

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
MARCH 9, 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, March 9, 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. 9951: Statement of Intent filed by Natgas, Inc. to increase rates in and around the unincorporated community of Ozona, Texas. The Commission unanimously approved the examiners' recommendation.
2. GUD No. 9909: Statement of Intent to increase rates of CoServ Gas, Ltd. The Commission unanimously approved the examiners' recommendation.
3. GUD No. 9889: Application of Kinder Morgan Texas Pipeline, LLC, for review of a rate being charged under an existing gas sales contract. The Commission unanimously approved the examiners' recommendation.

SURFACE MINING AND RECLAMATION

4. Docket No. C10-0008-SC-05-F: Application by Luminant Mining Company, LLC, for release from Phase II and III reclamation obligations for 205.7 acres, Monticello Thermo Mine, Permit No. 5F, Hopkins County, Texas. The Commission unanimously approved the examiners recommendation.
5. Docket No. C5-0032-SC-47-C: Application by Texas Westmoreland Coal Company for Renewal/Revision of Permit No. 47, Jewett E/F Area Mine, Freestone and Leon Counties, Texas. The Commission unanimously approved the examiners recommendation.

OIL AND GAS PROTESTED

6. O&G 03-0252897: NEI Production, Inc. enforcement action regarding Mayes -B-(11526) Lease, Well No. 1B, Lost Lake (55036001) Field, Chambers County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 3(2). The Commission unanimously approved the examiners recommendation.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

7. GUD Docket No. 9741: Parkview Trailer Park (Company ID No. 6447) enforcement action for violation of Pipeline Safety Regulations 49 CFR §192.605(a), 49 CFR §192.615(a), 49 CFR §192.809(a), 49 CFR §192.625(f)(1) 16 Tex. Admin. Code §8.215, 49 CFR §192.619(a), 49 CFR §192.455(a)(2), 49 CFR §192.721(a), 49 CFR §192.747(a), 16 Tex. Admin. Code §8.220(b), and 16 Tex. Admin. Code §8.205, at the Dumas/Parkview Trailer Park (Unit ID No. 19122), Dumas, Moore County, Texas.
8. O&G 05-0263578: Halo Energy L.L.C. enforcement action regarding Mason (01220) Lease, Well Nos. 1A, 8, and 14, Robert Michael (01228) Lease, Well No. 1, Van (Shallow) (93042498) Field, Van Zandt County, Texas. Violation of Statewide Rule 46(a).
9. O&G 05-0263580: Halo Energy L.L.C. enforcement action regarding Annabelle Marie (01238) Lease, Well No. 1, Crim, Bill (02614) Lease, Well No. 1, Van (Shallow) (93042498) Field, Van Zandt County, Texas. Violation of Statewide Rule 46(a).
10. O&G 01-0262225: C.F.O., Inc. enforcement action regarding Combs (04993) Lease, Well No. 5, Pearsall (Austin Chalk) (69981125) Field, Frio County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
11. O&G 03-0262239: R & S Energy, Inc. enforcement action regarding L. R. Schrader Unit (21163) Lease, Well No. 1, Giddings (Austin Chalk-3) (34733500) Field, Burleson County, Texas. Violation of Statewide Rules 14(b)(2); 3(1) and (2).
12. O&G 03-0263153: Texana Operating Company enforcement action regarding Mason (07110) Lease, Well Nos. 8, 9, and 10, Humble (43464001) Field, Harris County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 8(d)(1).
13. O&G 03-0261784: Aarcac Energy, Inc. enforcement action regarding Porter-Orsak Unit (21513) Lease, Well No. 1, Giddings (Austin Chalk-3) (34733500) Field, Burleson County, Texas. Violation of Statewide Rules 14(b)(2); 98.
14. O&G 09-0263598: Rocky Point Oil, Inc. enforcement action regarding Waggoner, J & J -C- (05522) Lease, Well No. 33, Wichita County Regular (97155001) Field, Wichita County, Texas. Violation of Statewide Rule 13(b)(2)(A).
15. Damage Prevention Docket No. 005971: San Jacinto Pools enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3710 Doyle Ct (South Fitzgerald), Missouri City/Sienna Plantation, Fort Bend County, Texas.
16. Damage Prevention Docket No. 006040: ACM Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 1517 Crockett Street, Houston, Harris County, Texas.
17. Damage Prevention Docket No. 006093: ACM Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 1520 Winter Street, Houston, Harris County, Texas.

18. Damage Prevention Docket No. 006492: KSP Services enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 6318 Hedge Maple (Lake Park Trail), Humble, Harris County, Texas.
19. Damage Prevention Docket No. 006981: Iglesia de Dios Vivo enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2318 Buena Vista (Chupaderas), San Antonio, Bexar County, Texas.
20. Damage Prevention Docket No. 006983: City of Denton enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1226 Duncan, Denton, Denton County, Texas.
21. Damage Prevention Docket No. 006988: City of Denton enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1224 Duncan Street, Denton, Denton County, Texas.
22. Damage Prevention Docket No. 007354: DNA Excavation Service, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 13708 Rainwater (Cloudburst), Pearland/Shadow Creek, Harris County, Texas.
23. Damage Prevention Docket No. 007469: Standard Utility enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 173 Ranchero Drive, Sunnyvale, Dallas County, Texas.
24. Damage Prevention Docket No. 007571: Texas Sterling Construction Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 4414 Callaghan (Ingram), San Antonio, Bexar County, Texas.
25. Damage Prevention Docket No. 007704: Montgomery Dozer & Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 958 Shandy Way (Tavish Drive). Conroe, Montgomery County, Texas
26. Damage Prevention Docket No. 007720: City of Marshall enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2204 Alexander (South Allen), Marshall, Harrison County, Texas.
27. Damage Prevention Docket No. 007721: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2204 Alexander (South Allen), Marshall, Harrison County, Texas.
28. Damage Prevention Docket No. 007800: A.S.T. Landscape Services, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2600 West 7th, Fort Worth, Tarrant County, Texas.
29. Damage Prevention Docket No. 007822: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 2 Blueheron, Jamaica Beach, Galveston County, Texas.
30. Damage Prevention Docket No. 007864: Custom Pool Concepts enforcement action

for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 135 South Fair Manor Cir., The Woodlands, Montgomery County, Texas.

31. Damage Prevention Docket No. 007906: Stewart Builders, Ltd enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2115 Sunset Blvd., Houston, Harris County, Texas.

32. Damage Prevention Docket No. 007967: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 11619 Sageking (Sage Mark), Houston, Harris County, Texas.

33. Damage Prevention Docket No. 007968: EDP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(a), at 1018 Pitts Road (South Hearthside Drive), Richmond/Pecan Grove, Fort Bend County, Texas.

34. Damage Prevention Docket No. 007971: Laguna Pools enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 21607 West Gold Buttercup Ct (Adventure Green Drive), Houston, Harris County, Texas.

35. Damage Prevention Docket No. 007975: Ransco Irrigation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 14402 Brushy Arbor Lane (Heights Crossing Lane), Kingwood, Harris County, Texas.

36. Damage Prevention Docket No. 007977: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 6015 Marigold Terr (Blue Bell Creek), Austin, Travis County, Texas.

37. Damage Prevention Docket No. 007979: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1100 Block South 4th (Dyer Street), Wills Point, Van Zandt County, Texas.

38. Damage Prevention Docket No. 007981: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 601 North Wood Street (Hwy 155), Gilmer, Upshur County, Texas.

39. Damage Prevention Docket No. 007982: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 505 North Ellis Avenue, Mount Pleasant, Titus County, Texas.

40. Damage Prevention Docket No. 007984: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 504 West Main (FM 346), Whitehouse, Smith County, Texas.

41. Damage Prevention Docket No. 007987: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 109 Olive Street (Tidemore), Malakoff, Henderson County, Texas.

42. Damage Prevention Docket No. 007988: 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 222 East Hickory Street (NE 2nd Street), Paris, Lamar County, Texas.

43. Damage Prevention Docket No. 007989: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11229 Maelin Drive (Tanqua Lane), Austin, Travis County, Texas.
44. Damage Prevention Docket No. 007990: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at US Hwy 80 (FM 17), Grand Saline, Van Zandt County, Texas.
45. Damage Prevention Docket No. 007991: Smith Contracting Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2110 River Road (Davis Lane), San Marcos, Hays County, Texas.
46. Damage Prevention Docket No. 007992: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2110 River Road (Davis Lane), San Marcos, Hays County, Texas.
47. Damage Prevention Docket No. 007994: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 608 14th Street, Huntsville, Walker County, Texas.
48. Damage Prevention Docket No. 007995: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at St Joseph (Stirman), Athens, Henderson County, Texas.
49. Damage Prevention Docket No. 007996: John Wright Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at St Joseph (Stirman), Athens, Henderson County, Texas.
50. Damage Prevention Docket No. 007997: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1743 Indiana Street, Houston, Harris County, Texas.
51. Damage Prevention Docket No. 007999: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at FM 179 and CR 80, Halfway, Hale County, Texas.
52. Damage Prevention Docket No. 008000: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at Co. Road 300 (CR 91), Floyd County, Texas.
53. Damage Prevention Docket No. 008001: Lighthouse Electric Cooperative, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at Co. Road 300 (CR 91), Floyd County, Texas.
54. Damage Prevention Docket No. 008003: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5009 Pickfair Street, Houston, Harris County, Texas.
55. Damage Prevention Docket No. 008004: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4311 Westwind Garden Pass, Katy, Fort Bend County, Texas.

56. Damage Prevention Docket No. 008005: House of Power Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 4311 Westwind Garden Pass, Katy, Fort Bend County, Texas.
57. Damage Prevention Docket No. 008008: Agritexgas, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at Co Road 70 (FM 179), Halfway, Hale County, Texas.
58. Damage Prevention Docket No. 008009: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5409 Quail Creek Drive, McKinney, Collin County, Texas.
59. Damage Prevention Docket No. 008010: Wilson Construction Services enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 712 Keith (Barton), Granbury, Hood County, Texas.
60. Damage Prevention Docket No. 00811: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 712 Keith (Barton), Granbury, Hood County, Texas.
61. Damage Prevention Docket No. 008112: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2210 Houston Street (N.W. 22nd), Grand Prairie, Dallas County, Texas.
62. Damage Prevention Docket No. 008013: North Dallas Fence enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 6021 Stone Trace Lane (Wildflower), Flower Mound, Denton County, Texas.
63. Damage Prevention Docket No. 008014: 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 6021 Stone Trace Lane (Wildflower), Flower Mound, Denton County, Texas.
64. Damage Prevention Docket No. 008015: The Lane Construction Corp. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2001 Precinct Line Road (Cannon), Hurst, Tarrant County, Texas.
65. Damage Prevention Docket No. 008016: 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 2001 Precinct Line Road (Cannon), Hurst, Tarrant County, Texas.
66. Damage Prevention Docket No. 008017: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1710 Lynn Drive (Armstrong), Garland, Dallas County, Texas.
67. Damage Prevention Docket No. 008018: 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 921 Turner (Davis), Waco, McLennan County, Texas.
68. Damage Prevention Docket No. 008019: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

§18.8(a), at 1303 Commerce Street (Country Club), Garland/Intersection of Country Club and Commerce, Dallas County, Texas.

69. Damage Prevention Docket No. 00820: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 421 Santa Fe (Fresno), Woodway, McLennan County, Texas.

70. Damage Prevention Docket No. 008021: 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 2606 Fordham Road (Cardinal), Dallas, Dallas County, Texas.

71. Damage Prevention Docket No. 008022: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1700 Collins (Connally Terrace), Arlington, Tarrant County, Tarrant County, Texas.

72. Damage Prevention Docket No. 008023: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 724 Field Street (Carnes), Gainesville, Cooke County, Texas.

73. Damage Prevention Docket No. 008024: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 8221 Boulevard 26 (Strummer), North Richland Hills, Tarrant County, Texas.

74. Damage Prevention Docket No. 008025: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 409 Sandpiper (Sandpiper and Bobwhite), Mesquite, Dallas County, Texas.

75. Damage Prevention Docket No. 008027: T & L Irrigation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Hwy 722 (South County Line Road), Channing, Hartley County, Texas.

76. Damage Prevention Docket No. 008028: VK Knowlton Construction & Utility enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 126 West Ansley Blvd. (Morsund), San Antonio, Bexar.

77. Damage Prevention Docket No. 008030: Agitexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at FM 789 and CR 135, Hale County, Texas.

78. Damage Prevention Docket No. 008032: Agitexgas, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at FM 145 and CR 25, Claytonville, Swisher County, Texas.

79. Damage Prevention Docket No. 008033: Swisher Electric Coop. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at FM 145 and CR 25, Claytonville, Swisher County, Texas.

80. Damage Prevention Docket No. 008035: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

§18.8(a), at 301 West Airport Freeway (East Newton Circle), Irving, Dallas County, Texas.

81. Damage Prevention Docket No. 008036: DJ Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 408 South New Hope Road (West Mansfield), Kennedale, Tarrant County, Texas.

82. Damage Prevention Docket No. 008037: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 408 South New Hope Road (West Mansfield), Kennedale, Tarrant County, Texas.

83. Damage Prevention Docket No. 008038: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5201 Smokerise (Firewood), Arlington, Tarrant County, Texas.

84. Damage Prevention Docket No. 008039: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 12908 Fall Manor Drive (Harkness), Dallas, Dallas County, Texas.

85. Damage Prevention Docket No. 008040: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11538 Denton Drive, Dallas, Dallas County, Texas.

86. Damage Prevention Docket No. 008041: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Brinker and Loop 288, Denton, Denton County, Texas.

87. Damage Prevention Docket No. 008042: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at FM 982 (Hwy 380), Princeton, Collin County, Texas.

88. Damage Prevention Docket No. 008043: City of Burnet enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 308 North Water (Johnson), Burnet, Burnet County, Texas.

89. Damage Prevention Docket No. 008045: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5624 Blue Ridge Drive (Weiler Drive), Fort Worth, Tarrant County, Texas.

90. Damage Prevention Docket No. 008046: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1585 Fairlakes Point Drive (Fairview Ct.), Rockwall, Rockwall County, Texas.

91. Damage Prevention Docket No. 008049: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3016 Raton Drive (Sierra Drive), Fort Worth, Tarrant County, Texas.

92. Damage Prevention Docket No. 008051: Texas Comm Company LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(e), at 7 Crosslands Road (Legend Road), Benbrook, Tarrant County, Texas.

93. Damage Prevention Docket No. 008052: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Crosslands Road (Legend Road), Benbrook, Tarrant County, Texas.
94. Damage Prevention Docket No. 008053: Texstar Enterprises, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 11924 Vance Jackson (Huebner), San Antonio, Bexar County, Texas.
95. Damage Prevention Docket No. 008054: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1007 Avenue G, South Houston, Harris County, Texas.
96. Damage Prevention Docket No. 008055: City of Princeton enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2nd and Jefferson (2nd), Princeton, Collin County, Texas.
97. Damage Prevention Docket No. 008057: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1223 Grant Street (South Denley Drive), Dallas, Dallas County, Texas.
98. Damage Prevention Docket No. 008058: Superior Concrete Fence enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 10325 Lake June Road, Dallas, Dallas County, Texas.
99. Damage Prevention Docket No. 008059: Gage Electric Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 915 East Yandell (Montana), El Paso, El Paso County, Texas.
100. Damage Prevention Docket No. 008060: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.5(a) and 18.8(a), at 10325 Lake June Road, Dallas, Dallas County, Texas.
101. Damage Prevention Docket No. 008061: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 201 East Parks Avenue (North Jackson), Waxahachie, Ellis County, Texas.
102. Damage Prevention Docket No. 008062: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 214 Meadow Park Drive (Hanon Street), White Settlement, Tarrant County, Texas.
103. Damage Prevention Docket No. 008063: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3525 Chaney Lane (Bentley Drive), Plano, Collin County, Texas.
104. Damage Prevention Docket No. 008064: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5815 West Jefferson Blvd. (Merrifield), Dallas, Dallas County, Texas.
105. Damage Prevention Docket No. 008065: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3002 Harvard Street (Rochelle), Irving, Dallas County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

106. O&G 01-0263787: Anadarko E&P Company LP to consider temporary field rules for oil and gas wells in the Briscoe Ranch (Eagleford) Field, Dimmit and Webb Counties, Texas.

107. O&G 01-0264373: Diamondback Operating to consider permanent field rules for the Hackberry Creek (Canyon) (37928400) Field, Edwards County, Texas.

108. O&G 01-0264380: Texas Secondary Oil Corporation to amend the field rules for the Adams (Buda) (00621200) Field, Medina County, Texas.

109. O&G 02-0263917: Dune Operating Company to amend the permanent field rules for Toro Grande (8700 Sd) (90792625) Field Jackson County, Texas.

110. O&G 02-0264010: EOG Resources, Inc. to consider temporary special oil field rules, Eagleville (Eagle Ford) (27135500) Field, Karnes County, Texas.

111. O&G 03-0264215: Allied-Gulf Energy, LLC, to consider the cancellation of overproduction for the Elenor Sherron, et al. Lease, Well No. 1, Ineeda (Hackberry) (44517220) Field, Jefferson County, Texas.

112. O&G 04-0264216: Newfield Exploration Company to consider consolidation of the Sarita, Sarita (AA), Sarita (Fleming), Sarita (BB), Sarita(1-B), Sarita (1-A), Sarita (1-A,E), Sarita (1-F,C), Sarita (1-F(W)), Sarita (1-G), Sarita (1-G,A), Sarita (1-G,C), Sarita (1-G,E), Sarita (1-G-,W), Sarita (2-A), Sarita (2-B), Sarita (2-C), Sarita (2-D), Sarita (2-D,W), Sarita (2-F), Sarita (2-F,L), Sarita (2-F,SW), Sarita (2-G), Sarita (2-G,S), Sarita (2-H), Sarita (2-J), Sarita (2-J,W), Sarita (2-J, SW), Sarita (2-J, SW, II), Sarita (2-K, W), Sarita (2-L) Sarita (2-M), Sarita (3-B), Sarita (3-B, W), Sarita (3-B, NW), Sarita (3-C, E), Sarita (3-C, S), Sarita (3-D), Sarita (3-E), Sarita (3-G, SW), Sarita (4-A), Sarita (4-G), Sarita (4-H), Sarita (4-H,W), Sarita (5-B), Sarita 5-C,W), Sarita (5-C), Sarita (5-C, SW), Sarita (5-D), Sarita (5-D,W), Sarita (5-D, Upper), Sarita (5-E SW), Sarita (5-E, W), Sarita (5-G), Sarita (5-G & H, E), Sarita (5-G & H, SW), Sarita (5-GG, W), Sarita (5-KLM, C), Sarita (5-L&M,SW), Sarita (5-P), Sarita (5-P,L), Sarita (5-P,W), Sarita (5-Q, SW), Sarita (5-Q, W), Sarita (6-A, C), Sarita (6-A, W), Sarita (6-A), Sarita (6-B), Sarita (6-C), Sarita (6-D), Sarita (6-G), Sarita (6-H), Sarita (7-B), Sarita (7-B, E), Sarita (7-B, NW), Sarita (7-B, S.), Sarita (7-B, SE.), Sarita (7-B,W), Sarita (7-D & E), Sarita (7-F), Sarita (7-H), Sarita (7-R & S, C), Sarita (7-R & S, SO.), Sarita (8-B), Sarita (8-C, E), Sarita (8-C, S.), Sarita (8-D), Sarita (8-D,S), Sarita (8-E), Sarita (9-A), Sarita (9-A, SE), Sarita (9-B), Sarita (9-B,W), Sarita (10-A), Sarita (10-A, C), Sarita (10-A, W), Sarita (10-G), Sarita (10-H), Sarita (10-H,SE), Sarita (10-H, SW), Sarita (10-J), Sarita (11-A & B, C), Sarita (11-A & B, E), Sarita (11-A, S.), Sarita (11-C), Sarita (12-A, C), Sarita (12-A, E & C), Sarita (12-A, S), Sarita (12-B), Sarita (12-B,W), Sarita (12-E & F), Sarita (12-HH), Sarita (13-B), Sarita (13-B, SW), Sarita (13-D & E), Sarita (13-H), Sarita (13-H, C), Sarita (13-H, E), Sarita (14-A, C), Sarita (14-A, SW), Sarita (14-A, W), Sarita (14-CCC), Sarita (14-CCC, E), Sarita (14-C, NE.), Sarita (14-C,W), Sarita (14-D), Sarita (14-D,W), Sarita (14-E, C), Sarita (14-E, E), Sarita (14-E, W), Sarita (14-F), Sarita (14-F, E), Sarita (14-H, C), Sarita (15-B), Sarita (15-C), Sarita (15-E, C), Sarita (15-E, E), Sarita

(15-E,W), Sarita (15-F), Sarita (15-F, C), Sarita (15-J), Sarita (15-K, C), Sarita (15-K, E), Sarita (15-L Sand), Sarita (15-L, N), Sarita (15-Z\M), Sarita (15-M, C), Sarita (15-P), Sarita (15-P, SE), Sarita (15-S), Sarita (15-S,C), Sarita (15-S, W), Sarita (15-V), Sarita (15-V,C), Sarita (16-A), Sarita (16-A, C), Sarita (16-B), Sarita (16-C), Sarita (16-C,W), Sarita (16-E), Sarita (16-E, SE.), Sarita (16-F), Sarita (16-F,WW), Sarita (16-G), Sarita (16-H), Sarita(16-K), Sarita (16-K, C), Sarita (16-K, E),Sarita (16-K,WW), Sarita (16-l), Sarita (17-A),Sarita (17-A,W), Sarita (17-A 8000), Sarita(17-E), Sarita (17-E,W.), Sarita (17-EE, W-2),Sarita (17-E, E.), Sarita (17-G), Sarita (17-G,C), Sarita (17-G, East), Sarita (17-H, E.), Sarita (17-I), Sarita (17-I,C), Sarita (17-N), Sarita (18-A), Sarita (18-B), Sarita (18-C & G, NE.), Sarita (18-G E), Sarita(19-F), Sarita (19-H), Sarita (19-M), Sarita (850), Sarita (1500), Sarita (1975), Sarita (2490), Sarita (3200), Sarita (9300), Sarita (10200), Sarita, SW. (B-82), Sarita, SW. (B-98), Sarita, SW. (C-04), Sarita, SW (2-G), Sarita, W. (2000), Sarita Shallow (1740 SD), And Sarita Shallow (1890 SD) Fields, into a Single Field to Be Known as the Sarita (Miocene-Frio Cons.) Field, and to adopt permanent field rules for the proposed consolidated field, Jim Wells, Kenedy, and Kleberg Counties, Texas.

113. O&G 10-0262520: Blue Dolphin Production LLC to consider temporary field rules for the Laketon, East (Arbuckle) (51666500) Field, Gray County, Texas.

114. O&G 01-0264559: Swift Energy Operating, LLC, for the recommendation of a tight gas formation for the Olmos Formation of A.W.P. (Olmos) Field, McMullen County, Texas.

115. O&G 02-0264558: Continental Operating Co. for the recommendation of a tight gas formation for the Middle Wilcox Formation of Goebel (9600) Field, Live Oak County, Texas.

116. O&G 02-0264560: Milagro Exploration, LLC, for the recommendation of a tight gas formation for the 11,300, 11,600 and 12,600 Sands of the Wilcox Formation of Emma Haynes (11,400 Wilcox) Field, Goliad and De Witt Counties, Texas.

117. O&G 02-0264661: Milagro Exploration, LLC, for the recommendation of a tight gas formation for the Wilcox Formation of Old Buzzard (Wilcox) Field, Goliad County, Texas.

118. O&G 03-0264565: Hilcorp Energy Company for the recommendation of a tight gas formation for the Frio Formation of Old Ocean (F-26) Field, Brazoria County, Texas.

119. O&G 06-0264615: Petrohawk Operating Company for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the South Tyler Paluxy Unit (#14664) Lease, Tyler (#92179001) Field, Smith County, Texas.

120. O&G 08-0264614: Whiting Oil and Gas Corporation for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Obrien, G. W., et. al. (#07338) Lease, Ward-Estes, North (#95152 001) Field, Ward County, Texas.

121. O&G 7C-0264561: FIML Natural Resources, LLC, for the recommendation of a tight gas formation for the Strawn Formation of Coos (Penn Strawn) and J.D. Gas (Strawn) Fields, Crockett and Val Verde Counties, Texas.

122. O&G 8A-0264554: Occidental Permian Ltd. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Wilder "C" (#68771) Lease, Wasson 72 (#95431 001) Field, Yoakum County, Texas.

123. Claim by SimpcO Oil & Gas against the proceeds from the sale of salvage recovered during State-funded plugging operations on the following well: SimpcO Oil & Gas (783485), Jones Lease (16314), Well No. 1, Comanche County Regular Field, Comanche County, Texas; State-funded Plug Code 7B-16217.

124. Claim by S & V Operating against the proceeds from the sale of salvage recovered during State-funded plugging and cleanup operations on the following well: S & V Operating (741631), Kennedy, C. E. Lease (26301), Well No. 2, Coleman County Regular Field, Coleman County, Texas; State-funded Plug Code 7B-16681; State-funded Cleanup Code 7B-54228.

125. Claim by S & V Operating against the proceeds from the sale of salvage recovered during State-funded plugging and cleanup operations on the following well: S & V Operating (741631), Kennedy, C. E. Lease (01290), Well Nos. 1, 3, and 4, Talpa, North (Serratt) Field, Coleman County, Texas; State-funded Plug Code 7B-16680; State-funded Cleanup Code 7B-54227.

126. Claim by Olga Moore against the proceeds from the sale of salvage recovered during State-funded plugging operations on Frickle Production Company, Bayne Lease (20646), Well No. 1, Caldwell (Austin Chalk) Field, Brazos County, Texas; State-funded Plug Code 03-16772.

MASTER DEFAULT ORDERS

The Commission unanimously approved the following default orders:

127. O&G 03-0262226: Hidalgo Exploration & Prod. Co. enforcement action regarding (385391) Operator, Alexander-Burt (02415) Lease, Well Nos. 1 and 3, Humble (43464001) Field, Harris County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

128. O&G 10-0261991: Caldwell Production Co. Inc. enforcement action regarding Sisters (01345) Lease, Well Nos. 1, 3, 6, 5, 8, and 9, Panhandle Hutchinson County (68887001) Field, Hutchinson County, Texas. Violation of Rule 14(b)(2).

129. O&G 7C-0262381: Penergy enforcement action regarding Vaughan -B- (02053) Lease, Well Nos. 3 and 5, Vaughn (93264001) Field, Vaughan, -A- T. (02073) Lease, Well No. 2, Vaughn (93264001) Field, Shannon -D- (07086) Lease, Well No. 1, Vaughn (Queen) (93264400) Field, Crockett County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

130. O&G 7C-0262809: Oasis Petroleum, LLC enforcement action regarding Lone Star Schleicher (15963) Lease, Well No. 1, Wildcat (00016001) Field, Schleicher County, Texas. Violation of Statewide Rules 14(b)(2); 3(1) and (2); 8(d)(4)(G)(i)(I).

OFFICE OF GENERAL COUNSEL-RULES

PROPOSAL

131. New rules in new 16 Tex. Admin. Code Chapter 5 to implement provisions in the Texas Water Code and the Texas Natural Resources Code, as enacted by Senate Bill 1387, 81st Legislature (Regular Session, 2009), relating to geologic storage of carbon dioxide in, and the injection of carbon dioxide into, a reservoir that is initially or may be productive of oil, gas, or geothermal resources or a saline formation directly above or below that reservoir (O&G Docket No. 20-0264802). The Commission unanimously approved the staff recommendation to publish this proposal for a 30 day period.

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

132. 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.

133. Issues related to the Sunset Commission review of the Railroad Commission. The Commission received an update from Railroad Commission Executive Director, John Tintera.

ADMINISTRATION DIVISION

134. Commission acknowledgment of acceptance of a gift from Heath Consultants of a remote methane leak detector to assist in the Pipeline Safety Division's leak monitoring activities. The Commission unanimously approved and acknowledged the acceptance of the gift.

ALTERNATIVE ENERGY DIVISION

135. SECO Grant CMD # 3583-1: (1) authorization of interlocal grant agreements; and (2) delegation of authority to the Deputy Executive Director to execute the agreements on behalf of the Commission. The Commission unanimously approved this item.

136. Delegation of authority to the Deputy Executive Director to execute an interagency agreement with the Texas Department of Transportation on behalf of the Commission for the acquisition of propane powered vehicles. The Commission unanimously approved this item.

137. Interlocal grant agreements for the acquisition of propane powered vehicles and propane fueling stations: (1) authorization of the agreements; and (2) delegation of authority to the Deputy Executive Director to execute the agreements on behalf of the Commission. The Commission unanimously approved the staff recommendation.

OFFICE OF GENERAL COUNSEL

138. Federal Energy Regulatory Commission; Docket No. RM08-2-001; Order No. 720-A; Pipeline Posting Requirements under Section 23 of the Natural Gas Act. Chairman Carrillo abstained from this item. Commissioner William and Commissioner Jones unanimously agreed to appeal this order.

COMMISSIONERS

Chairman Carrillo

139. Issues related to the "Petition for Reconsideration of Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Sec. 202(a) of the Clean Air Act" filed by Texas, et al, with the U.S. EPA on February 16, 2010. The Commission unanimously approved and authorized the Commission's General Counsel, Lindil Fowler, to work with the Attorney Generals office to enroll the Railroad Commission as a party to this petition.

140. Issues related to the Petition for Review filed by Texas, et al, in the DC Circuit Court of Appeals on February 16, 2010, seeking review of the final action of the U.S. EPA published in the Federal Register at 74 Fed. Reg. 66,496 et seq. (Dec. 15, 2009), and titled "Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act, Final Rule." The Commission unanimously approved and authorized the Commission's General Counsel, Lindil Fowler, to work with the Attorney Generals office to enroll the Railroad Commission as a party to this petition.

Commissioner Williams

141. GUD No. 9948: Atmos Energy Corp., Mid-Tex Div., steel service line replacement program. The Commission heard a presentation by the Commission's Pipeline Safety Director Mary McDaniel.

PUBLIC INPUT

142. 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. No member of the public provided input at this time.

The conference was adjourned at 10:14 am.