

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

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
MARCH 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, March 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. LP-Gas Docket No. 02063: enforcement action against Westex Capital, Ltd. dba Pico Petroleum (License No. 11131) for alleged violation of Commission LP-Gas Safety Rule §9.135 at Casino Grocery & Market, Eagle Pass, Maverick County, Texas. The Commission unanimously approved the examiners recommendation.

GAS SERVICES UNPROTESTED

2. GUD No. 9857: Application of EasTrans, LLC pursuant to Section 311 of the Natural Gas Policy Act for review of the reasonableness of a transportation rate. The Commission unanimously approved this application.

3. GUD No. 9841: Application filed by ETC Katy Pipeline, Ltd. to review a rate being charged under an existing gas sales contract. The Commission unanimously approved this application.

SURFACE MINING AND RECLAMATION

4. Docket No. C7-0025-SC-27-C: Motion for rehearing on application by Walnut Creek Mining Company for renewal/revision for Permit No. 27F, Calvert Mine, Robertson County, Texas. The Commission unanimously approved the examiner's recommendation to deny the motion for rehearing.

OIL AND GAS PROTESTED

5. O&G 06-0260343: Gillis, Jesse commercial application for a permit to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas, Hudspeth Lease, Well No. 1s, Coney (Rodessa) Field, Shelby County, Texas. The Commission unanimously approved the application.

6. O&G 01-0258274: Sabinal Resources, Inc. enforcement action regarding House Brothers Lease, Well No. 1 (0611765) permit, House Brothers Lease, Well No. 2 (0614381) permit, Wildcat (00002001) field, Zavala County, Texas Violation of Statewide Rules 14(b)(2); 16(b); 8(d)(2). The Commission unanimously approved the examiner's recommendation.

MOTION FOR REHEARING

7. O&G 0258300: Phoenix Hydrocarbons Operating to consider an exception to Statewide Rule 37 for the Reeves Unit Well No. 1, Wildcat Field, Jarvis Dome (Pecan Gap) Field, and Jarvis Dome (Woodbine) Fields, Anderson County, Texas. The Commission unanimously approved the examiner's recommendation to deny the motion for rehearing.

8. O&G 06-0262483: Commission called hearing to consider the complaint of Graward Operating, Inc. that commercial disposal well Permit No. 12794 for the Complete Vacuum and Rental, Inc. Jackson Swd Well No. 1, Panola County, Texas, should be revoked, modified, or suspended. The Commission unanimously approved the examiner's recommendation to deny the motion for rehearing.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

9. O&G 02-0253872: Samurai Operating Co. L.L.C. enforcement action regarding Geffert Unit (06293) Lease, Well No. 02, Chapa, Lucio (06316) Lease, Well No. 02, Chapa "A" Unit (07633) Lease, Well No. 01, Houdman (Pettus B) (42833425) Field, Live Oak County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

10. O&G 02-0264244: Viper S.W.D., LLC enforcement action regarding McHaney, George (04367) Lease, Well No. 2, Carancahua Creek (Tm a Lo) (15533076) Field, Jackson County, Texas. Violation of Statewide Rule 14(b)(1).

11. O&G 01-0262912: Navarro Exploration Co., Inc. enforcement action regarding (601103) Operator, Bates, R. M. (06124) Lease, Well Nos. 4, 5, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, and 43, Minerva-Rockdale (61858001) Field, Milam County, Texas. Violation of Statewide Rule 3(1) and (2).

12. O&G 09-0263003: McCormick Operating enforcement action regarding Sloan (24361) Lease, Well Nos. 3 and 4, Jack County Regular (45274001) Field, Jack County, Texas. Violation of Statewide Rule 14(b)(2).

13. LP-Gas Docket No. 2089: Ferrellgas, L.P. enforcement action for violation of LP-Gas Safety Rule §9.135, at Wise County Animal Clinic, Business 380 and 51, 1000 Business Hwy 380 East, Decatur, Wise County, Texas.

14. GUD Docket No. 9913: 4583 Pine to Palm Resort Park/Weslaco enforcement action for violation of Pipeline Safety Rule 16 Tex. Admin. Code §8.225(a), at Pine to Palm Resort Park/Weslaco, 802 South International Blvd., Weslaco, Hidalgo County, Texas.

15. Damage Prevention Docket No. 003232: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 807 Walkwood Ct., Houston, Harris County, Texas.
16. Damage Prevention Docket No. 004772: City of Tyler enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2707 North Grand Avenue, Tyler, Smith County, Texas.
17. Damage Prevention Docket No. 005298: Daniel Brown enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 16719 North Glade (North Meadow Drive), Houston, Harris County, Texas.
18. Damage Prevention Docket No. 007046: Shaw Eni enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 504 Forrester Street (FM 118), Greenville, Hunt County, Texas.
19. Damage Prevention Docket No. 007189: Cano Painting enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2022 Claire Ct. (Randall Oak), Sugar Land, Fort Bend County, Texas.
20. Damage Prevention Docket No. 007273: F & F Utility Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1728 East Ohio (Ozona), Dallas, Dallas County, Texas.
21. Damage Prevention Docket No. 007346: Monarch Pools Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 13615 Llano Pass Ct. (Blanco Trails), Cypress, Harris County, Texas.
22. Damage Prevention Docket No. 007355: Heights Electric Services, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3750 FM 2854 (Steve Owens Drive), Conroe, Montgomery County, Texas.
23. Damage Prevention Docket No. 007475: Archer Western Construction Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 9203 Denton Drive, Dallas, Dallas County, Texas.
24. Damage Prevention Docket No. 007570: 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 8706 Bent Tree Drive (Greenleaf), College Station/Emerald Forest, Brazos County, Texas.
25. Damage Prevention Docket No. 007574: Cordillera Energy Prtnrs III, LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(b) and 18.11(a), at County Road 29 and County Road J, Wheeler, Wheeler County, Texas.
26. Damage Prevention Docket No. 007578: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4103 West Slaughter Lane (Mopac), Austin, Travis County, Texas.
27. Damage Prevention Docket No. 007580: Texas Gas Service Company enforcement

action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11406 Ashprington CV (Ashprington Lane), Austin, Travis County, Texas.

28. Damage Prevention Docket No. 007663: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 113 South Stewart, Azle, Tarrant County, Texas.

29. Damage Prevention Docket No. 007865: Custom Pool Concepts enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 94 South Hawthorne Hollow Circle, The Woodlands, Montgomery County, Texas.

30. Damage Prevention Docket No. 007870: National Sign Plazas, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Williford (Hwy 78), Sachse, Dallas County, Texas.

31. Damage Prevention Docket No. 008031: C D Repairs enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at FM 2337 and FM 1914, Hale Center, Hale County, Texas.

32. Damage Prevention Docket No. 008044: Ace Fence enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.1, 18.11(b), and 18.11(b), at 5011 Harbour Town Ct., College Station, Brazos County, Texas.

33. Damage Prevention Docket No. 008056: 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 2nd and Jefferson (2nd), Princeton, Collin County, Texas.

34. Damage Prevention Docket No. 008066: Huff & Mitchell, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 14611 Laredo Street, Cloverleaf, Harris County, Texas.

35. Damage Prevention Docket No. 008067: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2215 West Clarendon Drive (Montreal Street), Dallas, Dallas County, Texas.

36. Damage Prevention Docket No. 008068: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2927 Stinwick Lane (Magna Carta), Grand Prairie, Tarrant County, Texas.

37. Damage Prevention Docket No. 008069: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5813 Yacht Club (Aurora Circle), Rockwall, Rockwall County, Texas.

38. Damage Prevention Docket No. 008070: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 12434 Brazos Bend Trail (Grand Teton Trail), Atascocita, Harris County, Texas.

39. Damage Prevention Docket No. 008071: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 18737 Kuykendahl Road (Louetta Road), Houston, Harris County, Texas.

40. Damage Prevention Docket No. 008072: West Texas Rural Telephone enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Intersection FM 1058 and FM 1057, Hereford, Deaf Smith County, Texas.
41. Damage Prevention Docket No. 008073: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Intersection FM 1058 and FM 1057, Hereford, Deaf Smith County, Texas
42. Damage Prevention Docket No. 008074: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 600 North Wynne (Jordan), Pampa, Gray County, Texas.
43. Damage Prevention Docket No. 008075: Caprock Utility enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2708 2nd Avenue (Elm), Canyon, Randall County, Texas.
44. Damage Prevention Docket No. 008076: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2708 2nd Avenue (Elm), Canyon, Randall County, Texas.
45. Damage Prevention Docket No. 008077: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3344 Berzin (Heritage Drive), Katy, Harris County, Texas.
46. Damage Prevention Docket No. 008078: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Dixie Farm Road (Inverness Lane), Pearland, Brazoria County, Texas.
47. Damage Prevention Docket No. 008079: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3000 West Commerce Street (Lone Star), Dallas, Dallas County, Texas.
48. Damage Prevention Docket No. 008080: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at School Street (Bus Hwy 78), Blue Ridge, Collin County, Texas.
49. Damage Prevention Docket No. 008081: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at FM 91 (Spur 91), Medicine Mound, Hardeman County, Texas.
50. Damage Prevention Docket No. 008082: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 6110 Ken Avenue (Sublett), Arlington, Tarrant County, Texas.
51. Damage Prevention Docket No. 008084: Standard Utility enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2516 Boothill, Fort Worth (Alliance Area), Tarrant County, Texas.
52. Damage Prevention Docket No. 008085: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2516 Boothill Lane, Fort Worth (Alliance Area), Tarrant County, Texas.

53. Damage Prevention Docket No. 008086: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1238 Delmont Drive (Dublin), Richardson, Dallas County, Texas.
54. Damage Prevention Docket No. 008087: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 116 North 2nd Street (West Belknap), Jacksboro, Jack County, Texas.
55. Damage Prevention Docket No. 008089: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 907 South Carroll, Dallas, Dallas County, Texas.
56. Damage Prevention Docket No. 008091: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Blue Ridge (Rock Hill), Fort Worth, Tarrant County, Texas.
57. Damage Prevention Docket No. 008092: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1025 West Pioneer Parkway (Carrier), Grand Prairie, Dallas County, Texas.
58. Damage Prevention Docket No. 008094: City of Quanah enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 205 West 5th Street (Green Street), Quanah, Hardeman County, Texas.
59. Damage Prevention Docket No. 008095: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1005 Collier, Denton, Denton County, Texas.
60. Damage Prevention Docket No. 008096: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 6121 8th Drive, Lubbock, Lubbock County, Texas.
61. Damage Prevention Docket No. 008098: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2309 North 5th Street (Avenue R), Tahoka/North Tahoka Addition, Lynn County, Texas.
62. Damage Prevention Docket No. 008099: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1920 Westover Square, Westover Hills, Tarrant County, Texas.
63. Damage Prevention Docket No. 008100: Site Planning Site Development enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1920 Westover Square, Westover Hills, Tarrant County, Texas.
64. Damage Prevention Docket No. 008101: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Davis Blvd (Burse), North Richland Hills, Tarrant County, Texas.
65. Damage Prevention Docket No. 008102: 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 11006 Lake June Road (Jills), Balch Springs, Dallas County, Texas.

66. Damage Prevention Docket No. 008104: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 309 Pine Street, Santa Anna, Coleman County, Texas.

67. Damage Prevention Docket No. 008105: Underground Technologies, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 2411 McIlhenny (Dowling), Houston, Harris County, Texas.

68. Damage Prevention Docket No. 008107: Longview Bridge and Road enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 159 FM 997, Daingerfield, Morris County, Texas.

69. Damage Prevention Docket No. 008108: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 0000 Marsha Sharp Freeway (Avenue W), Lubbock, Lubbock County, Texas.

70. Damage Prevention Docket No. 008110: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at Frankford (Hillcrest), Dallas, Collin County, Texas.

71. Damage Prevention Docket No. 008112: House of Power Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 113 Paleos Flint Drive (Torquiose Trade), La Marque, Galveston County, Texas.

72. Damage Prevention Docket No. 008113: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 319 West Wellington Street (Brownwood Cir), Carthage, Panola County, Texas.

73. Damage Prevention Docket No. 008114: Chaparral Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3111 Dogwood Knoll Trail (Elm Hollow), Rosenberg, Fort Bend County, Texas.

74. Damage Prevention Docket No. 008115: Royal Fence enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 7603 Kings River Cir, Atascocita, Harris County, Texas.

75. Damage Prevention Docket No. 008116: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 303 South Denton (Dorothy), Justin, Denton County, Texas.

76. Damage Prevention Docket No. 008117: 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 9127 Rich Mountain (Twin Diamond), Atascocita, Harris County, Texas.

77. Damage Prevention Docket No. 008118: CenterPoint Energy Entex enforcement

action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 74 North Gary Glen Circle (South Gary Glen Circle), The Woodlands/Gary Glen, Montgomery County, Texas.

78. Damage Prevention Docket No. 008122: 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 816 South Commerce Street, Centerville/Centerville Housing Authority, Leon County, Texas.

79. Damage Prevention Docket No. 008123: XIT Paving & Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 100 South Main Street (Broad), Mansfield, Tarrant County, Texas.

80. Damage Prevention Docket No. 008125: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 600 Webb Street (Crockett Street), Daingerfield, Morris County, Texas.

81. Damage Prevention Docket No. 008126: MP Technologies LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 17611 Cassina Drive (Cypresswood), Spring, Harris County, Texas.

82. Damage Prevention Docket No. 008128: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(b) and 18.11(a), at 16343 Bodega (Marinwood), Houston, Harris County, Texas.

83. Damage Prevention Docket No. 008129: PM Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(e) and 18.11(b), at 16343 Bodega (Marinwood), Houston, Harris County, Texas.

84. Damage Prevention Docket No. 008130: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1603 92nd, Lubbock, Lubbock County, Texas.

85. Damage Prevention Docket No. 008133: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at North Nashville and Clovis Road, Lubbock, Lubbock County, Texas.

86. Damage Prevention Docket No. 008135: City of Elkhart enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 107 Pilgrim Street, Elkhart, Anderson County, Texas.

87. Damage Prevention Docket No. 008136: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 107 Pilgrim Street, Elkhart, Anderson County, Texas.

88. Damage Prevention Docket No. 008137: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1182 34th Street, Lubbock, Lubbock County, Texas.

89. Damage Prevention Docket No. 008138: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rules 16 TAC

§§18.8(a) and 18.11(a), at 1140 34th Street, Lubbock, Lubbock County, Texas.

90. Damage Prevention Docket No. 008140: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1118 34th Street, Lubbock, Lubbock County, Texas.

91. Damage Prevention Docket No. 008141: City of Sulphur Springs enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 214 Houston Street (Church), Sulphur Springs, Hopkins County, Texas.

92. Damage Prevention Docket No. 008142: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 13421 Ingram (Ackerman), Horizon City, El Paso County, Texas.

93. Damage Prevention Docket No. 008144: Southwest Water Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a) and 18.11(b), at 3944 Kristencreek Lane (Newland Drive), Brushy Creek, Williamson County, Texas.

94. Damage Prevention Docket No. 008145: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Grant and Dale, Winters, Runnels County, Texas.

95. Damage Prevention Docket No. 008146: Albert Goettle Plumbing, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 3737 Terilynn Drive (Mark Street), Longview/Thomas Manor, Gregg County, Texas.

96. Damage Prevention Docket No. 008147: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 10706 FM 307 (Hwy 137), Greenwood, Midland County, Texas.

97. Damage Prevention Docket No. 008148: Northern Pipeline enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Custer and Ports O Call, Plano, Collin County, Texas.

98. Damage Prevention Docket No. 008150: Thedford Construction Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 12000 Windmill Crossing (Wildhorse), Tyler, Smith County, Texas.

99. Damage Prevention Docket No. 008151: Atlas PL Mid-Cont. Westtexas, LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Hwy 137 (FM 307), Midland, Midland County, Texas.

100. Damage Prevention Docket No. 008152: Pradon Construction and Trucking LTD enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Hwy 137 (FM 307), Midland, Midland County, Texas.

101. Damage Prevention Docket No. 008153: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 14 East 37th Street (North Chadbourne Street), San Angelo, Tom Green

County, Texas.

102. Damage Prevention Docket No. 008154: Centex Foundation Repair Austin LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 401 El Secreto Street (Casa Loma Street), Buda, Hays County, Texas.

103. Damage Prevention Docket No. 008156: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2400 Block McHaney, Bryan, Brazos County, Texas.

104. Damage Prevention Docket No. 008159: Southland Fence & Supply Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 11822 Chateau Trail, Houston, Harris County, Texas.

105. Damage Prevention Docket No. 008160: RTM Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at Perrin Beitle (High Line), San Antonio, Bexar County, Texas.

106. Damage Prevention Docket No. 008162: ACM Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 1108 Joe Annie Street, Houston, Harris County, Texas.

107. Damage Prevention Docket No. 008166: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 504 Tidmore Street (Smith Street), Malakoff, Henderson County, Texas.

108. Damage Prevention Docket No. 008168: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Champions Blvd (Post Road), San Marcos, Hays County, Texas.

109. Damage Prevention Docket No. 008169: Bartlett Cocke General Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1401 Cedar Street (Chambers), Bastrop, Bastrop County, Texas.

110. Damage Prevention Docket No. 008170: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 927 Arp Drive (Cross Street), Troup, Cherokee County, Texas.

111. Damage Prevention Docket No. 008172: VK Knowlton Construction & Util enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 22535 Viajes (Reposo), San Antonio, Bexar County, Texas.

112. Damage Prevention Docket No. 008173: Texarkana Water Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 119 Short Capp, Texarkana, Bowie County, Texas.

113. Damage Prevention Docket No. 008174: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 119 Short Capp, Texarkana, Bowie County, Texas.

114. Damage Prevention Docket No. 008175: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 10150 State Hwy 48 (Chemical Road), Brownsville, Cameron County, Texas.
115. Damage Prevention Docket No. 008177: F & W Electrical Contractors, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at Loop 539 (Main Street), Cibolo, Guadalupe County, Texas.
116. Damage Prevention Docket No. 008178: Buz Henry Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 308 Emerald Ridge Drive (Azure Shores Street), Austin, Travis County, Texas.
117. Damage Prevention Docket No. 008179: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Sam Houston Blvd. (Milsap Street), Bastrop, Bastrop County, Texas.
118. Damage Prevention Docket No. 008182: Pulliam Pools enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(a) and 18.11(b), at 2102 Tembrook Cove (Paralee Drive), Katy, Fort Bend County, Texas.
119. Damage Prevention Docket No. 008184: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2544 Meadow Land (Morning Mist), Tyler, Smith County, Texas.
120. Damage Prevention Docket No. 008185: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2202 Wood Street, Texarkana, Bowie County, Texas.
121. Damage Prevention Docket No. 008186: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 308 Bailey Street (East Titus Street), Mexia/Alley behind, Limestone County, Texas.
122. Damage Prevention Docket No. 008188: 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 100 West Third (Concho), Coleman, Coleman County, Texas.
123. Damage Prevention Docket No. 008189: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 906 Baylor (Tulane), Longview, Gregg County, Texas.
124. Damage Prevention Docket No. 008190: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 617 South Kerr Street (Grady), Blooming Grove, Navarro County, Texas.
125. Damage Prevention Docket No. 008191: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 104 West Ross Street (Ardis Street), Sulphur Springs/City of Sulphur Springs, Hopkins County, Texas.

126. Damage Prevention Docket No. 008192: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 108 Houston Street (Young Street), Longview, Gregg County, Texas.

127. Damage Prevention Docket No. 008194: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1608 Jones (Gee), Greenville, Hunt County, Texas.

128. Damage Prevention Docket No. 008196: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 128 Memory Lane (US 287), Palestine, Anderson County, Texas.

129. Damage Prevention Docket No. 008197: City of Bonham enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 402 West 10th (Maple), Bonham, Fannin County, Texas.

130. Damage Prevention Docket No. 008198: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 402 West 10th (Maple), Bonham, Fannin County, Texas.

131. Damage Prevention Docket No. 008200: Rinks Lease Services enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 100 Block 1490 (Hwy 114), Levelland, Hockley County, Texas.

132. Damage Prevention Docket No. 008205: 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 509 North Hall, Caldwell, Burleson County, Texas.

133. Damage Prevention Docket No. 008206: La Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at St. Cloud (Bandera), San Antonio, Bexar County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

134. O&G 02-0263274: Sue-Ann Operating, L.C. to consider a net gas-oil ratio for its Keeran Estate Lease (09296), Well No. 11, and Keeran Lease (09297), Well No. 14, Koontz (Russell) Field, Victoria County, Texas.

135. O&G 03-0264369: Sandalwood Exploration, L.P. to consider an MER for the Raccoon Bend Uwx Ou/2 Lease, Well No. 1, Raccoon Bend (Uwx Cons. Fba) (74106845) Field, Austin County, Texas.

136. O&G 05-0264488: Rippy Oil Company to Consider a New Field Designation and Temporary Field Rules for the Simms Lease, Well No. 3h, Leon County, Texas.

137. O&G 08-0249244: Railroad Commission District 08 Commission Called Review of the Temporary Field Rules for the Keystone (Ellenburger) (49129330) Field, Winkler County, Texas.

138. O&G 8A-0264490: Noble Energy Inc to Amend Permanent Field Rules for the Newsom (Yates) (65370800) Field, Gaines County, Texas.

139. O&G 04-0264816: Newfield Exploration Co. for the recommendation of a tight gas formation for the Frio Formation of May South (K-57) Field, Kenedy County, Texas.

140. O&G 03-0264817: Hilcorp Energy Company for the recommendation of a tight gas formation for the Frio Formation of Old Ocean (F-25) Field, Brazoria County, Texas.

141. O&G 04-0264674: Suemaur Expl. & Prod., LLC for the recommendation of a tight gas formation for the Frio Formation of La Sal Vieja (Deep) Field, Willacy County, Texas.

142. O&G 05-0264659: Valence Operating Company for the recommendation of a tight gas formation for the Pettit and Travis Peak Formations of Farrar, SE (Pettit) and Farrar (Travis Peak) Fields, Freestone and Limestone Counties, Texas.

143. O&G 06-0264566: Southwestern Energy Production Co. for the recommendation of a tight gas formation for the James Lime Formation of Angie (James Lime) Field, Nacogdoches and San Augustine Counties, Texas.

144. O&G 03-0264564: Hilcorp Energy Company for the recommendation of a tight gas formation for the Frio Formation of Old Ocean, S. (Hellmuth 12,500) Field, Brazoria County, Texas.

145. O&G 7C-0263053: Fasken Oil and Ranch, Ltd. for the recommendation of a tight gas formation for the Wolfcamp Formation of Geaslin (Wolfcamp) Field, Terrell County, Texas.

146. O&G 08-0264468: Fasken Oil and Ranch, Ltd. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Abell Devonian Unit (#20813) Lease, Abell (Devonian) (#00292 203) Field, Crane County, Texas.

147. O&G 8A-0264755: Juno Operating Company, LLC for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the AOCO -Hoople (Clearfork) Unit (#68095) Lease, Hoople (Clear Fork) (#42499 500) Field, Crosby County, Texas.

MASTER DEFAULT ORDERS

The Commission unanimously approved the following default orders:

148. O&G 7B-0260785: Lucky Oil & Gas enforcement action regarding Harris, W.A. (086257) Lease, Well No. 1, DeLeon, N. (Strawn (23680500) Field, Comanche County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 3(2); 8(d)(1); 17(b).

149. O&G 7B-0260891: Lucky Oil & Gas enforcement action regarding Harris, W.A. (086624) Lease, Well No. 2, Harris, W. A. (089779) Lease, Well No. 3, DeLeon, N. (Strawn) (23680500) Field, Caldwell Estate (20372) Lease, Well No. 1, Sandy Ridge (80708500) Field, Comanche County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 13(b)(1); 3(2); 8(d)(1); 46(j).

150. O&G 7B-0261741: Lucky Oil & Gas enforcement action regarding Pack, H. N. (140313) Lease, Well No. 2, Desdemona (24389001) Field, Erath County, Texas. Violation of Statewide Rules: 14(b)(2): ,3(2).

151. O&G 7B-0261743: Lucky Oil & Gas enforcement action regarding Gillock Heirs (115484) Lease, Well No. 1, Gillock Heirs (Strawn) (34929990) Field, Comanche County, Texas. Violation of Statewide Rules: 14(b)(2): ,13(b)(1)(B).

OFFICE OF GENERAL COUNSEL-RULES

PROPOSAL

152. Amendment of 16 Tex. Admin. Code §3.30, relating to Memorandum of Understanding between the Railroad Commission of Texas (RRC) and the Texas Commission on Environmental Quality (TCEQ); O&G Docket No. 20-0264933. The Commission unanimously approved staff's recommendation to publish the proposal in the Texas Registry for a 30-day comment period.

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

153. Changes to agency budget structure elements. The Commission unanimously approved proposed changes as presented by staff.

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

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

COMMISSIONERS

Chairman Carrillo

156. Railroad Commission resolution recognizing April as National Safe Digging Month in Texas regarding the 811 Call-Before-You-Dig pipeline safety initiative. The Commission presented a resolution recognizing April as National Safe Digging Month to Joe Berry, Vice Chairman of the Texas One-Call Board.

Commissioner Jones

157. Request to Texas Commission on Environmental Quality for a no-cost amendment adding qualified natural gas equipment to Texas Emissions Reduction Program Contract No. 582-10-86279. This item was discussed and passed for further deliberation to the next conference.

Commissioner Williams

158. GUD No. 9948: Atmos Energy Corp., Mid-Tex Div., steel service line replacement program. This item was passed until the next available conference.

PUBLIC INPUT

159. 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 Mr. Soll Sussman, with the General Land Office, on item number 157.

The conference was adjourned at 10:26 am.