

BERRY PETROLEUM CO  
Form 8-K  
December 08, 2008

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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 8, 2008

BERRY PETROLEUM COMPANY

(Exact Name of Registrant as Specified in its Charter)

DELAWARE  
(State or Other Jurisdiction of  
Incorporation or Organization)

1-9735  
(Commission File Number)

77-0079387  
(IRS Employer  
Identification Number)

1999 BROADWAY, DENVER, CO  
(Address of Principal Executive Offices)

80220  
(Zip Code)

Registrant's telephone number, including area code: (303) 999-4400

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:

- 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))

o 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

On December 8, 2008, Berry Petroleum Company issued a news release announcing a capital budget for 2009 of \$100 million. The specifics are discussed in the new release attached hereto as Exhibit 99.1, which is incorporated by reference in its entirety.

The information in this Current Report on Form 8-K and Exhibit 99.1 is being furnished and shall not be deemed "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that Section.

Item 9.01

Financial Statements and Exhibits

(d) Exhibits

99.1 News Release by Berry Petroleum Company dated December 8, 2008, titled "Berry Petroleum Company Sets 2009 Capital Budget at \$100 Million; Targets Production of 33,500 Barrels of Oil Equivalent Per Day."

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 hereto duly authorized.

BERRY PETROLEUM COMPANY

By:

/s/ Kenneth A. Olson

Kenneth A. Olson  
Corporate Secretary

Date: December 8, 2008