

ELIZABETH AMES JONES, CHAIRMAN
DAVID PORTER, COMMISSIONER
BARRY T. SMITHERMAN, COMMISSIONER

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS**

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, January 24, 2012, commencing at 9:34 a.m. Chairman Elizabeth Ames Jones, Commissioner David Porter and Commissioner Barry T. Smitherman were present. Chairman Jones presided.

OFFICE OF GENERAL COUNSEL-HEARINGS SECTION

GAS SERVICES PROTESTED

1. GUD No. 10096: Statement of intent filed by Dal-Mar Energy, Inc. to increase rates in the unincorporated areas of Cross Plains, Texas. The Commission voted (2-1) to deny the requested rate increase. Chairman Jones and Commissioner Smitherman denied the requested rate increase. Commissioner Porter voted to approve the rate increase.

2. GUD No. 10127: Application of Texas Gas Service Company Test Year 2010 annual interim rate adjustment for unincorporated areas of the Rio Grande Valley Service Area. The Commission unanimously approved the examiners recommendation.

OIL AND GAS PROTESTED

3. O&G 0267425: Chesapeake Operating, Inc. to consider an exception to Statewide Rule 37 for the Pappajohn Lease, Well No. 3H, Newark, East (Barnett Shale) Field, Tarrant County, Texas. The Commission unanimously approved the examiners recommendation for the corrected order.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

4. O&G 01-0265903: Alcor Energy, Inc. enforcement action regarding Wiley -C- (12121) Lease, Well Nos. 1 and 2, Stacy (12605) Lease, Well Nos. 1 and 2, King-Hall Estate (13990) Lease, Well Nos. 2 and 3, Nixon (65586001) Field, Wilson County, Texas. Violation of Statewide Rules 2, 3, 8, 14, 26, 36, and 46.
5. O&G 01-0265905: Alcor Energy, Inc. enforcement action regarding Oliver Unit (13412) Lease, Well No. 1, Whiplash (Austin Chalk) (96810300) Field, J W Unit #2 (13888) Lease, Well No. 2, Pandora, NW (Austin Chalk) (68812600) Field, Bird-King-Hall Unit (13921) Lease, Well No. 1, Stockdale, N. (Chalk, Upper) (86221500) Field, Wilson County, Texas. Violation of Statewide Rules 3, 8, 13, 14, 22, and 26.
6. O&G 01-0263885: Smith, L C Production enforcement action regarding Henderson, John et al. (01203) Lease, Well Nos. 1, 2, 3, 6, and 8, Batte, R. L. (09384) Lease, Well Nos. 1 and 2, Minerva-Rockdale (61858001) Field, Milam County, Texas. Violation of Statewide Rules 3, 14, and 73.
7. O&G 01-0272132: Quest Emg, Inc. enforcement action regarding Carter, Elwood (09895) Lease, Well Nos. C1, C2, C3, C4, C5, and C6, Spiller (85167001) Field, Guadalupe County, Texas. Violation of Statewide Rules 3, 8, and 13.
8. O&G 04-0266186: Choctaw Resources, Inc. enforcement action regarding Gonzales, B. P., Unit -A- (043267) Lease, Well No. 7, Gonzales, B. P. Unit -A- (07449) Lease, Well No. 5, Kelsey, South (Clark, Up.) (48635014) Field, Gonzales, B.P., Unit -A- (060501) Lease, Well No. 3, Kelsey, South (6080) (48635832) Field, Starr County, Texas. Violation of Statewide Rules 3, 13, 14, and 46.
9. O&G 01-0262749: Cavalier Oil & Gas, Inc. enforcement action regarding Webb, R. (03902) Lease, Well Nos. 1, 2 and 3, Drummond (Austin 1400) (26190333) Field, Caldwell County, Texas. Violation of Statewide Rules 3 and 14.
10. O&G 01-0263676: Origin Production Company, Inc. enforcement action regarding (625625) Operator, Elvira (13423) Lease, Well No. 1, Pilgrim (Austin Chalk) (71486100) Field, Gonzales County, Texas. Violation of Statewide Rules 3 and 8.
11. O&G 01-0263890: Signal Oil and Gas Company enforcement action regarding Moore, Maggie (01033) Lease, Well Nos. 1A, 2A, 7, 9, 10, 12, and 13, Luling-Branyon Field, (55679001) Caldwell County, Texas. Violation of Statewide Rules 3 and 13.

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12. O&G 01-0262905: Signal Oil and Gas Company enforcement action regarding Moore, Maggie Lease, Well No. 1R (0671739) Permit, Moore, Maggie Lease, Well No. 1A (0674158) Permit, Luling-Branyon (55679001) Field, Caldwell County, Texas. Violation of Statewide Rules 3 and 16.
13. O&G 01-0272295: Willco Services, Inc. enforcement action regarding WHP 4032, County Road 184 Field, Karnes County, Texas. Violation of Statewide Rule 8.
14. O&G 03-0262424: Cortex Energy, Inc. enforcement action regarding Cain, H. C. -A- (03382) Lease, Well No. 3, Pierce Junction (71444001) Field, Harris County, Texas. Violation of Statewide Rules 14 and 98.
15. O&G 06-0269181: Trinity Disposal & Trucking, LLC enforcement action regarding (869991) Operator, Shaw, Jim (029412) Lease, Well No. 1, Bethany (Pettit) (07527403) Field, Harrison County, Texas. Violation of Statewide Rules 8 and 46.
16. O&G 09-0261833: UHC Petroleum Corporation enforcement action regarding Gregg, B. H. (060578) Lease, Well No. A1, Boling (5200) Field (10240600) Field, Jack County, Texas. Violation of Statewide Rules 8 and 14.
17. LP-Gas Docket No. 2203: Amerigas Propane, LP enforcement action for violation of LP-Gas Safety Rule §9.132, at Malone 786 d/b/a Family Center, 8692 Old Pearsall Road, San Antonio, Montgomery County, Texas.
18. LP-Gas Docket No. 2223: Joe R. Harris, Master Plumber License No. M-8449 enforcement action for violation of LP-Gas Safety Rule §9.7(a)(4), at Budget Inn, 3802 Highway 84 N., Coleman, Coleman County, Texas.
19. LP-Gas Docket No. 2225: Amerigas Propane, LP enforcement action for violation of LP-Gas Safety Rule §9.132, at WD Interests, 38926 FM 1774, Magnolia, Montgomery County, Texas.
20. LP-Gas Docket No. 2228: Inergy Propane, LLC enforcement action for violation of LP-Gas Safety Rule §9.132, at Metro Sprocket and Gear, 1258 Eastgate Road, Midlothian, Ellis County, Texas.
21. LP-Gas Docket No. 2229: Mr. G Propane, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at El Rinconsito Adult Day Care Center, 207 N. Palmview Drive, Hidalgo County, Texas.
22. LP-Gas Docket No. 2239: Amerigas Propane, LP enforcement action for violation of LP-Gas Safety Rule §9.101(b)(1), at Amerigas Propane, 1376 Beach Airport Road, Conroe, Montgomery County, Texas.

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23. LP-Gas Docket No. 2249: Amerigas Propane, LP enforcement action for violation of LP-Gas Safety Rule §9.132, at Jackson Pottery, LTD, 6950 Lemmon Ave., Dallas, Dallas County, Texas.

24. LP-Gas Docket No. 2254: Amerigas Propane, LP enforcement action for violation of LP-Gas Safety Rule §9.132, at ZSR Investments, Inc. d/b/a Guadalupe Meat Market, 2255 FM 1978, San Marcos, Hays County, Texas.

25. LP-Gas Docket No. 2284: Ferrellgas, L.P. enforcement action for violation of LP-Gas Safety Rule §9.101(b)(1), at Canyon Lake High School, 8555 RM 32, New Braunfels, Comal County, Texas.

26. LP-Gas Docket No. 2293: Pinnacle Propane, LLC enforcement action for violation of LP-Gas Safety Rule §9.401/9.4.8, at Bobtail Delivery Unit, Dal-Worth Tank Co., Serial # TP-66163, Irving, Bexar County, Texas.

27. GUD Docket No.10013: Texas, Kansas, Oklahoma Gas LLC enforcement action for violation of Pipeline Safety Rule 16 Tex. Admin. Code §8.207(b)(2), at Texas, Kansas, Oklahoma Gas LLC, System ID No. 1770 of Company ID No. 6801, Groom, Carson County, Texas.

28. GUD Docket No. 10032: City of Falfurrias Utility Board enforcement action for violation of Pipeline Safety Rule 16 Tex. Admin. Code §8.105(1) and 46 CFR §192.613(a), at the City of Falfurrias Utility Board's Natural Gas Distribution System (System ID No. 710320), Falfurrias, Brooks County, Texas.

29. GUD Docket No. 10063: Enterprise Products Operating, LLC enforcement action for violation of Pipeline Safety Rule 49 CFR §195.614(a), at 225-23 Precinct Line Rd-Alliance System (ID No. 632851), Fort Worth, Tarrant County, Texas.

30. Damage Prevention Docket No. 006402: Cortes Contracting, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at Mission Rd. (E. Mitchell), San Antonio, Bexar County, Texas.

31. Damage Prevention Docket No. 006789: Cameron County enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at Beddoes Avenue (FM 1732), Olmito, Cameron County, Texas.

32. Damage Prevention Docket No. 007172: City of Dallas enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 1900 N. Washington Ave., Dallas, Dallas County, Texas.

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33. Damage Prevention Docket No. 011942: Stonewall Electric enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 83rd St. (Upland), Lubbock, Lubbock County, Texas.

34. Damage Prevention Docket No. 013760: All Around Fence Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 9606 Vintage Springs Ln. (Teal Bay), Klein, Harris County, Texas.

35. Damage Prevention Docket No. 014874: Texas Sterling enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 1606 Peterson Ave. (Parnell), San Antonio, Bexar County, Texas.

36. Damage Prevention Docket No. 016162: Osmose Utilities Services enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 1748 Michigan Ave. (1748 Michigan Ave.), Houston, Harris County, Texas.

37. Damage Prevention Docket No. 016239: Vaca Underground Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at Settler's Way at Austin Pkwy., Sugar Land, Fort Bend County, Texas.

38. Damage Prevention Docket No. 016336: Osmose Utilities Services enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 2214 Rosedale St. (Hutchins St.), Houston, Harris County, Texas.

39. Damage Prevention Docket No. 016604: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1278 Fulton St. (Hemlock St.), Beaumont, Jefferson County, Texas.

40. Damage Prevention Docket No. 016646: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 2655 Potts (Goliad), Beaumont, Jefferson County, Texas.

41. Damage Prevention Docket No. 016917: Osmose Utilities Services enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 904 E. 24th, Houston, Harris County, Texas.

42. Damage Prevention Docket No. 016978: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2432 Lakeshore (Lakeview), Grapevine, Tarrant County, Texas.

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43. Damage Prevention Docket No. 017073: J-3 enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 5824 Grandwild (Weidner), San Antonio, Bexar County, Texas.

44. Damage Prevention Docket No. 017099: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1217 Arlington (E. 12th St.), Houston, Harris County, Texas.

45. Damage Prevention Docket No. 017111: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 460 North John Street (Dobbyn Street), Bridge City, Orange County, Texas.

46. Damage Prevention Docket No. 017197: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 3753 Champions Dr. (Walden Rd.), Beaumont, Jefferson County, Texas.

47. Damage Prevention Docket No. 017219: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 76th St. (LaSalle), Lubbock, Lubbock County, Texas.

48. Damage Prevention Docket No. 017225: City of Seymour enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1102 Archer Rd. (Powers), Seymour, Baylor County, Texas.

49. Damage Prevention Docket No. 017284: Reytec Construction Resources, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 24 St., Beaumont, Jefferson County, Texas.

50. Damage Prevention Docket No. 017309: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1210 Cottonwood Ave. (Cedar), Midland, Midland County, Texas.

51. Damage Prevention Docket No. 017349: City of Laredo Traffic enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at New York Ave/Bayard, Laredo, Webb County, Texas.

52. Damage Prevention Docket No. 017354: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 2465 Angelina, Beaumont, Jefferson County, Texas.

53. Damage Prevention Docket No. 017364: Boyer, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 3900 Main St. (Truxillo), Houston, Harris County, Texas.

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54. Damage Prevention Docket No. 017412: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 950 W. Virginia St., Beaumont, Jefferson County, Texas.

55. Damage Prevention Docket No. 017432: Southwest Water Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 1215 Orchard Park Cir. (Edgmere), Pflugerville, Travis County, Texas.

56. Damage Prevention Docket No. 017564: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 1242 Centenary Dr., Longview, Gregg County, Texas.

57. Damage Prevention Docket No. 017582: Agustin Camargo enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 4429 13th Street, Bacliff, Galveston County, Texas.

58. Damage Prevention Docket No. 017591: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 8990 Washington Blvd., Beaumont, Jefferson County, Texas.

59. Damage Prevention Docket No. 017593: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 604 Devine Ave. (4th St.), Groveton, Trinity County, Texas.

60. Damage Prevention Docket No. 017599: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 1302 Elgie (Chaison), Beaumont, Jefferson County, Texas.

61. Damage Prevention Docket No. 017692: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 2100 South Street (Sixth Street), Beaumont, Jefferson County, Texas.

62. Damage Prevention Docket No. 017695: City Of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 3485 Blossom, Beaumont, Jefferson County, Texas.

63. Damage Prevention Docket No. 017728: Bain Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at N. Mesa St. (Kenmore), El Paso, El Paso County, Texas.

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64. Damage Prevention Docket No. 017739: Veolia Water enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 410 West Eighth (Ash), Freeport, Brazoria County, Texas.

65. Damage Prevention Docket No. 017764: Veolia Water enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2110 Brazosport Blvd. (Victoria), Freeport, Brazoria County, Texas.

66. Damage Prevention Docket No. 017773: City of Corpus Christi Gas Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 15802 Cutty Sark (Encantada), Corpus Christi, Nueces County, Texas.

67. Damage Prevention Docket No. 017775: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 16549 I-59 South (Hwy. 6), Sugar Land, Fort Bend County, Texas.

68. Damage Prevention Docket No. 017794: Metroplex Garden Design enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b), 18.3(a), and 18.11(b), at 4211 Rocky Ford, Prosper, Collin County, Texas.

69. Damage Prevention Docket No. 017796: Garden Design Landscaping enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 7705 Harvest Hill Ln., McKinney, Collin County, Texas.

70. Damage Prevention Docket No. 017825: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 18203 Tall Cypress Dr. (Coltwood Dr.), Spring, Harris County, Texas.

71. Damage Prevention Docket No. 017827: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at CR 3 (CR Z), Kress, Swisher County, Texas.

72. Damage Prevention Docket No. 017830: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at CR 123 (CR 162), Flomot, Motley County, Texas.

73. Damage Prevention Docket No. 017852: City of Temple Utilities enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(g), at 1300 S. Main St. (E. Ave. N.), Temple, Bell County, Texas.

74. Damage Prevention Docket No. 017853: North Texas Contracting enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at I-35 Service Rd. (Birch), Elm Mott, McLennan County, Texas.

75. Damage Prevention Docket No. 017857: Infrasource enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 910 Horn Run (Gazelle Cliff), San Antonio, Bexar County, Texas.

76. Damage Prevention Docket No. 017862: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 1021 Knoll Bridge Ln., Friendswood, Galveston County, Texas.

77. Damage Prevention Docket No. 017863: Oak Tree Fence enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 710 Allen St. (Bowen), Copperas Cove, Coryell County, Texas.

78. Damage Prevention Docket No. 017865: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 103 Deleon, Victoria, Victoria County, Texas.

79. Damage Prevention Docket No. 017870: Valleycrest enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b), 18.11(b), and 18.3(a), at 8740 Highway 121, McKinney, Collin County, Texas.

80. Damage Prevention Docket No. 017871: Romans Fence Cc, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 24319 Bella Florence Dr., Richmond, Fort Bend County, Texas.

81. Damage Prevention Docket No. 017874: ABC Fence Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1023 Windy Pond (Sunstream), San Antonio, Bexar County, Texas.

82. Damage Prevention Docket No. 017879: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2304 Gustavus (Martin), Laredo, Webb County, Texas.

83. Damage Prevention Docket No. 017880: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 116 N. Custer Rd. (Virginia Pkwy.), McKinney, Collin County, Texas.

84. Damage Prevention Docket No. 017881: City of Laredo Utilities Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 2310 E. Saunders (N. Martin), Laredo, Webb County, Texas.

85. Damage Prevention Docket No. 017894: Tug Hill enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at Miller (Biggs), Ft. Bliss, El Paso County, Texas.

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86. Damage Prevention Docket No. 017898: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4302 Salinas Ave., Laredo, Webb County, Texas.

87. Damage Prevention Docket No. 017900: Capital Excavation Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at Dacy N. (Seton Pkwy.), Kyle, Hays County, Texas.

88. Damage Prevention Docket No. 017901: R.T. Schneider Const. Co., Ltd. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b), 18.11(b), and 18.3(a), at 1019 S. 7th (Ave. J), Temple, Bell County, Texas.

89. Damage Prevention Docket No. 017903: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 7680 Tolivar Rd. (Fairport Harbor Ln.), Beaumont, Jefferson County, Texas.

90. Damage Prevention Docket No. 017907: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Dulles at Ramirez, Stafford, Fort Bend County, Texas.

91. Damage Prevention Docket No. 017909: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1837 College Pkwy. (Kirkpatrick Ln.), Lewisville, Denton County, Texas.

92. Damage Prevention Docket No. 017913: City of Odessa enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 412 Patterson Ave. (Highland), Odessa, Ector County, Texas.

93. Damage Prevention Docket No. 017918: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2600 Kelly Blvd. (Old Mill Rd.), Carrollton, Denton County, Texas.

94. Damage Prevention Docket No. 017922: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2331 Trenton, Unknown, Harris County, Texas.

95. Damage Prevention Docket No. 017923: Tim Sinclair enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 411 E. Jefferson St., Waxahachie, Ellis County, Texas.

96. Damage Prevention Docket No. 017925: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 6003 Dover House Way, Spring, Harris County, Texas.

97. Damage Prevention Docket No. 017929: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 303 E. Houston St., Leonard, Fannin County, Texas.

98. Damage Prevention Docket No. 017932: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3552 Hedrick St. (Dana), Fort Worth, Tarrant County, Texas.

99. Damage Prevention Docket No. 017934: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1203 Spring Cress Ln., Seabrook, Galveston County, Texas.

100. Damage Prevention Docket No. 017937: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2105 Joni Circle (Meadows), Sherman, Grayson County, Texas.

101. Damage Prevention Docket No. 017938: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2208 Byran (Caddo St.), Commerce, Hunt County, Texas.

102. Damage Prevention Docket No. 017940: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1212 Gribble (McCall), Sherman, Grayson County, Texas.

103. Damage Prevention Docket No. 017941: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at I-35 Service Rd. (I-35 Service Rd.), Elm Mott, McLennan County, Texas.

104. Damage Prevention Docket No. 017942: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1200 Reel Rd. (Kingston), Longview, Gregg County, Texas.

105. Damage Prevention Docket No. 017951: P&C Trench Services enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 7422 Stampede Dr. (Stampede Dr. and Justus Dr.), Corpus Christi, Nueces County, Texas.

106. Damage Prevention Docket No. 017952: Watergate Yacht Club enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 5701 Elmen, Seabrook, Harris County, Texas.

107. Damage Prevention Docket No. 017963: Van Beek Ditching and Welding enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at FM 281 (County Road 50), Dalhart, Hartley County, Texas.

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108. Damage Prevention Docket No. 017971: Aaron Concrete Contractors, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1111 Montopolis Dr. (Larch Terr), Austin, Travis County, Texas.

109. Damage Prevention Docket No. 017974: City of Premont enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 400 Broadway St., Premont, Jim Wells County, Texas.

110. Damage Prevention Docket No. 017975: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at FM 407 (Hwy. 377), Argyle, Denton County, Texas.

111. Damage Prevention Docket No. 017978: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 301 8th St. (3rd Ave.), Canyon, Randall County, Texas.

112. Damage Prevention Docket No. 017980: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 610 E. Kerr St. (Moody St.), Lufkin, Angelina County, Texas.

113. Damage Prevention Docket No. 017984: Excavators & Constructors, LTD. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 740 North John Street (West Round Bunch Road (FM 1142)), Bridge City, Orange County, Texas.

114. Damage Prevention Docket No. 017985: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 7800 Malaga (Key Lea Dawn), Fort Worth, Tarrant County, Texas.

115. Damage Prevention Docket No. 017989: City of Temple Utilities enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1205 Larkspur Ln. (Wildflower), Temple, Bell County, Texas.

116. Damage Prevention Docket No. 017998: Circle C Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1918 Ridgeway St., Arlington, Tarrant County, Texas.

117. Damage Prevention Docket No. 018001: Mckinney Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 502 Witter St., Pasadena, Harris County, Texas.

118. Damage Prevention Docket No. 018002: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 502 Witter St., Pasadena, Harris County, Texas.

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119. Damage Prevention Docket No. 018004: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 619 Wellesly Dr. (Saddlewood Ln.), Hunters Creek Village, Harris County, Texas.

120. Damage Prevention Docket No. 018006: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1200 Blk. Southmore Ave. (Davis), Pasadena, Harris County, Texas.

121. Damage Prevention Docket No. 018007: Wauters Engineering enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at Ira Lee Rd. (Laurens), San Antonio, Bexar County, Texas.

122. Damage Prevention Docket No. 018008: CPS Energy enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 308 Joliet Ave. (Broadwayh, Alamo Heights, Bexar County, Texas.

123. Damage Prevention Docket No. 018014: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 252 State Hwy. Business 7 (CR 4023), Chilton, Falls County, Texas.

124. Damage Prevention Docket No. 018016: DCP Midstream, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Hwy. 349 (CR 2651), Ackerly, Martin County, Texas.

125. Damage Prevention Docket No. 018018: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 601 W. Texas (Mirick Ave.), Denison, Grayson County, Texas.

126. Damage Prevention Docket No. 018019: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1318 Elm (East 15th), Bonham, Fannin County, Texas.

127. Damage Prevention Docket No. 018020: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 681 E. Texas St., Denison, Grayson County, Texas.

128. Damage Prevention Docket No. 018021: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3614 Silver (Gibbons), Greenville, Hunt County, Texas.

129. Damage Prevention Docket No. 018022: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at (Old Alma Rd. and W. McDermott Dr.), Allen, Collin County, Texas.

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130. Damage Prevention Docket No. 018023: Heath Consultants enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 812 Dana Ln. (Rhonda), Keller, Tarrant County, Texas.

131. Damage Prevention Docket No. 018025: Knife River Corp. - South enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1801 Madera Dr. (Kendall), Waco, McLennan County, Texas.

132. Damage Prevention Docket No. 018026: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3712 Woodside (Rosemead Pkwy. E.), Denton, Denton County, Texas.

133. Damage Prevention Docket No. 018027: Stafford Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.3(a), at 289 Greene (Kirby), Kyle, Hays County, Texas.

134. Damage Prevention Docket No. 018032: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2417 Warwick Ave. (Amherst), Flower Mound, Denton County, Texas.

135. Damage Prevention Docket No. 018033: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1000 W. Monahans (Carl), Odessa, Ector County, Texas.

136. Damage Prevention Docket No. 018035: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1301 Parsons Lane (Decatur Rd.), Fort Worth, Tarrant County, Texas.

137. Damage Prevention Docket No. 018036: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 13225 Ralph Culver Rd., Houston, Harris County, Texas.

138. Damage Prevention Docket No. 018037: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 5100 Hartwick (Allwood), Houston, Harris County, Texas.

139. Damage Prevention Docket No. 018038: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 101 Sunday Haus (Highland Village), Highland Village, Denton County, Texas.

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140. Damage Prevention Docket No. 018040: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Freeport (Bonham), Cloverleaf, Harris County, Texas.

141. Damage Prevention Docket No. 018041: Kart Construction & Equipment Co., Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at Intersection of Bexar and Vesper, Dallas, Dallas County, Texas.

142. Damage Prevention Docket No. 018044: Bright Excavation, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(a), at 39739 LBJ Freeway (67 and Wheatland), Dallas, Dallas County, Texas.

143. Damage Prevention Docket No. 018049: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at West 34th Street (Antoine), Houston, Harris County, Texas.

144. Damage Prevention Docket No. 018073: TTG Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2265 Connell (Wilson), San Antonio, Bexar County, Texas.

145. Damage Prevention Docket No. 018075: Mark Sterling Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at CR 4001 (CR 4010), Chilton, FALLS County, Texas.

146. Damage Prevention Docket No. 018081: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 3095 Co. Rd. 235 (CR EE), Petersburg, Hale County, Texas.

147. Damage Prevention Docket No. 018083: Tackle Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 13142 Abalone Way, Houston, Harris County, Texas.

148. Damage Prevention Docket No. 018095: Caprock Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3109 S. Tyler (SW 32nd), Amarillo, Potter County, Texas.

149. Damage Prevention Docket No. 018097: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at CR X (FM 1424), Kress, Swisher County, Texas.

150. Damage Prevention Docket No. 018100: M.J. Sheridan of Tx. Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 25203 Lockspur Dr., Richmond, Fort Bend County, Texas.

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151. Damage Prevention Docket No. 018111: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 130 E. 1st St., Hereford, Deaf Smith County, Texas.

152. Damage Prevention Docket No. 018125: OK Concrete enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 415 South Ave. C (East Grove), Olney, Young County, Texas.

153. Damage Prevention Docket No. 018137: David's Rightaway Service enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(g), 18.11(b), and 18.11(b), at 10317 US Hwy. 259, Nacogdoches, Nacogdoches County, Texas.

154. Damage Prevention Docket No. 018145: City of Lone Oak enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.3(a), at 108 Oak St. (Hwy. 69), Lone Oak, Hunt County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

155. O&G 01-0273766: Cougar Operating, LLC to supersede the final order dated September 23, 2008, in Oil & Gas Docket No. 01-0252387 insofar as it required to be plugged the F. Brawley (06683) Lease, Well No. 2, Luling Branyon Field, Caldwell County, Texas, enabling Cougar Operating, LLC to become the operator of record.

156. O&G 06-0273134: Valence Operating Company to consolidate the Yantis (Heard, Up.) Field into the Yantis (Heard Zone) Field, and to amend the permanent field rules for the Yantis (Heard Zone) Field, Wood County, Texas.

157. O&G 06-0273135: Valence Operating Company to amend the permanent field rules for the Yantis (Hill Zone) (99254498) Field, Wood County, Texas.

158. O&G 06-0273136: Valence Operating Company to amend the permanent field rules for the Yantis (Rodessa) (99254664) Field, Wood County, Texas.

159. O&G 7C-0272342: Trilogy Operating, Inc. for blanket Statewide Rule 10 authority for the Spraberry (Trend Area) Field and various Atoka, Devonian, Fusselman Mississippian, and Strawn Fields, Andrews, Glasscock, Howard, Martin, and Midland Counties, Texas.

160. O&G 01-0273689: Osborn Heirs Company to adopt field rules for the Peach Creek (Edwards) Field, Gonzales County, Texas.

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161. O&G 03-0273764: McDaniel Company, Inc., to consider consolidation of the Highbaugh (Geronimo-Wilcox Sd.), Highbaugh (Geronimo Lo. Wx), Highbaugh (Geronimo Oil), Highbaugh (Gregory), Highbaugh (L. Geronimo E. "A"), Highbaugh (Wilcox A-2 Sand), Highbaugh (Wilcox Odom Sand), Highbaugh (Wilcox Rochna Sand), Highbaugh (Wilcox 8700 Sand), Highbaugh (Wilcox 9600 Sand), and Highbaugh (Wilcox 9800 Sand) Fields, Tyler County, Texas.

162. O&G 06-0273280: Devon Energy Production Co, L.P. to make temporary field rules permanent for the Carthage (Haynesville Shale) (16032300) Field, Greg, Harrison, Nacogdoches, Panola, Rusk, Sabine, San Augustine, and Shelby Counties, Texas.

163. O&G 03-0274224: Enervest Operating, L.L.C. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Kallus OL Unit (#22239) Lease, Well No. 1, Giddings (Austin Chalk-3) (34733 500) Field, Fayette County, Texas.

164. O&G 8A-0273478: Landreth, Robert E. for approve or certify an EOR project for the Cochran (#68208) Lease, Anita (Clearfork) (02922 400) Field, Hockley County, Texas.

165. Approval of the claims by John Bazay against the proceeds from the sale of salvage recovered during State-funded plugging operations on:

a. Briar Oil LLC, C. R. Davy Lease (132823), Well No. A-3, Robinson, N. (Cole 3200) Field, Duval County, Texas; State-funded Plug Code# 04-201813 (18213); and

b. Briar Oil LLC, C. R. Davy Lease (120244), Well No. 1, Dottie (Basal Yegua 5590) Field, Duval County, Texas; State-funded Plug Code# 04-202042 (18230).

OFFICE OF GENERAL COUNSEL-RULES

PROPOSAL

166. New 16 Tex. Admin. Code §3.107, relating to Penalty Guidelines for Oil and Gas Violations; O&G Docket No. 20-0274145.

167. Amendment of 16 Tex. Admin. Code §8.135, relating to Penalty Guidelines for Pipeline Safety Violations; GUD Docket No. 10131.

168. New 16 Tex. Admin. Code §9.15, relating to Penalty Guidelines for LP-Gas Safety Violations; LP-Gas Docket No. 02308.

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169. New 16 Tex. Admin. Code §13.15, relating to Penalty Guidelines for CNG Safety Violations; LP-Gas Docket No. 02309.

170. New 16 Tex. Admin. Code §14.2015, relating to Penalty Guidelines for LNG Safety Violations; LP-Gas Docket No. 02310.

171. Amendment of 16 Tex. Admin. Code §18.12, relating to Penalty Guidelines; GUD Docket No. 10130.

The Commission unanimously approved the staffs' recommendation for items #166 through #171.

ADOPTION

172. Amendment of 16 Tex. Admin. Code §3.78, relating to Fees and Financial Security Requirements, to implement Senate Bill 1 and Senate Bill 2, 82nd Legislature (First Called Session, 2011); O&G Docket No. 20-0271942. This item was passed until the next conference.

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

173. Issues regarding operations in the Barnett, Eagle Ford, and other gas shale trends.

The Commission received an update from Railroad Commission Executive Director, John Tintera.

174. Issues related to the Sunset Commission review of the Railroad Commission. There was no presentation.

OIL AND GAS DIVISION

175. Approval of an extended service contract for plugging wells with State funds: Requisition Number 455-12-0246, for 57 wells in Guadalupe County, District 01; estimated value \$588,370.

The Commission unanimously approved staffs' recommendation.

PUBLIC INPUT

269. 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 conference was adjourned at 10:02 a.m.