

VICTOR G. CARRILLO, CHAIRMAN  
ELIZABETH A. JONES, COMMISSIONER  
MICHAEL L. WILLIAMS, COMMISSIONER

**RAILROAD COMMISSION OF TEXAS  
FORMAL COMMISSION ACTIONS  
FEBRUARY 23, 2010**

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 23, 2010, commencing at 9:30 a.m. Chairman Victor G. Carrillo, Commissioner Elizabeth A. Jones and Commissioner Michael L. Williams were present. Chairman Carrillo presided.

**OFFICE OF GENERAL COUNSEL-HEARINGS SECTION**

**GAS SERVICES PROTESTED**

1. GUD No. 9902 (and consolidated cases): Statement of Intent of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas to increase rates in the Houston Division. The Commission voted on items on the decision matrix and unanimously entered a revised Final Order.

2. GUD No. 9869 (consolidated): Petition for de novo review of the denial of the Statement of Intent filed by Atmos Energy Corp., Mid-Tex Division, by the City of Dallas; Statement of Intent filed by Atmos Energy Corp., Mid-Tex Division, to increase gas utility rates in the unincorporated areas served by the Mid-Tex Division. The Commission unanimously approved a correction order as recommended by the examiner.

**OIL AND GAS PROTESTED**

3. O&G 8A-0262915: Southwest Disposal Service, Inc. applications for commercial drilling fluid disposal pits, Gaines County Seminole Facility Disposal Pits (Pit 1-Pit 9), in Gaines County, Texas. The Commission unanimously approved of the substitute order.

4. O&G 09-0262947: IWOC to consider a commercial application to dispose of oil and gas waste into a porous formation not productive of oil or gas, Guru SWD Lease, Well No. 1, Newark, East (Barnett Shale) (65280200) Field, Bosque County, Texas. Chairman Carrillo and Commissioner Jones approved the examiners recommendation with revised Findings of Fact. Commissioner Williams recused himself.

5. O&G 0262307: HEP Oil GP, LLC, to consider an exception to Statewide Rule 37 for the Sadler/Penn./Field Unit Lease, Well No. 111A, Sandusky, South (Oil Creek) Field (80628500), Grayson County, Texas. The Commission unanimously approved the examiners recommendation.

6. O&G 01-0263123; BJT Oil Co., Inc., Commission-called hearing to show cause why Statewide Rule 14(b)(2) plugging extensions should be reinstated for the Sample Unit (14027) Lease, Well No. 2, Stockdale, East (Chalk, Upper) Field, the Posey (12138) Lease, Well Nos. 1 and 1a, Nixon Field, the Hardin, A. T. -B Lease, Well No. 1 (RRC No. 088443), Stockdale (Carrizo) Field, Wilson County, Texas, and why BJT Oil Company, Inc. should not be ordered to plug the wells; Wilson County, Texas. The Commission unanimously denied the request for oral argument and approved the examiners recommendation.

### **MOTION FOR REHEARING**

7. O&G 09-0261248: XTO Energy Inc. application pursuant to Mineral Interest Pooling Act, to pool all interests within the 317.5771 acre Texas Steel B Unit, Newark, E. (Barnett Shale) Field, Tarrant County, Texas. Chairman Carrillo and Commissioner Jones granted the motion for rehearing for the limited purpose of dismissing the docket. Commissioner Williams recused himself.

### **AGREED ENFORCEMENT ORDERS**

The Commission unanimously approved the following agreed orders:

8. O&G 04-0262720: Lewis Petro Properties, Inc. enforcement action regarding Rachal Foundation (08982) Lease, Well No. 2a, Wildcat (00008001) Field, Webb County, Texas. Violation of Statewide Rules 14(b)(1), (2), and (3); 8(d)(4)(G)(i)(I).

9. O&G 03-0263140: Doggy Oil Corp enforcement action regarding George Oil Unit Lease Well #1 (0060844) Permit, Call, Se. (Wilcox) (14755500) Field, Newton County, Texas. Violation of Statewide Rules 14(b)(2); 16(b); 3(1), (2), and (3); 21(j).

10. O&G 7C-0264156: O & O Operators, LLC enforcement action regarding Hoover -4- (08119) Lease, Well No. 4, Shannon (San Andres) (82663568) Field, Crockett County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

11. O&G 09-0263582: Tega Operating Co. enforcement action regarding Abercrombie-Doty A Lease, # 14A (0684408) Permit, Abercrombie-Doty A Lease, # 15A (0684410) Permit, Archer County Regular (03446001) Field, Archer County, Texas. Violation of Statewide Rule 13(b)(2)(A).

12. O&G 03-0263144: All Am, Inc. enforcement action regarding Schindler-Novosad (103812) Lease, Well No. 1, Giddings (Austin Chalk, Gas) (34773550) Field, Burleson County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 3(1).

13. O&G 7B-0257670: B&G Energy Corporation enforcement action regarding Mason Estate (29493) Lease, Well No. 1, Mead-Moore (Swastika) (60060500) Field, Jones County, Texas. Violation of Statewide Rules 14(b)(2); 17(b).

14. O&G 03-0260437: Icarus Operating Corporation enforcement action regarding Sam (173120) Lease, Well No. 1, Morgas (3600 Yeagus) (62902777) Field, Sam (24265) Lease, Well No. 2, Moroil (Yeagua 3570) (62950500) Field, Walker County, Texas. Violation of Statewide Rules 27(a); 8(d)(1); 13(b)(1)(B).

15. O&G 09-0252790: Energex Inc. enforcement action regarding East Voss Tannerhill (15873) Lease, Well Nos. 3, 7, 8W, 9, 11, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, and 32, Voss (Tannerhill) (94136333) Field, Knox County, Texas. Violation of Statewide Rules 3; 14(b)(2); 13(b)(1)(B); 8(d)(1) and (4)(G)(i)(III); 9(12); 46(g)(2).
16. LP-Gas Docket No. 2098: Ferrellgas, L.P. enforcement action for violation of LP-Gas Safety Rule §9.135, at Lowe's #22, H. K. Dodgen Loop and Lowe's Drive, Temple, Bell County, Texas.
17. LP-Gas Docket No. 2116: JLB-McAdams Enterprises, Inc. enforcement action for violation of LP-Gas Safety Rule §9.132, at Timpson Tire Co., Hwy 59 South and Houston Street, Timpson, Shelby County, Texas.
18. Damage Prevention Docket No. 003212: Valemas Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 3022 Venus (Jupiter), San Antonio, Bexar County, Texas.
19. Damage Prevention Docket No. 004558: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 6311 Brady Street, Houston, Harris County, Texas.
20. Damage Prevention Docket No. 006309: Superior Sign & Lighting enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 12001 Dyer (Mesquite Flor), El Paso, El Paso County, Texas.
21. Damage Prevention Docket No. 006394: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 1818 Pannell (Rawley Street), Houston, Harris County, Texas.
22. Damage Prevention Docket No. 006593: Gardner Telecommunications enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 5940 West Plano Parkway, Plano, Collin County, Texas.
23. Damage Prevention Docket No. 006784: Contract Landscaping Services enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 11634 Trail Point (between Everson Oaks and Stamford Oaks), Tomball, Harris County, Texas.
24. Damage Prevention Docket No. 006802: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 200 Dennis, Houston, Harris County, Texas.
25. Damage Prevention Docket No. 007008: The Fence Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2430 Pebble Beach (Scottsdale Drive), League City, Galveston County, Texas.
26. Damage Prevention Docket No. 007253: City of Del Rio Water/Wastewater enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 401 Edna Street (Olive Street), Del Rio, Val Verde County, Texas.

27. Damage Prevention Docket No. 007313: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 4335 College Hills, San Angelo, Tom Green County, Texas.
28. Damage Prevention Docket No. 007329: Wilkinson Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at FM 3215 (Front Street), Dimmitt, Castro County, Texas.
29. Damage Prevention Docket No. 007349: Triple B Services LLP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 5309 Weaver Road (Sandra), Houston, Harris County, Texas.
30. Damage Prevention Docket No. 007381: City of Fort Worth Water Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 5505 Diane Drive, Fort Worth, Tarrant County, Texas.
31. Damage Prevention Docket No. 007390: Griffin Fence Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 2217 Sheridan, Houston, Harris County, Texas.
32. Damage Prevention Docket No. 007396: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at SE Gardens (Pecan), Burleson, Johnson County, Texas.
33. Damage Prevention Docket No. 007397: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3407 3rd (Wood), Brownwood, Brown County, Texas.
34. Damage Prevention Docket No. 007403: Hensel Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2115 Meridian Avenue (North 21st Street), Waco, McLennan County, Texas.
35. Damage Prevention Docket No. 007404: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2115 Meridian Avenue (North 21st Street), Waco, McLennan County, Texas.
36. Damage Prevention Docket No. 007405: Coserv Gas, LTD enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Legacy Drive and FM 720, Frisco, Denton County, Texas.
37. Damage Prevention Docket No. 007406: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1514 Indian Creek Drive (4th Street), Brownwood, Brown County, Texas.
38. Damage Prevention Docket No. 007407: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 3400 Robinson Drive (Meadowbrook Drive), Waco, McLennan County, Texas.
39. Damage Prevention Docket No. 007437: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC

§§18.8(a) and 18.11(a), at Intersection of Eldorado Parkway and Frisco Street, Frisco, Collin County, Texas.

40. Damage Prevention Docket No. 007445: Freed & Barker Concrete enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Windcrest Street (Rueben), Fredericksburg, Gillespie County, Texas.

41. Damage Prevention Docket No. 007458: City of University Park enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at 3312 Rankin Avenue, University Park, Dallas, County, Texas.

42. Damage Prevention Docket No. 007459: Earth Builders, L.P. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3808 Kemp, Wichita Falls, Wichita County, Texas.

43. Damage Prevention Docket No. 007463: Venture Underground enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 259 Limestone (Oakcreek), New Braunfels, Comal County, Texas.

44. Damage Prevention Docket No. 007466: City of Garland enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1145 Melissa Lane, Garland, Dallas County, Texas.

45. Damage Prevention Docket No. 007471: Westwood Fence Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 6114 Flagg Ranch Drive (Trapper Lake), Spring, Harris County, Texas.

46. Damage Prevention Docket No. 007474: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 9203 Denton Drive, Dallas, Dallas County, Texas.

47. Damage Prevention Docket No. 007488: DPC Global Comm. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 7507 Creek Glen (Woodcroft), Houston, Harris County, Texas.

48. Damage Prevention Docket No. 007502: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1823 Shiloh Avenue, Bryan, Brazos County, Texas.

49. Damage Prevention Docket No. 007510: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 505 Avershire, College Station, Brazos County, Texas.

50. Damage Prevention Docket No. 007514: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5429 Woodway Drive (Wosley Drive), Fort Worth, Tarrant County, Texas.

51. Damage Prevention Docket No. 007520: Cage Utility Group enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 415 Calle Retama (Calle Jacaranda), Brownsville, Cameron County, Texas.

52. Damage Prevention Docket No. 007521: Cage Utility Group enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 425 Calle Retama (Calle Jacaranda), Brownsville, Cameron County, Texas.
53. Damage Prevention Docket No. 007524: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 1118 Franklin (South 11th Street), Waco, McLennan County, Texas.
54. Damage Prevention Docket No. 007526: Island Construction LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.4(a), at 300 Channel View (Station), Port Aransas, Nueces County, Texas.
55. Damage Prevention Docket No. 007528: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 9531 Ravensworth, Houston, Harris County, Texas.
56. Damage Prevention Docket No. 007543: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4903 Wichita Street (Rodeo), Fort Worth, Tarrant County, Texas.
57. Damage Prevention Docket No. 007544: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2136 WE Roberts (Great SW Parkway), Grand Prairie, Dallas County, Texas.
58. Damage Prevention Docket No. 007553: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 12230 Hodges, Houston, Harris County, Texas.
59. Damage Prevention Docket No. 007555: Johnson Plumbing Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 801 East Old Greenville Road, Royse City, Rockwall County, Texas.
60. Damage Prevention Docket No. 007562: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2934 Thome Creek Lane, Harris County, Texas.
61. Damage Prevention Docket No. 007568: Badeco Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(g), at 1602 Peterson (S Zaramora), San Antonio, Bexar County, Texas.
62. Damage Prevention Docket No. 007572: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 498 Coronado (Amistad), Universal City, Bexar County, Texas.
63. Damage Prevention Docket No. 007573: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Gattis School Road (Huntington), Round Rock, Williamson County, Texas.
64. Damage Prevention Docket No. 007575: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

§18.8(a), at 2006 Balsam Way (Agarita Trail), Round Rock/Chandler Creek, Williamson County, Texas.

65. Damage Prevention Docket No. 007576: Brath General Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 4103 West Slaughter Lane (Mopac), Austin, Travis County, Texas.

66. Damage Prevention Docket No. 007577: San Antonio Constructors, LTD enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 212 Canavan Avenue (Marney Plaza), San Antonio, Bexar County, Texas.

67. Damage Prevention Docket No. 007589: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2614 Choctaw Trail (Westgate Blvd.), Austin, Travis County, Texas.

68. Damage Prevention Docket No. 007590: Team Fishel enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2550 Sojourn (Midway), Carrollton, Dallas County, Texas.

69. Damage Prevention Docket No. 007591: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 3201 Peterson Way, Bryan, Brazos County, Texas.

70. Damage Prevention Docket No. 007592: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at 2550 Sojourn (Midway), Carrollton, Dallas County, Texas.

71. Damage Prevention Docket No. 007593: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2221 Abrams Road, Dallas, Dallas County, Texas.

72. Damage Prevention Docket No. 007594: BTU Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3201 Peterson Way, Bryan, Brazos County, Texas.

73. Damage Prevention Docket No. 007596: Fish Electric Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 3622 Clover Valley, Kingwood, Harris County, Texas.

74. Damage Prevention Docket No. 007601: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2701 Cullen Street (North Foch Street), Fort Worth/City of Ft Worth Water Dept., Tarrant County, Texas.

75. Damage Prevention Docket No. 007605: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2213 Valley Mill (Kelly), Carrollton, Dallas County, Texas.

76. Damage Prevention Docket No. 007607: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2408 Glenwood Lane, Denton, Denton County, Texas.

77. Damage Prevention Docket No. 007617: Coserv Gas, LTD enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3029 White Stag, Lewisville/Castle Hills, Denton County, Texas.
78. Damage Prevention Docket No. 007618: Andrade Concrete & Construction Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 15 Umbria Lane (Bettina Lane), The Woodlands, Montgomery County, Texas.
79. Damage Prevention Docket No. 007621: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 8400 Block Manderville Road, Dallas, Dallas County, Texas.
80. Damage Prevention Docket No. 007639: Panola County Road & Bridge enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 127 CR 225 (FM 959), Holland Quarters, Panola County, Texas.
81. Damage Prevention Docket No. 007644: Sable Electric LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1720 Strobel Lane (Verchota Drive), Austin, Travis County, Texas.
82. Damage Prevention Docket No. 007646: Hinds Paving enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1403 East 16th Street (Vine), Georgetown, Williamson County, Texas.
83. Damage Prevention Docket No. 007662: Skyline Excavation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 5801 Dana, Haltom City, Tarrant County, Texas.
84. Damage Prevention Docket No. 007664: City of Azle enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 113 South Stewart, Azle, Tarrant County, Texas.
85. Damage Prevention Docket No. 007676: Ramer Concrete enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 11333 West Ricks, Dallas, Dallas County, Texas.
86. Damage Prevention Docket No. 007682: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3700 Lindsey Ct., Arlington, Tarrant County, Texas.
87. Damage Prevention Docket No. 007690: Steve Hatcher Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1900 McCartney Ct., Arlington, Tarrant County, Texas.
88. Damage Prevention Docket No. 007694: Hassell Construction Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at CR 106 (Cullen), Pearland, Brazoria County, Texas.
89. Damage Prevention Docket No. 007698: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

§18.8(a), at 242 Stephens Parkway (Jefferson Street), Grand Prairie/Stephens Parkway, Dallas County, Texas.

90. Damage Prevention Docket No. 007712: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 10th and Maple, Boham, Fannin County, Texas.

91. Damage Prevention Docket No. 007716: Lumberton Municipal Utility District enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(a), at 120 Windmere Street, Lumberton, Hardin County, Texas.

92. Damage Prevention Docket No. 007717: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3716 Wharton Drive, Fort Worth, Tarrant County, Texas.

93. Damage Prevention Docket No. 007718: Donmar Grading Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(a), at 11706 Timberknoll Street, Bunker Hill Village, Harris County, Texas.

94. Damage Prevention Docket No. 007725: Reliance Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 13914 Ambrose (West Orem), Houston, Harris County, Texas.

95. Damage Prevention Docket No. 007727: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 24610 Moorgate Lane, Huffman, Harris County, Texas.

96. Damage Prevention Docket No. 007728: Porter Services, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 104 West (Center Street), Longview, Gregg County, Texas.

97. Damage Prevention Docket No. 007729: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 6017 Longmire Pointe, Conroe, Montgomery County, Texas.

98. Damage Prevention Docket No. 007736: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 300 North 5th Street, Garland, Dallas County, Texas.

99. Damage Prevention Docket No. 007737: Tri-Con Services, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 300 North 5th Street, Garland, Dallas County, Texas.

100. Damage Prevention Docket No. 007739: Juan Baca enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 3531 Paramount Street, North Richland Hills, Tarrant County, Texas.

101. Damage Prevention Docket No. 007744: Power Jack Foundation Repair enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 401 Jackson Street, Krum, Denton County, Texas.

102. Damage Prevention Docket No. 007758: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 5406 Firewood Drive, Arlington, Tarrant County, Texas.
103. Damage Prevention Docket No. 007761: Albert Olguin Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3716 Miramar, Highland Park, Dallas County, Texas.
104. Damage Prevention Docket No. 007779: Master Access Control enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 22125 Kingsland Blvd. (Belwin Street), Houston, Harris County, Texas.
105. Damage Prevention Docket No. 007791: City of Beaumont Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 2694 Linson Street (Simmons), Beaumont, Jefferson County, Texas.
106. Damage Prevention Docket No. 007793: Plumbing Plus Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 1723 Corona Del Mar Drive, Houston, Harris County, Texas.
107. Damage Prevention Docket No. 007795: Supreme Pools & Spa enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 12606 Fern Creek Trail (Beltway 8), Houston/Eagle Springs, Harris County, Texas.
108. Damage Prevention Docket No. 007805: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(b) and 18.11(a), at FM 784 and County Road 91, Floydada, Floyd County, Texas.
109. Damage Prevention Docket No. 007807: Wyatt Construction Company, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at FM 1125, Bowie, Montague County, Texas.
110. Damage Prevention Docket No. 007808: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at US 70 FM 2284 CR 70, Halfway, Hale County, Texas.
111. Damage Prevention Docket No. 007811: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at CR 30 and CR A, Halfway, Hale County, Texas.
112. Damage Prevention Docket No. 007816: Sitecon Inc. (DCS Services) enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 17800 Fairhaven Park CT (Fairhaven Crossing Drive), Cypress, Harris County, Texas.
113. Damage Prevention Docket No. 007817: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Magnolia (36th Street), Texas City, Galveston County, Texas.
114. Damage Prevention Docket No. 007838: Flori Tex Irrigation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4738 Kipper

Cir (St. Andrews), Pasadena, Harris County, Texas.

115. Damage Prevention Docket No. 007872: Force Con Services enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 4005 Brookhaven Club Drive, Addison, Dallas County, Texas.

116. Damage Prevention Docket No. 007874: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4005 Brookhaven Club Drive, Addison, Dallas County, Texas.

117. Damage Prevention Docket No. 007879: Rolling Gate & Fence Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2325 Mill Pond Road, Garland, Dallas County, Texas.

118. Damage Prevention Docket No. 007907: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3200 Block of Fuqua Street, Houston, Harris County, Texas.

119. Damage Prevention Docket No. 007920: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 15226 Steeplechase, Missouri City, Fort Bend County, Texas.

120. Damage Prevention Docket No. 007921: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3200 Block of Fuqua Street, Houston, Harris County, Texas.

121. Damage Prevention Docket No. 007922: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 6702 Willardville Road (East Orem), Houston/Willardville Camp Service Center, Harris County, Texas.

122. Damage Prevention Docket No. 007923: Romans Fence Co. Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1847 Macondray (Adobe Rose), Humble, Harris County, Texas.

123. Damage Prevention Docket No. 007931: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 9119 Friendship Drive (Tilson), Houston, Harris County, Texas.

124. Damage Prevention Docket No. 007960: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1900 Newton (Avenue D), Bryan, Brazos County, Texas.

125. Damage Prevention Docket No. 007963: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 14310 Amyford Ct (Amyford Bend), Houston, Harris County, Texas.

126. Damage Prevention Docket No. 007964: City of Fredericksburg enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 205 West San Antonio (Crocket), Fredericksburg, Gillespie County, Texas.

127. Damage Prevention Docket No. 007969: Reddico Construction Company, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10 (b), at Sawdust Road and Golden Road, The Woodlands, Montgomery County, Texas.

128. Damage Prevention Docket No. 007972: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 205 West San Antonio (Crocket), Fredericksburg, Gillespie County, Texas.

129. Damage Prevention Docket No. 007974: Hollifield Signs enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 12703 Ranch Road 620 North (Pecan Park), Austin, Williamson County, Texas.

## **OIL AND GAS UNPROTESTED**

### **CONSENT AGENDA**

The Commission unanimously approved the following applications:

130. O&G 04-0260902: Kebo Oil & Gas, Inc. to consider a net gas-oil ratio for Steen, Betty ( 13456) Lease, Well Nos. 2 and 3, Sullivan City (Vicksburg, Lower) (87039602) Field, Starr County, Texas.

131. O&G 06-0263730: Exxon Mobil Corporation to consider suspending the allocation formula and balancing of the Overton (Haynesville) Field, Smith County, Texas.

132. O&G 06-0264212: Petrohawk Operating Company to amend the permanent field rules for the Tyler Field, Smith County, Texas.

133. O&G 08-0263733: Chesapeake Operating, Inc. to adopt oil field rules for the Hoefs T-K (Wolfcamp) Field, Reeves County, Texas.

134. O&G 10-0261739: Sanguine Gas Exploration, LLC to consolidate the Mills Ranch (Granite Wash) and Mills Ranch (Granite Wash, K.C.) Fields into a single field to be known as the Mills Ranch (Granite Wash Cons.) Field, and to establish a designated interval and field rules for the proposed consolidated field, Wheeler County, Texas.

135. O&G 10-0264214: Laredo Petroleum, Inc. to consider temporary field rules for the Patten (Mississippian) (69658400) Field, Hansford County, Texas.

136. O&G 03-0263919: Anadarko E&P Company, LP, to consider designation of the Austin Chalk Formation in Tyler, Jasper, and Newton Counties, Texas, a tight gas formation under SWR 101.

137. O&G 06-0263732: NFR Energy, LLC, to amend the permanent field rules for the Woodlawn (Cotton Valley) (98563083) Field, Harrison and Marion Counties, Texas.

138. O&G 08-0264469: Fasken Oil and Ranch, Ltd. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the River Bend Devonian Unit (#36305) Lease, P&P (Devonian) (#68222 080) Field, Crane County, Texas.

139. O&G 8A-0262639: Sandridge Tertiary, LLC for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Wellman Unit (#62337) Lease, Wellman (#96180 001) Field, Terry County, Texas.

140. O&G 04-0264222: Reveille Resources, Railroad Commission District 4, Commission-called review of the temporary field rules for the Daskam, South (Rincon) (23209 300) Field, Hidalgo County, Texas.

## **ADMINISTRATIVE MATTERS**

### **EXECUTIVE OFFICE**

141. Issues regarding emissions from oil and gas operations in the Barnett Shale gas trend. The Commission received an update from Railroad Commission Executive Director, John Tintera.

142. Issues related to the Sunset Commission review of the Railroad Commission. The Commission received an update from Railroad Commission Executive Director, John Tintera. There have been no contacts or updates at this time.

### **SURFACE MINING AND RECLAMATION DIVISION**

143. Authorization to prepare proposed amendments to 16 TAC Chapter 12, relating to coal mining permit application format and processing. The Commission unanimously approved this item.

144. Authorization to prepare proposed amendments to 16 TAC Chapter 12, relating to coal mining permit renewals for permits where mining has ceased. The Commission unanimously approved this item.

### **PUBLIC INPUT**

145. 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 heard comments from Houston, Tx City Council Member, Jolanda Jones.

The conference was adjourned at 12:12 pm.