

**OFFICIAL MINUTES
RAILROAD COMMISSION OF TEXAS
COMMISSION ACTIONS**

February 27, 2018

After providing notice as required by the Texas Open Meetings Act, the Railroad Commission of Texas held an open meeting at the William B. Travis Building, 1701 N. Congress Avenue, in Room 1-111, Austin, Texas, on **Tuesday, February 27, 2018 commencing at 9:31 a.m.** **Chairman Christi Craddick, Commissioner Ryan Sitton and Commissioner Wayne Christian were present. Chairman Craddick presided.**

HEARINGS DIVISION

GAS SERVICES

1. GUD No. 10455: Consolidated complaints of Targa Liquids Marketing and Trade, LLC (Targa), Pioneer Natural Resources USA, Inc. (Pioneer), ConocoPhillips Company (ConocoPhillips), and ELTM, LP, f/k/a Enbridge Liquids Transportation Marketing, LP (ELTM), to establish common carrier rates for West Texas LPG Pipeline Limited Partnership (WTXP); Motion for Reconsideration.

The Commission voted 2-1 to deny the motion. Chairman Craddick and Commissioner Christian voted yes and Commissioner Sitton voted no.

SURFACE MINING AND RECLAMATION

2. Docket No. C18-0001-SC-26-F: Application by Texas Municipal Power Agency for release of reclamation obligations, Phases I-III, 4.9 acres, and Phase III, 1.8 acres (aggregate 6.7 acres), Permit No. 26D, Gibbons Creek Lignite Mine, Grimes County, Texas.

The Commission unanimously approved the examiner's recommendation.

OIL AND GAS

3. O&G 03-0304094: Enforcement action against DCP Midstream, LP for violations of statewide rules on the W-1-2-5-4 inch natural gas gathering line, Buckeye Ranch, Fayette County, Texas; Violation of 16 TAC §3.8(b).

The Commission passed on this item.

4. O&G 7C-0299181: Complaint of Henry Resources LLC regarding RBJ & Associates, LP's Delhi Ranch Lease, Well Nos. 1 and 2, Spraberry (Trend Area) Field, Upton County, Texas. The Commission unanimously approved the following amendment:

Commissioner Christian moved to amend the order adopted by the Commission at the last conference as follows:

The Commission unanimously approved the following amendment:

Commissioner Christian moved to amend the order adopted by the Commission at the last conference as follows:

The Delhi Ranch Lease, Well No. 2, Spraberry (Trend Area) Field, Upton County, Texas, is hereby **TERMINATED**. RBJ & Associates, LP immediately **SUSPEND** operations and disposal activity at the Delhi Ranch Lease, Well No. 2, Spraberry (Trend Area) Field, Upton County, Texas. Within 90 days from the date immediately following the date this order becomes final,

MINUTES -February 27, 2018

RBJ & Associates, LP shall commence operations to plug and abandon, pursuant to requirements contained in 16 Tex. Admin. Code §14, the Delhi Ranch lease, Well No. 2, Spraberry (Trend Area) Field, Upton County, Texas, in accordance with a plan approved by Commission District Office 7C.

The Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas is hereby **SUSPENDED** until such time that RBJ & Associates, LP can successfully demonstrate to the satisfaction of the Commission, within a period of time acceptable to the Commission, that the San Andres Formation can maintain pressure and retain injected fluids in the subsurface areas affected by the Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas.

For the Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas is hereby **SUSPENDED** until such time that RBJ & Associates, LP can successfully demonstrate to the satisfaction of the Commission, within a period of time acceptable to the Commission, that injected fluids disposed of at the Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas, are not being produced from Henry Resources LLC's Melinda Lease.

The Complaint of RBJ & Associates, LP Regarding COG Operating LLC's TXL T 27 No. 1 Well, Spraberry (Trend Area) Field, Upton County, Texas be **DISMISSED WITHOUT PREJUDICE**.

5. O&G 7C-0303143: Complaint of RBJ & Associates, LP regarding COG Operating LLC's TXL T 27 No. 1 Well, Spraberry (Trend Area) Field, Upton County, Texas.

The Commission unanimously approved the following amendment:

Commissioner Christian moved to amend the order adopted by the Commission at the last conference as follows:

The Delhi Ranch Lease, Well No. 2, Spraberry (Trend Area) Field, Upton County, Texas, is hereby **TERMINATED**. RBJ & Associates, LP immediately **SUSPEND** operations and disposal activity at the Delhi Ranch Lease, Well No. 2, Spraberry (Trend Area) Field, Upton County, Texas. Within 90 days from the date immediately following the date this order becomes final, RBJ & Associates, LP shall commence operations to plug and abandon, pursuant to requirements contained in 16 Tex. Admin. Code §14, the Delhi Ranch lease, Well No. 2, Spraberry (Trend Area) Field, Upton County, Texas, in accordance with a plan approved by Commission District Office 7C.

The Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas is hereby **SUSPENDED** until such time that RBJ & Associates, LP can successfully demonstrate to the satisfaction of the Commission, within a period of time acceptable to the Commission, that the San Andres Formation can maintain pressure and retain injected fluids in the subsurface areas affected by the Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas.

For the Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas is hereby **SUSPENDED** until such time that RBJ & Associates, LP can successfully demonstrate to the satisfaction of the Commission, within a period of time acceptable to the Commission, that injected fluids disposed of at the Delhi Ranch Lease, Well No. 1, Spraberry (Trend Area) Field, Upton County, Texas, are not being produced from Henry Resources LLC's Melinda Lease.

The Complaint of RBJ & Associates, LP Regarding COG Operating LLC's TXL T 27 No. 1 Well, Spraberry (Trend Area) Field, Upton County, Texas be **DISMISSED WITHOUT PREJUDICE**.

6. O&G 02-0300234: Commission-called hearing to provide Polk Operating, LLC (Operator No. 669326) an opportunity to show cause why the operator is not in violation of 16 TAC §3.8(d)(1), 3.8(d)(6), and 3.91, for its Polk Karnes R3 Facility, STF-042, P011769-P011773, Karnes County, Texas; and to determine whether administrative penalties should be assessed for said violations, if any.

The Commission unanimously approved the examiner's recommendation.

OIL AND GAS CONSENT AGENDA (21 items; numbers 7 - 27)

The Commission unanimously approved the following applications with the exception of item #26 which was passed.

7. O&G 03-0307478: Application of Upstream Exploration LLC to amend the permanent field rules for the Van Meter (Yegua Cons) Field, Jasper and Hardin Counties, Texas.

8. O&G 7C-0307632: Application of Hunt Oil Company to consider a net gas-oil ratio and cancellation of all overproduction for the Amacker-Tippett (Wolfcamp) Field, Upton County, Texas.

9. O&G 02-0307812: Application of EOG Resources, Inc. for an exception to 16 TAC §3.32 for the IKE/DOC Unit (10887 & 10895) Leases, Eagleville (Eagle Ford-2) Field, Karnes County, Texas.

10. O&G 08-0307711: Application of Atlantic Resources Company, LLC for an exception to 16 TAC §3.32 for various leases, Ford, West (Wolfcamp) Field, Reeves County, Texas.

11. O&G 03-0307001: Application of Five-Jab, Inc. for an exception to 16 TAC §3.32 for the Wingate Unit, Wingate (Hackberry) Field, Jefferson County, Texas.

12. O&G 08-0307137: Application of Rosetta Resources Operating LP for an exception to 16 TAC §3.32 for the Calamity Jane (45695) Lease, the Deacon Jim 16 (45826) Lease, and the Black Jack 16 (45553) Lease, Wolfbone (Trend Area) Field, Reeves County, Texas.

13. O&G 08-0307051: Application of PDC Permian, Inc. for an exception to 16 TAC §3.32 for various leases, Ford, West (Wolfcamp) and Phantom (Wolfcamp) Fields, Culberson and Reeves Counties, Texas.

14. O&G 09-0308339: In Re: transfer of record operator for the Regal - Boonsville (RRC Gas ID No. 272061) Lease, Well No. 3H, Newark, East (Barnett Shale) Field, Wise County, Texas; the Regal - Boonsville (RRC Gas ID No. 259963) Lease, Well No. 1H, Newark, East (Barnett Shale) Field, Wise County, Texas; and the Regal - Boonsville (RRC Gas ID No. 272062) Lease, Well No. 2H, Newark, East (Barnett Shale) Field, Wise County, Texas, from Regal Energy Operating, L.L.C. to Mid Texas Natural Gas, as operator of record.

15. O&G 7B-0308640: Single signature P-4 filing of Ringo Rig LLC (712386) for the Horne (25621) Lease, Well No. 1, Coleman County Regular Field, Coleman County, Texas, seeking to transfer record operator from Stonegate Operators, Inc. (823814) to Ringo Rig LLC.

16. O&G 01-0308344: Single signature P-4 filing of Benchmark Petroleum, LLC. (Operator No. 064104) for the Jelks (16232) Lease, Well No. 2, Fentress (1750) Field, Caldwell County, Texas, to change the operator from Higher Standard Oil Company, Inc. (Operator No. 385715) to Benchmark Texas Petroleum, LLC.

17. O&G 7B-0308650: Complaint of John Barbee of Random, Inc. that Oil & Gas Operations (Operator No. 620256) does not have a good faith claim to operate the Keokuk "A" (16972) Lease, Hunsaker (Noodle Creek) Field, Fisher County, Texas.

18. O&G 7B-0308651: Complaint of John Barbee of Random, Inc. that Oil & Gas Operations (Operator No. 620256) does not have a good faith claim to operate the Crouching Eagle (16893) Lease, Hunsaker (Noodle Creek) Field, Fisher County, Texas.

MINUTES -February 27, 2018

19. O&G 7C-0308364: Complaint of Herman and Carla Lindley that J2 Petroleum LLC (427976) does not have a good faith claim to operate the Mobil (08675) Lease, Well No. 1, and the Henry (10208) Lease, Well Nos. 1 and 3, Rock Pen (Canyon) Field, Irion County, Texas.
20. O&G 20-0307833: In Re: P-5 Organization Report of D L Operating (Operator No. 196262); Motion for Rehearing.
21. O&G 20-0308559: In Re: P-5 Organization Report of Landrick O & G Operating, LLC (Operator No. 484697); Motion for Rehearing.
22. O&G 20-0308571: In Re: P-5 Organization Report of Tracy Production (Operator No. 864086); Motion for Rehearing.
23. O&G 8A-0308762: Energen Resources Corporation for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the North Robertson Unit (#65930), Robertson, N. (Clear Fork 7100) (77318 666) Field, Gaines County, Texas.
24. O&G 08-0308653: Energen Resources Corporation for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the North Westbrook Unit (#20831); North Westbrook Unit (#46972), Westbrook (Clear Fork, Upper) (96563 500) Field, Mitchell County, Texas.
25. O&G 8A-0308683: Texland Petroleum, L.P. for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the Nip (#67140); Tuck (#67389); Moriah (#70331) Lease, Seminole Draw (San Andres) (82235 400) Field, Gaines County, Texas.
26. O&G 08-0308649: Occidental Permian Ltd. for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the South Cross Unit (#21736), Crossett, S. (Detrital) (21912 333) Field, Crockett County, Texas.
The Commission passed on this item.
27. O&G 8A-0306017: Oxy Usa Inc. for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the Seminole San Andres Unit (#60475), Seminole (San Andres) (82225 142) Field, Gaines County, Texas.

MASTER DEFAULT ORDERS (5 items; numbers 28 - 32)

The Commission unanimously approved the following default orders:

28. O&G 7B-0304390: Enforcement action against Mesquite Land & Minerals Co. (Operator No. 561921) for violation of statewide rules on the Dyer, J. (19196) Lease, Well Nos. 1X, 2X, 3, 4, 5, 6, 8, 9, 10, 10A, 12, 13 and 14, Deana Fay (Cook Sand) Field; and Dyer, J. (20120) Lease, Well No. 2, Shackelford County Regular Field, Shackelford County, Texas; violations of 16 TAC §§3.3(1), 3.8(d)(1) and 3.14(b)(2).
29. O&G 7B-0306854: Enforcement action against TK Operating (Operator No. 860912) for violation of statewide rules on the Baum (27372) Lease, Well Nos. 1, 2, 3 and 4, Callahan County Regular Field, Callahan County, Texas; violations of 16 TAC §3.14(b)(2).
30. O&G 7B-0306964: Enforcement action against Mudslinger Oil, L.L.C. (Operator No. 592478) for violation of statewide rules on the Jackson Lease, Well No. 2 (Drilling Permit No. 820890), Wildcat Field, Taylor County, Texas; violations of 16 TAC §3.16(b).

MINUTES -February 27, 2018

31. O&G 7B-0306965: Enforcement action against Prospecta Energy Group, Inc. (Operator No. 681481) for violation of statewide rules on the Pearl (01481) Lease, Well No. 11, Eastland County Regular Field; Central (20489) Lease, Wells Nos. 1 and 6, Waldrop (Strawn) Field; and the Lewis (20851) Lease, Well Nos. 3 and 4, Eastland County Regular Field, Eastland County, Texas; violations of 16 TAC §§3.8(d)(1) and 3.13(a)(6)(A).

32. O&G 7B-0307566: Enforcement action against Quest-Tex Energy Op II, LLC (Operator No. 684645) for violation of statewide rules on the Latham, Susan (RRC Gas ID No. 118561) Lease, Well No. 4, Thurber Lake (Congl.) Field, Erath County, Texas; violations of 16 TAC §§3.3(1), 3.3(2), 3.13(a)(6)(A) and 3.14(b)(2).

OFFICE OF GENERAL COUNSEL

AGREED ENFORCEMENT ORDERS (68 items; numbers 33 - 100)

The Commission unanimously approved the following agreed orders:

33. O&G 7B-0305736: Palmigo Oil Co. (Operator No. 637375) enforcement action regarding Bays Lease, Well No. 3 (RRC ID No. 092353), Byrnes (Duffer) Field, Erath County, Texas. Violation of 16 TAC §3.14(b)(2).

34. O&G 01-0298733: Black Jack Services, L.L.C. (Operator No. 072704) enforcement action regarding Hicks, Kenneth D. Et Al (10817) Lease, Well Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9, Somerset Field, Atascosa County, Texas. Violation of 16 TAC §§3.3(1), 3.3(2), 3.3(3) and 3.14(b)(2).

35. O&G 03-0307826: Dacus Resources, Inc. (Operator No. 196959) enforcement action regarding Swanson (24873) Lease, Well No. 1, Tenna (Hillje Sand) Field, Wharton County, Texas. Violation of 16 TAC §3.8(d)(1).

36. O&G 04-0298238: Montecristo Exploration, Inc. (Operator No. 577151) enforcement action regarding Alonzo Lopez Lease, Well No. 7288 (Drilling Permit No. 715383), Elenterio (Cole Sand) Field, Zapata County, Texas. Violation of 16 TAC §§3.2(a), 3.3(1), 3.14(b)(2) and 3.16(b).

37. O&G 04-0300658: Montecristo Exploration, Inc. (Operator No. 577151) enforcement action regarding Alonzo Lopez Lease, Well No. 9288 (Drilling Permit No. 739182), Elenterio (Cole Sand) Field, Zapata County, Texas. Violation of 16 TAC §§3.2(a), 3.14(b)(2) and 3.16(b).

38. O&G 04-0301313: Western Gulf Oil & Gas, LLC (Operator No. 911925) enforcement action regarding Johnson SWD (13395) Lease, Well No. 2 and Tank Battery, Turkey Creek (Carbon 3900) Field, Nueces County, Texas. Violation of 16 TAC §§3.8(d)(1), 3.8(d)(2) and 3.20(a)(1).

39. O&G 7B-0304237: 7S Oil and Gas, LLC (Operator No. 954992) enforcement action regarding Richards (28145) Lease, Well Nos. 1 and 4, View (Cisco) Field, Taylor County, Texas. Violation of 16 TAC §§3.8(d)(1) and 3.14(b)(2).

40. O&G 08-0306118: Blue Duck SWD, LLC (Operator No. 076722) enforcement action regarding Salt Water Disposal (42320) Lease, Well No. 1, Spraberry (Trend Area) Field, Martin County, Texas. Violation of 16 TAC §3.17(a).

41. Damage Prevention 023403: PM Construction enforcement action for violation of 16 TAC §18.11(b), at 3003 S. Harrison (S.W. 30th), Amarillo, Randall County, Texas.

42. Damage Prevention 027035: PM Construction enforcement action for violation of 16 TAC §18.11(b), at 3759 Childress St., Houston, Harris County, Texas.

MINUTES -February 27, 2018

43. Damage Prevention 027624: PM Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 411 Thamer Cir., Houston, Harris County, Texas.
44. Damage Prevention 027632: PM Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 6113 Yale St., Houston, Harris County, Texas.
45. Damage Prevention 027644: PM Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 6111 Yale St., Houston, Harris County, Texas.
46. Damage Prevention 030388: Yates Construction enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at E. Villarreal St. (Hwy. 281), Falfurrias, Brooks County, Texas.
47. Damage Prevention 033505: Pronto Sandblasting & Coating, Inc. enforcement action for violation of 16 TAC §§18.3(e), 18.11(b) and 18.11(b), at 151 Devonshire (Kenilworth), San Antonio, Bexar County, Texas.
48. Damage Prevention 035291: PM Construction enforcement action for violation of 16 TAC §§18.10(b), 18.11(b) and 18.11(b), at 343 Glendale (Estrella), San Antonio, Bexar County, Texas.
49. Damage Prevention 035761: PM Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 629 W. Elmira (Cameron), San Antonio, Bexar County, Texas.
50. Damage Prevention 039078: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 1800 Blk. Genesee St., Houston, Harris County, Texas.
51. Damage Prevention 039602: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 1300 N. Moore Ave., Tyler, Smith County, Texas.
52. Damage Prevention 040039: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 1330 N. Moore Ave., Tyler, Smith County, Texas.
53. Damage Prevention 040182: Generals Plumbing enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 9911 Agave (99th), Odessa, Ector County, Texas.
54. Damage Prevention 040251: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 2700 Capitol St., Houston, Harris County, Texas.
55. Damage Prevention 040966: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 14732 Memorial Dr., Houston, Harris County, Texas.
56. Damage Prevention 041556: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §18.4(a), at 23000 Blk. Whittaker Way, Spring, Harris County, Texas.
57. Damage Prevention 042608: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.10(b), at 1600 Dove Ridge Dr., Katy, Waller County, Texas.
58. Damage Prevention 043020: Texstar Enterprises enforcement action for violation of 16 TAC §18.10(b), at 3218 Blue Ridge (Stonehenge), Round Rock, Williamson County, Texas.
59. Damage Prevention 043402: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.10(b), at 12810 Ripplewood Ln., Houston, Harris County, Texas.

MINUTES -February 27, 2018

60. Damage Prevention 043874: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.4(b), at 14938 El Miranda Dr., Houston, Harris County, Texas.
61. Damage Prevention 043901: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 3906 Monteith Dr., Spring, Harris County, Texas.
62. Damage Prevention 044796: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 2313 Tuam, Houston, Harris County, Texas.
63. Damage Prevention 045169: PM Construction enforcement action for violation of 16 TAC §§18.4(b) and 18.11(b), at 6765 Brace St., Houston, Harris County, Texas.
64. Damage Prevention 046031: City of Houston enforcement action for violation of 16 TAC §18.4(b), at 1900 Rainlily (Maplecreek), Houston, Harris County, Texas.
65. Damage Prevention 046460: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §18.11(b), at 3226 Explorer Way, Conroe, Montgomery County, Texas.
66. Damage Prevention 047770: PM Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.3(a), at 17100 Blk. Ivy Creek Ln., Houston, Harris County, Texas.
67. Damage Prevention 047818: PM Construction enforcement action for violation of 16 TAC §18.11(b), at 5107 Blue Creek, Kingwood, Harris County, Texas.
68. Damage Prevention 048742: MGI Interests, LLC enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 9 Carlton Park Ct., Houston, Harris County, Texas.
69. Damage Prevention 049478: Flanagan Plumbing enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 803 S. College St. (E. Ave. C), Waxahachie, Ellis County, Texas.
70. Damage Prevention 050123: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 4900 Westbriar Ln., Houston, Harris County, Texas.
71. Damage Prevention 050178: City of Houston enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 4200 Bering St., Houston, Harris County, Texas.
72. Damage Prevention 050748: City of Houston enforcement action for violation of 16 TAC §§18.11(b), 18.11(b) and 18.4(b), at 532 Merrill St., Houston, Harris County, Texas.
73. Damage Prevention 050773: Whitestone Civil Construction, LLC enforcement action for violation of 16 TAC §18.11(b), at 2906 S. Bagdad Rd. (Blueline Dr.), Leander, Williamson County, Texas.
74. Damage Prevention 051215: PM Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 302 Mill Stream Ln., Houston, Harris County, Texas.
75. Damage Prevention 051541: City of Houston enforcement action for violation of 16 TAC §§18.11(b), 18.11(b) and 18.10(b), at 4601 New Orleans St., Houston, Harris County, Texas.
76. Damage Prevention 051608: G & R Services enforcement action for violation of 16 TAC §18.11(b), at 9822 Cascade Valley St. (Harbour Grey St.), San Antonio, Bexar County, Texas.
77. Damage Prevention 051896: City of Houston enforcement action for violation of 16 TAC §18.10(b), at 9107 Grannis (Dexter), Houston, Harris County, Texas.

MINUTES -February 27, 2018

78. Damage Prevention 052326: Jason M. Phelps enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 5606 Tyler St., Pearland, Brazoria County, Texas.

79. Damage Prevention 052837: JR Pool Plastering & Texas Gunite enforcement action for violation of 16 TAC §§18.11(b) and 18.3(a), at 16011 Saddle Briar Ln., Cypress, Harris County, Texas.

80. Damage Prevention 052936: Lone Star Electric enforcement action for violation of 16 TAC §18.3(a), at 6107 Hillside Rd. (Bell), Amarillo, Randall County, Texas.

81. Damage Prevention 053052: City of Houston enforcement action for violation of 16 TAC §§18.4(b) and 18.10(b), at 7402 Tipps St., Houston, Harris County, Texas.

82. Damage Prevention 053189: Alfaro & Sons Electric enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 1902 Kipling St., Houston, Harris County, Texas.

83. Damage Prevention 053212: PM Construction enforcement action for violation of 16 TAC §18.11(b), at 1934 Hawthorne St., Houston, Harris County, Texas.

84. Damage Prevention 053396: City of Houston enforcement action for violation of 16 TAC §18.4(b), at 1000 Eastwood (Telephone), Houston, Harris County, Texas.

85. Damage Prevention 053486: City of Houston enforcement action for violation of 16 TAC §18.4(d), at 7725 Pardee (Wayside), Houston, Harris County, Texas.

86. Damage Prevention 053575: Fresno Fence enforcement action for violation of 16 TAC §18.3(a), at 214 Indian Summer Ct. (Indian Summer Dr.), Sugar Land, Fort Bend County, Texas.

87. Damage Prevention 053579: City of Houston enforcement action for violation of 16 TAC §18.4(d), at 1319 Crockett (Hickory), Houston, Harris County, Texas.

88. Damage Prevention 053605: Can Fer enforcement action for violation of 16 TAC §18.4(a), at 4502 Wildwood Rd. (Catawba), Dallas, Dallas County, Texas.

89. Damage Prevention 053620: Texas Pride Utilities, LLC enforcement action for violation of 16 TAC §18.11(b), at 1702 Mercoal Dr., Spring, Montgomery County, Texas.

90. Damage Prevention 053629: Professional Workforce enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 817 E. Hwy. 190 (12th St.), Copperas Cove, Coryell County, Texas.

91. Damage Prevention 053642: T&R Excavation, LLC enforcement action for violation of 16 TAC §18.4(a), at 1006 Highland Dr. (Park Row Dr.), Arlington, Tarrant County, Texas.

92. Damage Prevention 053676: MSF Electric enforcement action for violation of 16 TAC §18.3(a), at 13006 Tulip Farms (De Zalvala), San Antonio, Bexar County, Texas.

93. Damage Prevention 053683: M.J. Sheridan of Texas, Inc. enforcement action for violation of 16 TAC §§18.3(a), 18.4(a) and 18.11(b), at 1351 Lariat Ridge Trl. (Casita Verde Way), Channelview, Harris County, Texas.

94. Damage Prevention 053696: Irby Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at Mulberry (7th), Lometa, Lampasas County, Texas.

MINUTES -February 27, 2018

95. Damage Prevention 053701: TCS Communications, LLC enforcement action for violation of 16 TAC §18.11(b), at 700 UTA Blvd. (W. Neiderman Dr.), Arlington, Tarrant County, Texas.

96. Damage Prevention 053743: Utility Resource Group enforcement action for violation of 16 TAC §18.11(b), at 822 Division (Hood Rd.), Mineral Wells, Palo Pinto County, Texas.

97. Damage Prevention 053746: Eli Torres Fencing (Hardscape) enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 384 E. Camp St., New Braunfels, Comal County, Texas.

98. Damage Prevention 053810: City of Houston enforcement action for violation of 16 TAC §§18.4(c), 18.11(b) and 18.11(b), at 17190 Tomball Pkwy., Houston, Harris County, Texas.

99. Damage Prevention 053839: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1708 Arbor Ln. (Tower Dr.), Arlington, Tarrant County, Texas.

100. Damage Prevention 053843: City of Harlingen / Parks and Rec. enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at Horizon (Teege St.), Harlingen, Cameron County, Texas.

101. Damage Prevention 053857: Tiseo Paving Company enforcement action for violation of 16 TAC §§18.3(e) and 18.11(b), at 1120 W. Debbie Ln. (N. Main), Mansfield, Tarrant County, Texas.

102. Damage Prevention 053903: Centerpoint Energy (electric) enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 600 S. Main St., Highlands, Harris County, Texas.

103. Damage Prevention 053908: Vaca Underground Utilities, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.10(b), at 506 Aldine Mail Route Rd., Houston, Harris County, Texas.

104. Damage Prevention 053922: D.L. Elliott Enterprises, Inc. enforcement action for violation of 16 TAC §18.11(b), at 2628 Dalview (Druid), Houston, Harris County, Texas.

105. Damage Prevention 053925: D.L. Elliott Enterprises, Inc. enforcement action for violation of 16 TAC §18.11(b), at 2705 Dalview (Nuben), Houston, Harris County, Texas.

106. Damage Prevention 053929: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 10337 Big Sandy Ct. (Dodge Trl.), McKinney, Collin County, Texas.

107. Damage Prevention 053933: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 4732 Spoon Drift Dr. (Sea Breeze), Fort Worth, Tarrant County, Texas.

108. Damage Prevention 053934: D.L. Elliott Enterprises, Inc. enforcement action for violation of 16 TAC §18.4(a), at 3522 Areba (Bayou View), Houston, Harris County, Texas.

109. Damage Prevention 053949: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 212 N. Bryan Ave. (Wm. J. Bryan Pkwy.), Bryan, Brazos County, Texas.

110. Damage Prevention 053954: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2051 Green Oaks Rd. (Plaza Pkwy.), Fort Worth, Tarrant County, Texas.

MINUTES -February 27, 2018

111. Damage Prevention 053972: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2101 Valleyview (Montenero Pass), San Angelo, Tom Green County, Texas.

112. Damage Prevention 053978: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1197 N. Watson Rd. (Ave. J), Arlington, Tarrant County, Texas.

113. Damage Prevention 053982: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1301 E. Oak Grove Rd. (Brownfield Dr.), Burleson, Tarrant County, Texas.

114. Damage Prevention 053986: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 804 Delia Ct. (Stafford), Arlington, Tarrant County, Texas.

115. Damage Prevention 053992: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 6503 Peoria Ave. (S. Broadway St.), Plainview, Hale County, Texas.

116. Damage Prevention 054002: PM Construction enforcement action for violation of 16 TAC §18.4(b), at 2233 San Antonio (Jasmine), Pearland, Brazoria County, Texas.

117. Damage Prevention 054011: Reynolds Custom Homes enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 7901 Big View Dr. (Josh Ln.), Austin, Travis County, Texas.

118. Damage Prevention 054014: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 6228 Colleyville Blvd. (Kingston Dr.), Colleyville, Tarrant County, Texas.

119. Damage Prevention 054016: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Evans Ave. (E. Mulkey St.), Fort Worth, Tarrant County, Texas.

120. Damage Prevention 054019: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 7415 Kaywood Dr. (Locksley Ave.), Dallas, Dallas County, Texas.

121. Damage Prevention 054021: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 5133 Chessie (Haltom Rd.), Haltom City, Tarrant County, Texas.

122. Damage Prevention 054022: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.11(a), at 605 Topaz Ln. (Canvasback Creek), Leander, Williamson County, Texas.

123. Damage Prevention 054023: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1826 Finley Rd. (Stafford Dr.), Irving, Dallas County, Texas.

124. Damage Prevention 054024: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 4109 Province Dr. (Hebron Pkwy.), Carrollton, Denton County, Texas.

125. Damage Prevention 054025: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3030 N. Josey Ln. (Frankford), Carrollton, Dallas County, Texas.

MINUTES -February 27, 2018

126. Damage Prevention 054031: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 411 E. Ave. F (13th St.), Midlothian, Ellis County, Texas.

127. Damage Prevention 054033: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 507 Cooner St. (MacArthur), College Station, Brazos County, Texas.

128. Damage Prevention 054054: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2308 Sparrow (Deacon), Forney, Kaufman County, Texas.

129. Damage Prevention 054063: QMC enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 1860 Bensdale (Bryant), Pleasanton, Atascosa County, Texas.

130. Damage Prevention 054114: Action Landscaping enforcement action for violation of 16 TAC §§18.4(b) and 18.11(b), at 1814 Carriage Oaks Ln., Katy, Fort Bend County, Texas.

131. Damage Prevention 054133: City of Beaumont City Utilities enforcement action for violation of 16 TAC §18.3(e), at 1399 Trinidad St. (General St.), Beaumont, Jefferson County, Texas.

132. Damage Prevention 054136: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.5(a), at 4421 48th St. (Quaker Ave.), Lubbock, Lubbock County, Texas.

133. Damage Prevention 054143: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 1513 E. FM 1585 (MLK Blvd.), Lubbock, Lubbock County, Texas.

134. Damage Prevention 054146: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 5102 58th St. (York Ave.), Lubbock, Lubbock County, Texas.

135. Damage Prevention 054147: Dan Pool enforcement action for violation of 16 TAC §18.3(a), at 525 W. Walton Rd., Lumberton, Hardin County, Texas.

136. Damage Prevention 054151: Omega Contracting, Inc. enforcement action for violation of 16 TAC §18.4(a), at 1527 E. Waco Ave. (Strickland St.), Dallas, Dallas County, Texas.

137. Damage Prevention 054189: Thedford Construction enforcement action for violation of 16 TAC §18.10(b), at Oak Alley (Dueling Oaks), Tyler, Smith County, Texas.

138. Damage Prevention 054208: J3 Company enforcement action for violation of 16 TAC §§18.4(a) and 18.11(b), at 18745 Redland Rd. (Gold Canyon), San Antonio, Bexar County, Texas.

139. Damage Prevention 054209: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at New Orleans (7th St.), Port Arthur, Jefferson County, Texas.

140. Damage Prevention 054227: SDC Underground enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 17300 Blk. Red Oak Dr., Houston, Harris County, Texas.

141. Damage Prevention 054229: H & M Construction enforcement action for violation of 16 TAC §§18.4(a) and 18.11(b), at 14926 Sunset Creek Dr. (Almond Grove Dr.), Humble, Harris County, Texas.

MINUTES -February 27, 2018

142. Damage Prevention 054236: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 905 S. Medina St. (Alamo), Lockhart, Caldwell County, Texas.

143. Damage Prevention 054238: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 1500 W. Riverside Dr. (S. Lamar Blvd.), Austin, Travis County, Texas.

144. Damage Prevention 054242: S. Thomas Construction, LLC enforcement action for violation of 16 TAC §§18.4(a), 18.11(b) and 18.11(b), at 1050 Yale St., Houston, Harris County, Texas.

145. Damage Prevention 054244: Claffey Pools enforcement action for violation of 16 TAC §18.11(b), at 3228 Hurstview Dr. (W. Glade Rd.), Hurst, Tarrant County, Texas.

146. Damage Prevention 054248: Evergreen National enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at Loop 250 (CR 1150), Midland, Midland County, Texas.

147. Damage Prevention 054251: Weldon Contractors enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 3433 Morse Dr. (Walton Walker), Dallas, Dallas County, Texas.

148. Damage Prevention 054257: Can Fer enforcement action for violation of 16 TAC §18.10(b), at 3025 Crestwater Ridge (Davis), Southlake, Tarrant County, Texas.

149. Damage Prevention 054274: City of University Park / Street Maintenance enforcement action for violation of 16 TAC §18.4(a), at 3604 Rosedale (Thackery), University Park, Dallas County, Texas.

150. Damage Prevention 054289: Blue Grass Maintenance enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 18000 Argyle Park Trace, Richmond, Fort Bend County, Texas.

151. Damage Prevention 054323: Southgate Constructors enforcement action for violation of 16 TAC §18.4(g), at 200 S. Ector Dr. (Hwy. 183), Euless, Tarrant County, Texas.

152. Damage Prevention 054328: Tiseo Paving Company enforcement action for violation of 16 TAC §§18.11(b), 18.3(a) and 18.11(b), at 1608 Reeve St. (Browning Dr.), Arlington, Tarrant County, Texas.

153. Damage Prevention 054345: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 900 E. University (Kay), Odessa, Ector County, Texas.

154. Damage Prevention 054353: Tejas Cable Construction, Inc. enforcement action for violation of 16 TAC §§18.4(a) and 18.11(b), at 314 Timbertrail Cir., Portland, San Patricio County, Texas.

155. Damage Prevention 054375: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 2013 Jesse Owens Dr. (Dub Dr.), Austin, Travis County, Texas.

156. Damage Prevention 054380: Circle H Contractors enforcement action for violation of 16 TAC §18.4(a), at Richmond (Pensacola), Waxahachie, Ellis County, Texas.

157. Damage Prevention 054386: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 227 S. Pullman Rd. (IH-40), Amarillo, Potter County, Texas.

MINUTES -February 27, 2018

158. Damage Prevention 054399: Joe Funk Construction, Inc. enforcement action for violation of 16 TAC §18.11(b), at 2804 Russell Creek Dr. (Hillendale Dr.), Plano, Collin County, Texas.

159. Damage Prevention 054441: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 3204 Lakeshore Dr. (Oykey), Hudson Oaks, Parker County, Texas.

160. Damage Prevention 054449: Ranger Excavating enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 25900 N. Hwy. 281 (Overlook Pkwy.), San Antonio, Bexar County, Texas.

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

161. Interim Executive Director Report.
The Commission received an update from Interim Director Wei Wang.

162. Issues related to the management and operation of the agency, and personnel matters.
The Commission received an update from Interim Director Wei Wang.

163. Approval of Commission Employee Handbook.
The Commission unanimously approved staff's recommendation.

OFFICE OF GENERAL COUNSEL

164. Pending and/or contemplated litigation, rulemakings, and other actions initiated by or involving the U.S. Environmental Protection Agency, U.S. Department of Interior, U.S. Department of Transportation, and other federal agencies that may impact the State of Texas, including, but not limited to, the energy, pipeline, and natural resource industries.
The Commission received an update from David Cooney – Office of General Counsel.

OVERSIGHT AND SAFETY DIVISION

165. GUD No. 10695: Regulatory Accounting Related to Federal Income Tax Changes; Gas Utilities Accounting Order directing gas utilities subject to the Commission's jurisdiction to account for the reduction in the federal corporate income tax rate.
The Commission unanimously approved staff's recommendation.

PUBLIC INPUT

166. The Commission will provide an opportunity for general public input on any matter under the jurisdiction of the Commission, in accordance with the policy adopted on September 7, 2005.
The Commission passed on this item.

EXECUTIVE SESSION

167. Discuss personnel matters related to the position of Executive Director.
No action was taken.

168. The Commission may enter in to closed Executive Session for discussion and consideration of items posted on this agenda notice which involve: (a) pending or contemplated litigation matters or settlement offers requiring consultation with or advice from the Commission's attorney, pursuant to Texas Government Code §551.071(1); (b) a matter in which the duty of the Commission's attorney to the Commission under the Texas Disciplinary Rules

MINUTES -February 27, 2018

of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, pursuant to Texas Government Code §551.071(2); (c) a negotiated contract for a prospective gift or donation to the State or to the Commission, pursuant to Texas Government Code §551.073; (d) personnel matters, including the appointment, employment, or dismissal of a public officer or employee, pursuant to Texas Government Code §551.074; (e) security matters related to the deployment of, or specific occasions for the implementation of, security personnel or devices, pursuant to Texas Government Code §551.076; or (f) other matters as permitted pursuant to Chapter 551 of the Texas Government Code. The Commission may reconvene following Executive Session for discussion of items considered in closed session and to take any final actions or vote on such matters in accordance with Texas Government Code §551.102.

The Commission recessed @ 10:07 a.m. to go into Executive Session in the Willa Mae Palmer Conference Room (12-100).

The Commission went back into open session @ 11:01 a.m.

The Commission adjourned @ 11:02 a.m.