

OFFICIAL MINUTES
RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
DECEMBER 14, 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, December 14, 2010](#), commencing at [9:38 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 UNPROTESTED

1. GUD No. 9988: Petition for de novo review of the denial of the Statements of Intent filed by Texas Gas Service Company by the Cities of El Paso, Anthony, Clint, Horizon City, Socorro, and Village of Vinton, Texas.

GAS SERVICES UNPROTESTED

2. GUD No. 9996: Application of Texas Gas Service Company for 2008 Test Year annual interim rate adjustment for unincorporated areas of the Rio Grande Valley Service Area.

3. GUD No. 10034: West Texas Gas, Inc. Statement of Intent for rate increase in the environs of the Cities of Devine and Natalia, Medina County, Texas; City of Somerset, Bexar County, Texas; and in the rural areas of Atascosa, Bexar, and Medina Counties, Texas, that are within the original jurisdiction of the Railroad Commission.

4. GUD No. 10038: Statement of Intent filed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint") to increase rates on a division wide basis in the South Texas Division.

SURFACE MINING AND RECLAMATION

5. Docket No. C6-0006-SC-05-C: Application by Luminant Mining Company LLC for approval of renewal/revision/expansion of Permit No. 5F, Thermo Mine, Hopkins County, Texas.

6. Docket No. C11-0011-SC-05-E (contingent item): Request by Luminant Mining Company LLC for acceptance of replacement self-bond with third-party guarantee and indemnity agreement for reclamation performance bonding for Permit No. 5G, Thermo Mine, Hopkins County, Texas.

OIL AND GAS PROTESTED

7. O&G 0265651: XTO Energy Inc. application for a Statewide Rule 37 exception for the TWU B Unit Lease, Well No. 1h, Newark, East (Barnett Shale) Field, Tarrant County, Texas.

8. O&G 09-0264211: XTO Energy Inc. Pursuant to the Mineral Interest Pooling Act for the Formation of the proposed 232.01 Acre Twu A Unit, Newark, East (Barnett Shale) Field, Newark, East (Barnett Shale) (65280200) Field, Tarrant County, Texas.

AGREED ENFORCEMENT ORDERS

9. O&G 01-0261014: Cuatro Petro Corp. enforcement action regarding Pryor, Ike T. et al. -B- (071963) Lease, Well No. 1 C, Pryor, Ike T. et al. -B- (075789) Lease, Well No. 3 C, Pryor, Ike T. et al. -B- (078974) Lease, Well No. 4 C, Pryor Ranch, West (Olmos) (73332500) Field, Zavala County, Texas. Violation of Statewide Rule 14(b)(2).

10. O&G 05-0265371: Saiz, Salvador Q. enforcement action regarding Bain, J. C. #1880 (02269) Lease, Well Nos. 1, 2, and 3, Corsicana (Shallow) (20823500) Field, Navarro County, Texas. Violation of Statewide Rule 14(b)(2).

11. O&G 04-0266303: Dogwood Operating Company, Inc. enforcement action regarding (222023) Operator, J. M. Cuellar Ne (221232) Lease, Well No. 1, Taquachie Creek (Wilcox 11162) (88360200) Field, Zapata County, Texas. Violation of Statewide Rules 8(d)(1); 3(1) and (2).

12. O&G 06-0266362: Exco Operating Company, LP enforcement action regarding Griffin Ranch Gas Unit 6 #12 (0682685) Permit, Danville (Tp-cv Cons.) (23089800) Field, Gregg County, Texas. Violation of Statewide Rules 5; 11.

13. O&G 7B-0261117: Supreme Energy Company, Inc. enforcement action regarding Yarborough (24763) Lease, Well No. 1, Woodcock (Tannehill -A- Sand) (98515650) Field, Stonewall County, Texas. Violation of Statewide Rules 14(b)(2); 46(j).

14. O&G 7B-0261328: Harvick, George R. enforcement action regarding Brown "1609" (168992) Lease, Well No. 2, Throckmorton County Regular(gas) (89812025) Field, Throckmorton County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

15. O&G 6E-0263572: LTS Oil & Gas enforcement action regarding State Tract # 5 (07279) Lease, Well No. 1, East Texas (27302001) Field, Gregg County, Texas. Violation of Statewide Rule 8(d)(1).

16. O&G 09-0266808: Case Oil enforcement action regarding Holtzen, A. (16820) Lease, Well Nos. 3, 4, and 5, Wichita County Regular (97155001) Field, Wichita County, Texas. Violation of Statewide Rules 46(a); 73(1); 8(d)(2).

17. O&G 09-0266817: Robinson Oil Co. enforcement action regarding Lowe, A. J. (00491) Lease, Well No. 10, Archer County Regular (03446001) Field, Archer County, Texas. Violation of Statewide Rule 46(a) and (j).

18. O&G 01-0263486: Cuatro Petro Corp. enforcement action regarding Van Cleve,

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D.F. (12013) Lease, Well Nos. 2 and 4, Pilosa, East (2nd San Miguel) (71520500) Field, Zavala County, Texas. Violation of Statewide Rules 14(b)(2); 46(j); 3(1), (2), and (3).

19. LP-Gas Docket No. 2086: Heritage Propane Express enforcement action for violation of LP-Gas Safety Rule §9.132, at 7-11 No. 26589, 2800 N. O'Conner, Irving, Dallas County, Texas.

20. LP-Gas Docket No. 2109: Amerigas Propane LP enforcement action for violation of LP Gas Safety Rule §9.132, at Marsh Beer & Wine, 2745 E. Beltline Road and Marsh Lane, Carrollton, Dallas County, Texas.

21. LP-Gas Docket No. 2110: All Beverage Corp. enforcement action for violation of Tex. Nat. Res. Code §113.081(a)(1), at Marsh Beer & Wine, 2745 E. Beltline Road and Marsh Lane, Carrollton, Dallas County, Texas.

22. LP-Gas Docket No. 2145: Hop's Propane & Performance enforcement action for violation of LP-Gas Safety Rule §9.202(c)(3), at Hop's Propane & Performance Bob Tail Unit, Serial No. TP64772, 16103 Hwy 6, Santa Fe, Brazoria County, Texas.

23. LP-Gas Docket No. 2154: C.F.G. Propane, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at Super Burrito, 1117 I-10 West, Ft. Stockton, Pecos County, Texas.

24. Damage Prevention Docket No. 004012: City of Austin enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 6801 Burnet Road (Muroc St.), Austin, Travis County, Texas.

25. Damage Prevention Docket No. 004359: Felipe Martinez enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 425 N. 4th St., Beaumont, Jefferson County, Texas.

26. Damage Prevention Docket No. 004371: Crosswinds Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 0 (FM 442 and FM 1236), Needville, Fort Bend County, Texas.

27. Damage Prevention Docket No. 004448: Shamrock Landscaping enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 7502 Foster League (League Terrace), Richmond, Fort Bend County, Texas.

28. Damage Prevention Docket No. 004523: D & R Contracting, L.L.C. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 10622 Culebra (Rogers Rd.), San Antonio, Bexar County, Texas.

29. Damage Prevention Docket No. 004533: Landscape Professionals of Texas enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 347 FM 528 (Parkwood Vig Dr.), Friendswood, Galveston County, Texas.

30. Damage Prevention Docket No. 004620: Texas State Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4306 Glen Haven Ln. (N. Holland Rd.), Mansfield, Tarrant County, Texas.

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31. Damage Prevention Docket No. 004680: Fencecrete America, LTD enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 11803 Paige Place Dr., Houston, Harris County, Texas.
32. Damage Prevention Docket No. 004708: FSG Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 19120 Kenswick Dr., Humble, Harris County, Texas.
33. Damage Prevention Docket No. 004722: A & H Cable enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at W. Bellfort (Kirkwood), Houston, Harris County, Texas.
34. Damage Prevention Docket No. 004734: Texas State Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 908 Kittery, DeSoto, Dallas County, Texas.
35. Damage Prevention Docket No. 004780: T & D Solutions enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2501 Redbud St. (Woodlawn), Kilgore, Gregg County, Texas.
36. Damage Prevention Docket No. 005047: Beyer Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2538 Ralston Branch Way, Sugar Land, Fort Bend County, Texas.
37. Damage Prevention Docket No. 005479: A & H Cable enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 21419 Greengate Dr., Conroe, Montgomery County, Texas.
38. Damage Prevention Docket No. 005796: Texas State Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 6055 The Resort Blvd. (Portwood Way and The Resort Blvd.), Fort Worth, Tarrant County, Texas.
39. Damage Prevention Docket No. 006326: H.L. Chapman Pipeline Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 19205 FM 2696 (Blanco and Huebner), San Antonio, Bexar County, Texas.
40. Damage Prevention Docket No. 006757: City of Lubbock enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4003 68th Lubbock Texas, Lubbock, Lubbock County, Texas.
41. Damage Prevention Docket No. 006759: A & H Cable Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 500 Block Robinson Creek, Huntsville, Walker County, Texas.
42. Damage Prevention Docket No. 007196: Sutton Coating enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 7700 Wright Rd. (Taylor Road), Houston, Harris County, Texas.
43. Damage Prevention Docket No. 007627: City of Houston enforcement action for

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violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2014 Rosedale St., Houston, Harris County, Texas.

44. Damage Prevention Docket No. 007635: Colonial Fence Company Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 20503 Bradford Forest Dr., Houston, Harris County, Texas.

45. Damage Prevention Docket No. 008264: Total Contracting Limited enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 3700 Bellaire Blvd. (Auden), Houston, Harris County, Texas.

46. Damage Prevention Docket No. 008575: CPS Energy enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 6023 Sundance Lane (Warpath), San Antonio, Bexar County, Texas.

47. Damage Prevention Docket No. 008886: Beyer Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 0 Eldridge Parkway (Bissonett), Houston, Harris County, Texas.

48. Damage Prevention Docket No. 008945: D & G Energy Corp. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Dove and 29th (29th), McAllen, Hidalgo County, Texas.

49. Damage Prevention Docket No. 009056: Texas State Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 10041 Grey Crow Dr., Fort Worth, Tarrant County, Texas.

50. Damage Prevention Docket No. 009305: Boring Solutions of Laredo / Marco Flores enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1910 22nd St. (Avenue U), Hondo, Medina County, Texas.

51. Damage Prevention Docket No. 009408: JW Electric, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 8702 Misty Bluff, Dallas, Dallas County, Texas.

52. Damage Prevention Docket No. 009649: Texas State Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at Balmain Ct. (Morgan), Trophy Club, Denton County, Texas.

53. Damage Prevention Docket No. 009773: Robins Engineering enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1113 Newkirk Ct. (Kingsbridge), Rockwall, Rockwall County, Texas.

54. Damage Prevention Docket No. 010144: Mikels Construction Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 400 Blk N. Beltway 8 (Imperial Valley), Houston, Harris County, Texas.

55. Damage Prevention Docket No. 010366: Jefferson County Drainage District No. 6 enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1060 Saxe St. (Park St.), Beaumont, Jefferson County, Texas.

56. Damage Prevention Docket No. 010483: Pronto Sandblasting enforcement action

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for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 414 S. San Horacio (W. Durango), San Antonio, Bexar County, Texas.

57. Damage Prevention Docket No. 010711: Peabody General Contractors, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 9129 Metric Blvd. (Hwy 183), Austin, Travis County, Texas.

58. Damage Prevention Docket No. 010744: Victoria Electric Cooperative, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 101 Holt Rd. (Hwy 59), Victoria, Victoria County, Texas.

59. Damage Prevention Docket No. 010760: CPS Energy enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4539 Jarrell (Fort Boggy), San Antonio, Bexar County, Texas.

60. Damage Prevention Docket No. 010876: City of Del Rio Water/Waste Water DPT. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 709 Bowie St. (Plaza Ave.), Del Rio, Val Verde County, Texas.

61. Damage Prevention Docket No. 011037: Hugo Garcia Electric, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 100 Kirby (Shiloh), Laredo, Webb County, Texas.

62. Damage Prevention Docket No. 011078: Colonial Fence Company Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 20526 Bradford Forest Dr. (Fry Rd.), Houston, Harris County, Texas.

63. Damage Prevention Docket No. 011089: Birch Place enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b), 18.3(a), and 18.11(b), at 114 River Birch Cir., Lumberton, Hardin County, Texas.

64. Damage Prevention Docket No. 011120: Cameron County enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 23677 Camino Angosto (Pennsylvania Ave.), San Benito, Cameron County, Texas.

65. Damage Prevention Docket No. 011140: City of Lubbock Water Department enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2105 21st, Lubbock, Lubbock County, Texas.

66. Damage Prevention Docket No. 011210: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 611 N. Center Street (Maple St.), Arlington, Tarrant County, Texas.

67. Damage Prevention Docket No. 011258: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 3306 Baylor St., Lubbock, Lubbock County, Texas.

68. Damage Prevention Docket No. 011610: Standard Utility enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1654 Brighton Downs, Irving, Dallas County, Texas.

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69. Damage Prevention Docket No. 011662: Pace Concrete enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1677 W. TC Jester, Houston, Harris County, Texas.

70. Damage Prevention Docket No. 011712: TRC Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at Hwy 35 Bypass (Corpus Christi St.), Rockport, Aransas County, Texas.

71. Damage Prevention Docket No. 011752: JM Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 245 E. Park Drive (Ramireon), Brownsville, Cameron County, Texas.

72. Damage Prevention Docket No. 011754: Llano Utility Services, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Corinth St. and Ave. B, Dallas, Dallas County, Texas.

73. Damage Prevention Docket No. 011764: Colonial Fence Company Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b), 18.11(b), and 18.3(e), at 515 Somerset Dr. (Furman Way), Sugar Land, Fort Bend County, Texas.

74. Damage Prevention Docket No. 011802: City of Houston enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 4800 Cornish (Shepherd), Houston, Harris County, Texas.

75. Damage Prevention Docket No. 011807: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 7501 Touchstone (Elbert), Houston, Harris County, Texas.

76. Damage Prevention Docket No. 011808: City of Houston enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 7233 San Angelo (Port), Houston, Harris County, Texas.

77. Damage Prevention Docket No. 011944: City of Houston enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 1246 Almond Grove (Maple Rock), Houston, Harris County, Texas.

78. Damage Prevention Docket No. 011958: Armour Asphalt enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 112th St. (Norwood), Lubbock, Lubbock County, Texas.

79. Damage Prevention Docket No. 011991: Elliot Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1204 Beck St., Bryan, Brazos County, Texas.

80. Damage Prevention Docket No. 012065: Dixon Paving, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at Central St. (Muelhouse), Belton, Bell County, Texas.

81. Damage Prevention Docket No. 012075: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

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§18.8(a), at 815 S. Jackson (8th St.), McGregor, McLennan County, Texas.

82. Damage Prevention Docket No. 012077: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2024 Meneffe St., Arlington, Tarrant County, Texas.

83. Damage Prevention Docket No. 012079: Onalaska Water & Gas Supply enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 458 Rainforest (Impala Drive), Onalaska, Polk County, Texas.

84. Damage Prevention Docket No. 012080: Lake Livingston Water Supply enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 458 Rainforest (Impala Drive), Onalaska, Polk County, Texas.

85. Damage Prevention Docket No. 012081: Durwood Green Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b), 18.11(b), and 18.10(b), at 1435 Katy Flewellen Rd., Katy, Fort Bend County, Texas.

86. Damage Prevention Docket No. 012082: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 14246 Texarkana St. (Barbara Mae), Houston, Harris County, Texas.

87. Damage Prevention Docket No. 012083: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 143 East Moseley (Hwy 75 South), Huntsville, Walker County, Texas.

88. Damage Prevention Docket No. 012086: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Panama (Fulton), Houston, Harris County, Texas.

89. Damage Prevention Docket No. 012087: PM Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 8026 Hobble Dr. (Harness), San Antonio, Bexar County, Texas.

90. Damage Prevention Docket No. 012088: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Westheimer Pkwy (Parkway Oaks), Katy, Fort Bend County, Texas.

91. Damage Prevention Docket No. 012089: Coastal Conduit & Ditching, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 11514 Greenshire (Selinsky), Houston, Harris County, Texas.

92. Damage Prevention Docket No. 012090: American Remediation Options, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 2622 Sandlewood Trail Lane (T C Jester and Porter Meadow Ln.), Houston, Harris County, Texas.

93. Damage Prevention Docket No. 012091: 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 132 Billy Creek Cir., Hurst, Tarrant County, Texas.

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94. Damage Prevention Docket No. 012092: Llano Utility Services, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 132 Billy Creek Cir., Hurst, Tarrant County, Texas.

95. Damage Prevention Docket No. 012094: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at East 3rd(San Marcos), Coleman, Coleman County, Texas.

96. Damage Prevention Docket No. 012095: City of Coleman enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at East 3rd (San Marcos), Coleman, Coleman County, Texas.

97. Damage Prevention Docket No. 012096: Star Operations enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 2502 Twine Dr. (Woolridge), Corpus Christi, Nueces County, Texas.

98. Damage Prevention Docket No. 012097: City of Alice enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 721 E. Main St. (Walnut), Alice, Jim Wells County, Texas.

99. Damage Prevention Docket No. 012098: Mike's Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 2321 W. Expressway 83 (Dixieland), Harlingen, Cameron County, Texas.

100. Damage Prevention Docket No. 012099: City of Cleburne enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 409 W. Henderson (Buffalo), Cleburne, Johnson County, Texas.

101. Damage Prevention Docket No. 012100: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 409 W. Henderson (Buffalo), Cleburne, Johnson County, Texas.

102. Damage Prevention Docket No. 012103: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 310 E. Main St. (N. Lincoln), Fredericksburg, Gillespie County, Texas.

103. Damage Prevention Docket No. 012104: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 301 N. McMasters St. (NW 3rd), Amarillo, Potter County, Texas.

104. Damage Prevention Docket No. 012106: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.5(a), at 2301 E. Lamar Blvd., Arlington, Tarrant County, Texas.

105. Damage Prevention Docket No. 012108: Occidental Permian LTD. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at FM 1585 (FM 1780), Whiteface, Cochran County, Texas.

106. Damage Prevention Docket No. 012111: Hall-Albert Construction, LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 11009 Shady Trail (Walnut Hill Ln.), Dallas, Dallas County, Texas.

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107. Damage Prevention Docket No. 012113: Dallas County WCID #6 enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 4025 Pioneer Road (Dodson St.), Balch Springs, Dallas County, Texas.

108. Damage Prevention Docket No. 012117: City of Fort Worth Water Dept enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 824 Lamont St. (Evan), Fort Worth, Tarrant County, Texas.

109. Damage Prevention Docket No. 012118: R. L. Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 306 24th St., San Leon, Galveston County, Texas.

110. Damage Prevention Docket No. 012119: Burnsco Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 605 Monticello Dr., Fort Worth, Tarrant County, Texas.

111. Damage Prevention Docket No. 012120: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 605 Monticello Dr., Fort Worth, Tarrant County, Texas.

112. Damage Prevention Docket No. 012122: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 527 Orchard Ln., Sugar Land, Fort Bend County, Texas.

113. Damage Prevention Docket No. 012125: Stanley Haferkamp enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 0 Tappe Rd. (FM390), Independence, Washington County, Texas.

114. Damage Prevention Docket No. 012126: City of Waco enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 3125 N. 27th St. (Woodrow), Waco, McLennan County, Texas.

115. Damage Prevention Docket No. 012127: Spencer Outdoor LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3630 Shady Grove (Coral Dr.), Pearland, Brazoria County, Texas.

116. Damage Prevention Docket No. 012128: City of Houston enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 8429 Carolwood (Tremont), Houston, Harris County, Texas.

117. Damage Prevention Docket No. 012130: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 43 Player Vista (Player Cove), The Woodlands, Montgomery County, Texas.

118. Damage Prevention Docket No. 012135: Zephyr Water Supply enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 3645 Highway 183 N. (Hart), Brownwood, Brown County, Texas.

119. Damage Prevention Docket No. 012136: Matula & Matula Construction Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a) and 18.11(b), at 2918 Fairchild Ave. (Jay St.), Needville, Fort Bend County, Texas.

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120. Damage Prevention Docket No. 012138: Lacy Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(a), at 700 Pleasant Run Rd. (Cedarwood Dr.), Cedar Hill, Dallas County, Texas.

121. Damage Prevention Docket No. 012140: La Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1514 Bandera Rd. (Quill, San Antonio, Bexar County, Texas.

122. Damage Prevention Docket No. 012141: Belue Plumbing Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 928 Kings Canyon Dr. (Shenandoah), Grapevine, Tarrant County, Texas.

123. Damage Prevention Docket No. 012142: City of Carrollton enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 2800 Lakeside Ln. (Lakeside Ln. and Country Lake), Carrollton, Dallas County, Texas.

124. Damage Prevention Docket No. 012143: JM Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at W. Ringgold (Palm Blvd.), Brownsville, Cameron County, Texas.

125. Damage Prevention Docket No. 012144: CoServ Gas, LTD. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 980 S. Coit Rd., Prosper, Collin County, Texas.

126. Damage Prevention Docket No. 012145: Over and Under Utility enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 980 S. Coit Rd. , Prosper, Collin County, Texas.

127. Damage Prevention Docket No. 012148: Diamond Back Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2406 Brock, In Rear (Shary Road), Mission, Hidalgo County, Texas.

128. Damage Prevention Docket No. 012149: Quality Plumbing -Jerald Johnson enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 807 Carver St. (Abney), Whitesboro, Grayson County, Texas.

129. Damage Prevention Docket No. 012150: Lester Contracting Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at (Mallette Dr. and Ball Airport Rd.), Victoria, Victoria County, Texas.

130. Damage Prevention Docket No. 012151: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 5800/5806 Lilac (Ave. D), Katy, Harris County, Texas.

131. Damage Prevention Docket No. 012154: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at W. 2nd St. (James), Anna, Collin County, Texas.

132. Damage Prevention Docket No. 012156: P M Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at 1024 Anderson (N.

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Texas Blvd.), Alice, Jim Wells County, Texas.

133. Damage Prevention Docket No. 012157: R&D Water Wells enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3927 Oak Gardens Dr. (Woodbridge), Kingwood, Harris County, Texas.

134. Damage Prevention Docket No. 012158: Llano Utility Services, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 9400 Teel Pkwy (Old Orchard), Frisco, Collin County, Texas.

135. Damage Prevention Docket No. 012159: Enterprise Communications enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 7225 King (Philpre Dr. and Masters Rd.), Manvel, Brazoria County, Texas.

136. Damage Prevention Docket No. 012160: Manuel Cornejo Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 3900 Briarpark Drive (West Office Drive), Houston, Harris County, Texas.

137. Damage Prevention Docket No. 012162: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 1110 Eldridge Rd., Sugar Land, Fort Bend County, Texas.

138. Damage Prevention Docket No. 012163: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 711 W. Norris St. (Ave. K), El Campo, Wharton County, Texas.

139. Damage Prevention Docket No. 012165: Wally Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 15906 River Roads Dr. (Cranberry Hill), Houston, Harris County, Texas.

140. Damage Prevention Docket No. 012166: Joe Silguero Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1724 FM 3036 Unit 118-13 (Interstate Hwy 35), Fulton, Aransas County, Texas.

141. Damage Prevention Docket No. 012167: City of Angleton Public Works enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 204 Silver Saddle, Angleton, Brazoria County, Texas.

142. Damage Prevention Docket No. 012168: Graco Mechanical, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 7099 Buffalo Speedway (Bellaire Blvd.), Houston, Harris County, Texas.

143. Damage Prevention Docket No. 012173: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 10203 Meadow Lake Ln., Houston, Harris County, Texas.

144. Damage Prevention Docket No. 012174: City of Troup enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 700 S. Alabama St. (Long), Troup, Cherokee County, Texas.

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145. Damage Prevention Docket No. 012175: Gary Whitman Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 8960 Homer Dr., Beaumont, Jefferson County, Texas.

146. Damage Prevention Docket No. 012177: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1701 FM 1960 (Townsend), Houston, Harris County, Texas.

147. Damage Prevention Docket No. 012180: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 13222 Sherwood Oaks Dr. (Kelliway Dr.), Houston, Harris County, Texas.

148. Damage Prevention Docket No. 012181: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3908 Edison (Erin), Houston, Harris County, Texas.

149. Damage Prevention Docket No. 012183: Samms Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Main St. (Gotcher), Lake Dallas, Denton County, Texas.

150. Damage Prevention Docket No. 012184: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Main St. (Gotcher), Lake Dallas, Denton County, Texas.

151. Damage Prevention Docket No. 012190: Thompson+Hanson enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 4428 LaFayette St., Bellaire, Harris County, Texas.

152. Damage Prevention Docket No. 012231: Humphrey Company, L.T.D. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 535 Piney Point Rd. (Calico Dr.), Piney Point Village, Harris County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

153. O&G 03-0267716: PMO to amend the field rules for the Halliday (Woodbine) (38274666) Field, Leon and Madison Counties, Texas.

154. O&G 03-0267859: BBX Operating, L.L.C. to consider designation of the entire Austin Chalk Formation in all of Polk County as a tight gas formation pursuant to Statewide Rule 101.

155. O&G 05-0267834: XTO Energy Inc. to amend the field rules for the Bear Grass (Cotton Valley Cons) Field, Freestone, Leon, Limestone, and Robertson Counties, Texas.

156. O&G 06-0267030: Penn Virginia Oil & Gas, L.P. to amend the field rules for the Beckville (Cotton Valley) Field, Harrison, Panola, and Rusk Counties, Texas.

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157. O&G 06-0267632: Forest Oil Corporation to consolidate the Gilmer (Jurassic), Gilmer (Cotton Valley Sands), Gilmer (Bossier Sand), Gilmer, N.e. (Cotton Valley), Gilmer, S. (Cotton Valley), Gilmer, S. (Cotton Valley, Up) Mings Chapel (Cotton Valley Lm), Wilkins, N. (Cotton Valley Sand) and Wilkins, N. (Haynesville) Fields into the Gilmer (Cotton Valley) Field, and to adopt field rules for the consolidated field, Upshur County, Texas.

158. O&G 06-0267638: Anadarko E&P Company LP to amend the field rules for the Carthage (Cotton Valley) (16032174) Field, Panola, Harrison, and Shelby Counties, Texas.

159. O&G 06-0267639: Samson Lone Star, LLC to amend the permanent field rules for the Bethany, East (Cotton Valley) (07528500) Field, Panola County, Texas.

160. O&G 06-0267640: Samson Lone Star, LLC to amend the permanent field rules for the Carthage, North (Cotton Valley) (16034250) Field, Panola, Harrison, and Marion Counties, Texas.

161. O&G 06-0267792: Prenwell, LLC to supersede the order signed on February 27, 2009, in Oil & Gas Docket No. 06-0258455 requiring that the Furrh-a- (04912) Lease, Well Nos. 1 and 3, Longwood (Goodland Lime) Harrison County, Texas, be plugged, enabling Prenwell, LLC., to become the operator of record.

162. O&G 08-0267631: Laredo Petroleum, Inc. to consider consolidation of the Garden City Se (Wolf) and Garden City (Penn) Fields into the Garden City, S. (Wolfcamp) Field, and to amend the field rules for the consolidated Field, Glasscock County, Texas.

163. O&G 08-0268009: EXL Petroleum, LP to expand the designated interval and to consider permanent field rules, Saint Wilma (Strawn) Field, Andrews County, Texas.

164. O&G 7B-0267634: Plantation Operating, LLC to consider an MER for the Ackers "80" (29919) Lease, Well No. 1, Guitar (Gardner Sand) (37363400) Field, Callahan County, Texas.

165. O&G 8A-0267862: Occidental Permian Ltd. to amend field rules for the Ownby (Clear Fork, Lo.) Field, Yoakum County, Texas.

166. O&G 8A-0267863: Occidental Permian Ltd. to amend field rules for the Ownby (Clear Fork, Upper) Field, Yoakum County, Texas.

167. O&G 8A-0267864: Occidental Permian Ltd. to amend field rules for the Ownby (Glorieta) Field, Yoakum County, Texas.

168. O&G 01-0268217: Newfield Exploration Co. for the recommendation of a tight gas formation for the Ellenburger Formation, Snakebite (Ellenburger) Field, Edwards County, Texas.

169. O&G 06-0268216: Anadarko E&P Co. for the recommendation of a tight gas formation for the Travis Peak Formation, Carthage (Travis Peak) Field, Panola County, Texas.

170. O&G 8A-0268068: Occidental Permian Ltd. for authority pursuant to Statewide

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Rule 50 to approve or certify an EOR project for the Levelland Unit (#03780) Lease, Levelland (#53411 001) Field, Hockley County, Texas.

171. O&G 08-0268199: Legado Permian, LLC for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Goldsmith-Landreth/San Andres/UT (#17491) Lease, Goldsmith (#35652 001) Field, Ector County, Texas.

172. O&G 08-0267901: Whiting Oil and Gas Corporation for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Estes, E. W. (#11619); Adams, Lucy (#18552); and Hathaway, J. F. Leases, Estes Block 34 (Penn.) (#29507 500) Field, Ward County, Texas.

173. O&G 8A-0268013: Walsh Petroleum, Inc. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Drennan "208" (#62366) Lease, Welch (#96062 001) Field, Dawson County, Texas.

MASTER DEFAULT ORDERS

174. Damage Prevention Docket No. 003650: enforcement action for alleged violation of Commission rules for Underground Pipeline Damage Prevention by Hernandez Backhoe Services, Inc. at 1402 Timberlake Cir., Richardson, Collin County, Texas.

175. Damage Prevention Docket No. 003329: enforcement action for alleged violation of Commission rules for Underground Pipeline Damage Prevention by the Fence Company at 1357 Shrub Oak, League City, Galveston County, Texas.

176. Damage Prevention Docket No. 003585: enforcement action for alleged violation of Commission rules for Underground Pipeline Damage Prevention by International Utility Contractors at 1503 Prince, Houston, Harris County, Texas.

177. Damage Prevention Docket No. 003575: enforcement action against Jennings Electric for violation of Commission rule for Underground Pipeline Damage Prevention at 235 E. I-20, Weatherford, Parker County, Texas.

178. Damage Prevention Docket No. 000232: enforcement action for alleged violation of Commission rules for Underground Pipeline Damage Prevention by Macias Construction at 5101 Wyndham Ct., Garland, Dallas County, Texas; and 5110 Waltham Ct., Garland, Dallas County, Texas.

OFFICE OF GENERAL COUNSEL-RULES

PROPOSAL

179. Amendment of 16 Tex. Admin. Code §3.79, relating to Definitions, to add new and update existing definitions, and of 16 Tex. Admin. Code §3.86, relating to Horizontal Drainhole Wells, to update and clarify the rule and incorporate for statewide application elements from numerous recent field rules relating to spacing of horizontal drainhole wells (O&G Docket No. 20-0268564).

180. New rule in 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

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incidental to the production of oil, gas, or geothermal resources (O&G Docket No. 20-0268565).

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

181. Issues regarding emissions from oil and gas operations in the Barnett Shale gas trend.

182. Issues related to the Sunset Commission review of the Railroad Commission.

GAS SERVICES DIVISION

183. Renewal of approval of the Texas Energy Reliability Council (TERC).

OIL AND GAS DIVISION

184. Approval to publish for informal comment draft 16 Tex. Admin. Code §4.635, Memorandum of Understanding between the Texas Department of State Health Services (DSHS) and the Railroad Commission of Texas (RRC) Regarding Radiation Control Functions.

COMMISSIONERS

Chairman Carrillo

185. Farewell remarks.

186. Election of the Chairman of the Railroad Commission.

Commissioner Williams

187. Enforcement actions against Atmos Energy Corp., Mid-Tex Division, related to steel service lines and other options for regulating the use of steel service lines, including rulemaking.

PUBLIC INPUT

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

The conference was adjourned at 10:38 am.

Rachel Hampton
Secretary