward-looking statements, which speak only as of the date of the press release. Although SM Energy may from time to time voluntarily update its prior forward-looking statements, it disclaims any commitment to do so except as required by securities laws.

Item 9.01 Financial Statements and Exhibits.

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| (d) | Exhibits.<br>Exhibit 99.1 | The following exhibit is furnished as part of this report:<br>Press release of the Company dated December 19, 2012, entitled SM Energy Announces 2013 Capital Expenditure Budget and Performance Guidance |
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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

SM ENERGY COMPANY

Date: December 21, 2012

By:

/s/ KELLY E. COLLINS

Kelly E. Collins

Director of Financial Reporting & Assistant  
Corporate Secretary