

**RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
HEARINGS SECTION**

**OIL AND GAS DOCKET
NO. 08-0247391**

**FINAL ORDER
APPROVING THE APPLICATION OF DUKE ENERGY FIELD SERVICES
TO CONSTRUCT AND OPERATE A HYDROGEN SULPHIDE GAS PIPELINE
CRANE AND ECTOR COUNTIES, TEXAS**

The Commission finds that after statutory notice in the above-numbered docket reviewed on June 15, 2006, the reviewing examiner has made and filed a report and recommendation containing findings of fact and conclusions of law, for which service was not required; that the proposed application is in compliance with all statutory requirements; and that this proceeding was duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas.

The Commission, after review and due consideration of the examiner's report and recommendation, the findings of fact and conclusions of law contained therein, hereby adopts as its own the findings of fact and conclusions of law contained therein, and incorporates said findings of fact and conclusions of law as if fully set out and separately stated herein.

Therefore, it is ordered by the Railroad Commission of Texas that the application of Duke Energy Field Services to construct and operate a hydrogen sulphide gas pipeline, the West Waddell "WW" Pipeline, in Crane and Ector Counties, Texas, is hereby approved. Duke Energy Field Services shall comply with all applicable rules and safety standards adopted by the Commission for the construction and operation of the hydrogen sulphide gas pipeline. An approved Form T-4 (Application For A Permit To Operate A Pipeline In Texas) must be obtained before construction commences.

Done this 6th day of July, 2006.

RAILROAD COMMISSION OF TEXAS

CHAIRMAN ELIZABETH A. JONES

COMMISSIONER MICHAEL L. WILLIAMS

COMMISSIONER VICTOR G. CARRILLO

ATTEST:

Secretary