

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
DECEMBER 15, 2009**

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 15, 2009, 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. 9869 (consolidated): Petition for de novo review of the denial of the Statement of Intent filed by Atmos Energy Corp., Mid-Tex Division by the City of Dallas; Statement of Intent filed by Atmos Energy Corp., Mid-Tex Division to increase gas utility rates in the unincorporated areas served by the Mid-Tex Division. The Commission passed this item until the next available conference.
2. GUD No. 9910 (and consolidated cases): Appeal of CenterPoint Energy Resources Corp. dba CenterPoint Energy Entex and CenterPoint Energy Texas Gas from the actions of the Cities of Baytown, Clute, Shoreacres, Wharton, and Angleton. The Commission unanimously approved the revised order with specific changes.

OIL AND GAS PROTESTED

3. O&G 03-0262001: McLeod, George L. Inc. Pursuant to the Mineral Interest Pooling Act, to create a pooled unit for the Milagro Exploration LLC. H.c. Cockburn Yegua Lease, Well No. 1, Magnet Withers (Martinez Sd.) Field, Wharton County, Texas. The Commission unanimously approved the examiners recommendation.
4. O&G 03-0262003: McLeod, George L. Inc. Application of George L. McLeod, Inc., for standing and if standing is granted to consider adoption of field rules for the Magnet Withers (Martinez Sd.) Field, Wharton County, Texas. The Commission unanimously approved the examiners recommendation.
5. O&G 7C-0261666: Aspen Operating Company, LLC for a permit to inject fluid into a reservoir productive of oil or gas pursuant to Statewide Rule 46 for the Noelke "20" Lease, Well No. 4, Olson Field, Crockett County, Texas. The Commission unanimously approved the examiners recommendation.

6. O&G 06-0262000: Devon Energy Production Co., L.P. for a new field discovery and to adopt field rules for the proposed Carthage (Haynesville) Field, Panola County, Texas. The Commission unanimously approved the examiners recommendation.

MOTION FOR REHEARING

7. O&G 8A-0262124: Kinder Morgan Production Co., LLC to inject fluid into a reservoir productive of oil or gas, Sacroc Unit (03137), Well No. 21-03, Kelly-Snyder Field, Scurry County, Texas. The Commission denied the motion for rehearing

8. O&G 0257324: Devon Energy Production Co, L.P. to consider an exception to Statewide Rule 37for Reeves Unit, Well No. 268H, Reeves (San Andres) Field, Yoakum County, Texas. The Commission granted the motion for rehearing.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

9. O&G 09-0263575: Dry Fork Production Co., LLC enforcement action regarding Carpenter, J. D. DFS Lease, # 1 (0654604) Permit, Archer County Regular (03446001) Field, Archer County, Texas. Violation of Statewide Rule 13(b)(2)(A).

10. O&G 09-0262706: Henderson, Sam W. enforcement action regarding Thom (05625) Lease, Wichita County Regular (97155001) Field, Wichita County, Texas. Violation of Statewide Rule 20(a)(1).

11. O&G 03-0256189: Bomco USA, Inc. enforcement action regarding Settegast, J. J. - A- (03358) Lease, Well No. 35, Settegast, J. J. -B- (03359) Lease, Well Nos. 17, 22, and 23, O. W. Fordyce (03367) Lease, Well No. 2, Pierce Junction (71444001) Field, Harris County, Texas. Violation of Statewide Rule 14(b)(2) and (3); 9(11) and (12).

12. O&G 09-0260376: Case Oil, enforcement action regarding the Holtzen, A. (16820) Lease, Well Nos. 2 and 4, Wichita County Regular (97155001) Field, Wichita County, Texas Violation of Statewide Rule 14(b)(2) and (3).

13. LP-Gas No. 2057: Jon's Mini Mart, enforcement action for violation of Section 113.081(a)(4), LP-Gas Code, at Jon's Mini Mart, Sulphur Springs, Hopkins County, Texas.

14. LP-Gas No. 2061: Inergy Propane, LLC, enforcement action for violation of LP-Gas Safety Rule §9.135, at Home on the Range (Shimpy), 3239 IH-45 South, Madisonville, Madison County, Texas.

15. LP-Gas No. 2096: Wylie L.P. Gas, Inc., enforcement action for violation of LP-Gas Safety Rule §9.135, at Galbraith Sales, 13101 CR 2200, Lubbock, Lubbock County, Texas.

16. LP-Gas No. 2099: R. D. Wallace Oil Co., Inc., enforcement action for violation of LP-Gas Safety Rule §9.132, at New Deal Travel Center, 101 East Main Street, New Deal, Lubbock County, Texas.

17. GUD No. 9794: Valero Refining-Texas L.P., enforcement action for violation of

Pipeline Safety Rule 49 CFR §195.512(a), at the 377/1, GSLN and #2 Heating Oil System (ID No. 750357); the 351-1, NGL System (ID No. 750957); the 352-1, NGL System (ID No. 750958); the 380-1, 6" System (ID No. 752445); the 353-1, NGL System (ID No. 750959); the 356-1, NGL System (ID No. 750962), Corpus Christi, Nueces County, Texas.

18. Damage Prevention Docket No. 001979: City of Dallas enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2731 Knight (Congress), Dallas, Dallas County, Texas.

19. Damage Prevention Docket No. 002359: J & L Backhoe Services enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 8101 Lauren (Cherry Avenue), Amarillo, Potter County, Texas.

20. Damage Prevention Docket No. 002568: Mastercraft Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4827 Sunset Beach (Suncatcher), San Antonio, Bexar County, Texas.

21. Damage Prevention Docket No. 003307: J.A.R. Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at Stiles Drive (Dodge Road), El Paso, El Paso County, Texas.

22. Damage Prevention Docket No. 003549: Caraway Foundation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 580 Laurel Lane (Twin Oaks), Paris, Lamar County, Texas.

23. Damage Prevention Docket No. 003556: SLR Concrete enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1901 Deep Dale Drive (Westover Drive), Westover Hills, Tarrant County, Texas.

24. Damage Prevention Docket No. 004905: C.E. Interior & Exterior enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 12958 Briarwest Street, Houston, Harris County, Texas

25. Damage Prevention Docket No. 005041: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 910 West 22nd Street, Houston, Harris County, Texas.

26. Damage Prevention Docket No. 005190: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 5217 Burma (Martin Luther King Jr. Blvd.), Houston, Harris County, Texas.

27. Damage Prevention Docket No. 005266: Jon Hoang enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 10614 Kingspoint (Elmhurst), Houston, Harris County, Texas.

28. Damage Prevention Docket No. 005329: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 9900 Duchamp (Woodfair), Houston, Harris County, Texas.

29. Damage Prevention Docket No. 005451: City of Houston enforcement action for

violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1414 Bonner Street, Houston, Harris County, Texas.

30. Damage Prevention Docket No. 005453: JM Drilling enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1610 Blossom Creek Ct., Kingwood, Harris County, Texas.

31. Damage Prevention Docket No. 005463: Bay Builders enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 3007 Candleside, San Antonio, Bexar County, Texas.

32. Damage Prevention Docket No. 005637: Bryan Texas Utilities enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3803 Turkey Meadow, College Station, Brazos County, Texas.

33. Damage Prevention Docket No. 005691: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Highland and Florida Avenue, Beaumont, Jefferson County, Texas.

34. Damage Prevention Docket No. 005727: City of Mineola enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at Bromberg Street, Mineola, Wood County, Texas.

35. Damage Prevention Docket No. 005879: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 727 Post (Irvington), Houston, Harris County, Texas.

36. Damage Prevention Docket No. 005886: Wilson Contractor Services enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a) and 18.11(b), at 103 North Main (5th), Prosper, Collin County, Texas.

37. Damage Prevention Docket No. 005918: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), 11507 Chariot, Houston, Harris County, Texas.

38. Damage Prevention Docket No. 005927: City of Bertram enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 555 Lampasas, Bertram/City of Bertram, Burnet County, Texas.

39. Damage Prevention Docket No. 005934: Colonial Fence Company, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 3830 Saddle Horn Ct. (Surrey Circle), Manvel, Brazoria County, Texas.

40. Damage Prevention Docket No. 005941: Steve Hymel Electric Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 63 West Ambassador Bend (Player Woods Drive), Spring, Harris County, Texas.

41. Damage Prevention Docket No. 006025: Allco Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 2229 Chasse Bend Street, Orange, Orange County, Texas.

42. Damage Prevention Docket No. 006034: City of Houston enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 8033 Grafton, Houston, Harris County, Texas.
43. Damage Prevention Docket No. 006083: RNR Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 26873 North White Ranch Road (Business 83), La Feria, Cameron County, Texas.
44. Damage Prevention Docket No. 006095: Allco Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 3830 Bowen Street (Perth Place, near Helbig Road), Beaumont, Jefferson County, Texas.
45. Damage Prevention Docket No. 006108: Lonestar Home Improvements enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 15703 Beechnut (Addicks Clodine Road), Houston, Fort Bend County, Texas.
46. Damage Prevention Docket No. 006112: Allens Contracting Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 12606 Greenville Avenue, Dallas, Dallas County, Texas.
47. Damage Prevention Docket No. 006125: Goyos & Sons Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 319 North Urban, Laredo, Webb County, Texas.
48. Damage Prevention Docket No. 006149: Camino Construction, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 1501 East Crosby (Crosby and Parkside), Carrollton, Dallas County, Texas.
49. Damage Prevention Docket No. 006178: W.R. Hodgson Co., LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1406 French Street (East Grauwlyer), Irving, Dallas County, Texas.
50. Damage Prevention Docket No. 006203: CenterPoint Energy (Electric) enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 4807 1st Street, Pasadena, Harris County, Texas.
51. Damage Prevention Docket No. 006240: City of Pleasanton enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 1127 Oakcrest (Chaparral), Pleasanton/Oakcrest, Atascosa County, Texas.
52. Damage Prevention Docket No. 006251: All In One Foundation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 4704 Arapahoe Pass (Pack Saddle), Austin, Travis County, Texas.
53. Damage Prevention Docket No. 006252: Mica Corporation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 3810 South General Bruce Drive (IH-35), Temple, Bell County, Texas.

54. Damage Prevention Docket No. 006266: Jose's Professional Landscaping enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2500 Woodhaven (Spring Water), Flower Mound, Denton County, Texas.
55. Damage Prevention Docket No. 006294: Hoffman Southwest Corp. d/b/a Roto-Rooter enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1316 Sheila Drive, Plano, Collin County, Texas.
56. Damage Prevention Docket No. 006301: Conatser Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1011 Grants Pkwy, Arlington, Tarrant County, Texas.
57. Damage Prevention Docket No. 006302: CPS Energy enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 507 Fitch (Donegan), San Antonio, Bexar County, Texas.
58. Damage Prevention Docket No. 006359: ARC Communities 6 LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 5107 Hawkeys Ct. (Old Blue Cir), Fort Worth, Tarrant County, Texas.
59. Damage Prevention Docket No. 006365: Hernandez Utility Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 7500 McKinney St. (North County), Frisco/North County, Collin County, Texas.
60. Damage Prevention Docket No. 006366: City of Hillsboro enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 305 Morgan Street, Hillsboro, Hill County, Texas.
61. Damage Prevention Docket No. 006374: A & A Cable Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 6504 Horseshoe Bend, Colleyville, Tarrant County, Texas.
62. Damage Prevention Docket No. 006381: Oden Design & Contracting enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 414 Southchester (Apple Tree Road), Houston, Harris County, Texas.
63. Damage Prevention Docket No. 006392: Walter Landry enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 11510 Poplarwood (Olivewood Drive), Houston, Harris County, Texas.
64. Damage Prevention Docket No. 006393: Harris County PCT. 3 enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 2718 Sunbird (Park Lake Drive at Fry Road), Barker, Harris County, Texas.
65. Damage Prevention Docket No. 006399: Mikels Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 3303 Ferndale, Houston, Harris County, Texas.
66. Damage Prevention Docket No. 006414: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

§18.11(a), at Baffin Bay Drive, Rowlett, Dallas County, Texas.

67. Damage Prevention Docket No. 006427: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 14415 Duncum (Cloverleaf Blvd.), Houston, Harris County, Texas.

68. Damage Prevention Docket No. 006429: CenterPoint Energy (Electric) enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 15100 Block Ella Blvd., Houston, Harris County, Texas.

69. Damage Prevention Docket No. 006439: W.R. Hodgson Co., LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2700 US Hwy 380 (US 380 and PR 1123), Decatur, Wise County, Texas.

70. Damage Prevention Docket No. 006443: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(b) and 18.11(a), at 1528 Lamar Avenue, Paris, Lamar County, Texas.

71. Damage Prevention Docket No. 006450: City of Denton enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 3619 E. University Drive (Mayhill), Denton, Denton County, Texas.

72. Damage Prevention Docket No. 006460: Dallas County, WCID #6 enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 11121 Lake June (Doty), Balch Springs, Dallas County, Texas.

73. Damage Prevention Docket No. 006463: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 207 North East 5th (Church Street), Grand Prairie/City of Grand Prairie, Dallas County, Texas.

74. Damage Prevention Docket No. 006467: City of Hillsboro enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at Vinyard (Sycamore), Hillsboro, Hill County, Texas.

75. Damage Prevention Docket No. 006468: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2411 Talunar (Fillmore), Wichita Falls, Wichita County, Texas.

76. Damage Prevention Docket No. 006469: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 933 South Cedar Ridge, Duncanville, Dallas County, Texas.

77. Damage Prevention Docket No. 006472: Circle C Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 5612 McCart (Edgecliff), Fort Worth, Tarrant County, Texas.

78. Damage Prevention Docket No. 006473: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 4412 Forbes Street (Hughes Avenue), Fort Worth, Tarrant County, Texas.

79. Damage Prevention Docket No. 006474: Atmos Energy Corp., Mid-Tex Div.

enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 4408 Forbes Street (Hughes Avenue), Fort Worth, Tarrant County, Texas.

80. Damage Prevention Docket No. 006475: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2917 Dyer Street (Boedeker Drive), University Park, Dallas County, Texas.

81. Damage Prevention Docket No. 006478: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 306 East North Street, Bryan, Brazos County, Texas.

82. Damage Prevention Docket No. 006504: S & S Foundation Drilling Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 4770 SH 121, Lewisville, Denton County, Texas.

83. Damage Prevention Docket No. 006505: Robert Faulkner enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 129 North 5th Street, Krum, Denton County, Texas.

84. Damage Prevention Docket No. 006506: City of Orange, Texas Water Dept. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 5520 Bland Street, Orange, Orange County, Texas.

85. Damage Prevention Docket No. 006508: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5400 Clear Creek Drive, Flower Mound, Denton County, Texas.

86. Damage Prevention Docket No. 006510: L & L Backhoe Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at Highway 213 and County Road Y, Higgins, Lipscomb County, Texas.

87. Damage Prevention Docket No. 006511: Perma-Pier enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2133 Huntington (Sherry), Arlington, Tarrant County, Texas.

88. Damage Prevention Docket No. 006513: City of Bonham enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11 (b) and 18.11(b), at 118 South 3rd Street, Bonham, Fannin County, Texas.

89. Damage Prevention Docket No. 006515: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 9980 Ten Mile Bridge Road (Anchorage), Fort Worth, Tarrant County, Texas.

90. Damage Prevention Docket No. 006516: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 503 East Washington Street (Tyler), Rockwall, Rockwall County, Texas.

91. Damage Prevention Docket No. 006518: City of Allen enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(a), and 18.11(b), at 310 East Coats (Cedar), Allen, Collin County, Texas.

92. Damage Prevention Docket No. 006519: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1260 Shiloh Road (14th), Plano, Collin County, Texas.
93. Damage Prevention Docket No. 006520: City of Hillsboro enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 311 Vineyard Avenue (Church), Hillsboro, Hill County, Texas.
94. Damage Prevention Docket No. 006521: John Burns Construction Co. of TX Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 8707 Slay (Odeneal), Dallas, Dallas County, Texas.
95. Damage Prevention Docket No. 006522: City of Archer City enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 413 S Oak (Mesquite), Archer City, Archer County, Texas.
96. Damage Prevention Docket No. 006523: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 500 Block of UTA Blvd. (Cooper), Arlington, Tarrant County, Texas.
97. Damage Prevention Docket No. 006524: FSG Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 500 Block of UTA Blvd. (Cooper), Arlington, Tarrant County, Texas.
98. Damage Prevention Docket No. 006525: Smith Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 316 Motley Street (SW 3rd), Grand Prairie, Tarrant County, Texas.
99. Damage Prevention Docket No. 006526: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 909 East Eight Street (Jefferson), Dallas, Dallas County, Texas.
100. Damage Prevention Docket No. 006527: Atkins Bros, Equip. Co., Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 909 East Eight Street (Jefferson), Dallas, Dallas County, Texas.
101. Damage Prevention Docket No. 006528: City of McKinney enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1314 Greenville (Miller Street), McKinney, Collin County, Texas.
102. Damage Prevention Docket No. 006529: Mario Sinacola & Sons Excavating, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at Loop 12 (Texas Plaza), Irving, Dallas County, Texas.
103. Damage Prevention Docket No. 006530: Flowers Construction Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at Herring Avenue (North 21st Street), Waco, McLennan County, Texas.
104. Damage Prevention Docket No. 006532: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2706 Wolford (Dowell), McKinney, Collin County, Texas.

105. Damage Prevention Docket No. 006534: Durable Specialties, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 13915 Old Denton (Distribution Way), Farmers Branch, Dallas County, Texas.
106. Damage Prevention Docket No. 006535: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Duncan & Smith, Denton, Denton County, Texas.
107. Damage Prevention Docket No. 006536: Burnsko Construction Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at 3101 North Terry Street, Fort Worth, Tarrant County, Texas.
108. Damage Prevention Docket No. 006537: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3201 East Randol Mill Road, Arlington, Tarrant County, Texas.
109. Damage Prevention Docket No. 006540: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3750 Grover Avenue (Repper Street), Fort Worth, Tarrant County, Texas.
110. Damage Prevention Docket No. 006541: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 609 West Oak, Denton, Denton County, Texas.
111. Damage Prevention Docket No. 006543: Rodman LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at Jackson and Jefferson (Jackson), Waxahachie, Dallas County, Texas.
112. Damage Prevention Docket No. 006544: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 324 Pleasant Street (Taylor), Waco, McLennan County, Texas.
113. Damage Prevention Docket No. 006545: Texas Midstream Gas Services, LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 7092 Enterprise Avenue, Fort Worth/Parrot Compressor Station, Tarrant County, Texas.
114. Damage Prevention Docket No. 006547: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2242 Walter Drive (Anniels Drive), Dallas, Dallas County, Texas.
115. Damage Prevention Docket No. 006548: Muniz Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 210 NE 29th, Grand Prairie, Tarrant County, Texas.
116. Damage Prevention Docket No. 006551: City of Dallas enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 9100 Sunnybrook, Dallas, Dallas County, Texas.
117. Damage Prevention Docket No. 006552: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC

§18.8(b), at West Oak, Denton, Denton County, Texas.

118. Damage Prevention Docket No. 006555: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1029 Abbey Lane, McLendon, Dallas County, Texas.

119. Damage Prevention Docket No. 006556: Garrett Young Construction Co., LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1002 Old Brock Road, Weatherford, Parker County, Texas.

120. Damage Prevention Docket No. 006557: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1615 Morrow, Waco, McLennan County, Texas.

121. Damage Prevention Docket No. 006558: Bright Excavation, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 351 North 5th, Garland, Dallas County, Texas.

122. Damage Prevention Docket No. 006561: Weldon Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at Admiral Nimitz/Keating, Dallas, Dallas County, Texas.

123. Damage Prevention Docket No. 006562: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1808 Southpark Drive, Arlington, Tarrant County, Texas.

124. Damage Prevention Docket No. 006563: Godbold Landscape Services, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1808 Southpark Drive, Arlington, Tarrant County, Texas.

125. Damage Prevention Docket No. 006564: Klutz Construction LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 2321 Eastover Avenue, Fort Worth, Tarrant County, Texas.

126. Damage Prevention Docket No. 006565: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2851 Peary Avenue, Dallas, Dallas County, Texas.

127. Damage Prevention Docket No. 006566: Central North Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 5800 Legacy, Frisco, Denton County, Texas.

128. Damage Prevention Docket No. 006567: Brystar Contracting, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 450 Wall (Park Street), Beaumont, Jefferson County, Texas.

129. Damage Prevention Docket No. 006568: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 515 South Mesquite, Arlington, Tarrant County, Texas.

130. Damage Prevention Docket No. 006572: Tolers Water Well Drilling & Repair enforcement action for violation of Underground Pipeline Damage Rules 16 TAC

§§18.3(a), 18.11(b), and 18.11(b), at 16002 Millers Landing Drive (Miller Road 2), Houston, Harris County, Texas

131. Damage Prevention Docket No. 006574: Dawson Estes Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 8822 Stable Crest (Stable Lane near North Post Oak Lane), Houston, Harris County, Texas

132. Damage Prevention Docket No. 006575: American Automatic Sprinkler enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 4800 Blue Mound, CA4-1, Tarrant County, Texas.

133. Damage Prevention Docket No. 006576: Walker Utilities Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 2716 Scruggs Park Drive, Richland Hills, Tarrant County, Texas.

134. Damage Prevention Docket No. 006577: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2059 Citadel Drive, Dallas, Dallas County, Texas.

135. Damage Prevention Docket No. 006578: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(b) and 18.11(b), at 13819 Bandera (Nadolney Blvd.), Houston/Cloverleaf Subdivision, Harris County, Texas.

136. Damage Prevention Docket No. 006581: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(b) and 18.11(a), at Mansfield Blvd (Manhattan), Sunnyvale, Dallas County, Texas.

137. Damage Prevention Docket No. 006582: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 406 South Jackson Avenue (Allen), Justin, Parker County, Texas.

138. Damage Prevention Docket No. 006583: Skyline Excavation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 406 South Jackson Avenue (Allen) Justin, Parker County, Texas.

139. Damage Prevention Docket No. 006584: McKinney Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3309 Toliver, Houston, Harris County, Texas.

140. Damage Prevention Docket No. 006585: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3309 Toliver, Houston, Harris County, Texas.

141. Damage Prevention Docket No. 006586: Skyline Excavation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 330 South Snyder, Justin, Denton, County, Texas.

142. Damage Prevention Docket No. 006587: Foremost Paving Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(g), 18.11(b), and

18.11(b), at Expressway 83 between Abram and Western Road (Main Street), Palmview, Hidalgo County, Texas.

143. Damage Prevention Docket No. 006588: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at South Colorado and East Mesquite, Coleman, Coleman County, Texas.

144. Damage Prevention Docket No. 006589: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1000 South Edgefield Avenue, Dallas, Dallas County, Texas.

145. Damage Prevention Docket No. 006590: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 4700 Southwest Parkway (Boston Lane), Austin, Travis County, Texas.

146. Damage Prevention Docket No. 006591: Amigo Truck LTD enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 4402 East Old Spanish Trail (Griggs and Cullen), Houston, Harris County, Texas.

147. Damage Prevention Docket No. 006596: Infrastructure Services Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1809 Avenue G, Galena Park, Harris County, Texas.

148. Damage Prevention Docket No. 006598: Surewet Irrigation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at CR 515 and CR 616 (CR 515 and CR 616), Dimmitt, Castro County, Texas.

149. Damage Prevention Docket No. 006599: Siegels Construction Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at FM 1729 and CR 2600, Lubbock, Lubbock County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

150. O&G 08-0257097: Enterprise Products Operating LLC to amend Permit No. 04076 to allow disposal of oil and gas waste containing hydrogen sulfide gas by injection into a formation not productive of oil or gas and for approval pursuant to Statewide Rule 36(c)(10) of injection of fluids containing hydrogen sulfide gas Well 1, Reese Cleveland Gas Unit (#28719), Waha (Cherry Canyon H₂S Disp) Field, Reeves County, Texas.

151. O&G 09-0263207: Best Petroleum Explorations, Inc., to consider a net gas-oil ratio for Cozart (31085) Lease, Well No. 1 and to consider cancellation of all overproduction, Lost Valley (Caddo) (55050333) Field, Jack County, Texas.

152. O&G 8A-0263135: Warren America, to consider unitization and secondary recovery authority for the North Wasson Unit, Wasson Field, including the conversion

to injection of the last or only producing well(s) on certain tract(s) within such proposed unit and for the transfer of certain wells from the Wasson, North (San Andres) Field to the Wasson Field or in the alternative, the consolidation of the Wasson, North (San Andres), and Wasson Fields, Yoakum County, Texas.

153. O&G 01-0263346: Petrohawk Operating Company for the recommendation of a tight gas formation for the Eagleford Shale Formation, Hawkville (Eagleford Shale) (39744500) Field, La Salle County, Texas.

154. O&G 01-0263347: Petrohawk Operating Company for the recommendation of a tight gas formation for the Eagleford Shale Formation, Hawkville (Eagleford Shale) (39744500) Field, La Salle County, Texas.

155. O&G 06-0263548: Samson Lone Star, LLC for the recommendation of a tight gas formation for the Pettit and Travis Peak Formations, Nacogdoches, E. (Pettit) (64298500) Field, and Martinsville (Travis Peak) (57814700) Fields, Nacogdoches County, Texas.

156. O&G 10-0263775: EOG Resources, Inc. for the recommendation of a tight gas formation for the Atoka Formation Coburn (Atoka) (19240250) Field, Lipscomb County, Texas.

157. O&G 10-0263776: EOG Resources, Inc. for the recommendation of a tight gas formation for the Atoka Formation Cambridge (Atoka) (15002100) Field, Lipscomb and Ochiltree Counties, Texas.

158. O&G 8A-0263603: Walsh Petroleum, Inc. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Masten, F. O. "B" (66964) Lease, Levelland (53411001) Field, Cochran County, Texas.

159. O&G 8A-0263604: Walsh Petroleum, Inc. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Masten, F. O. "H" (03750) Lease, Levelland (53411001) Field, Cochran County, Texas.

160. O&G 8A-0263617: Brown, Geo. R Partnership, LP., for Authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Stoker, K. (01876) Lease, Garza (34113001) Field, Garza County, Texas.

161. O&G 8A-0263662 Parallel Petroleum Corporation, to establish an entity for density for the Harris San Andres Unit Lease, Harris (San Andres) Field, Gaines County, Texas.

MASTER DEFAULT ORDERS

The Commission unanimously approved the following default orders:

162. O&G 09-0262526: Fitch Oil Corporation, enforcement action regarding Cowan (26904) Lease, Well No. 2, Beauregard (Canyon) (06540250) Field, Baylor County, Texas. Violation of Statewide Rules 14(b)(2); 9(12).

163. O&G 01-0261382: Xophi Energy, LLC, enforcement action regarding Powell, C.y. Jr. (05689) Lease, Well No. 1b, Lentz (53193001) Field, Bastrop County, Texas.

Violation of Statewide Rule 14(b)(2) and (3).

164. O&G 01-0262692: Rockland Oil Company, enforcement action regarding Elkins, Jesse (06908) Lease, Wells Nos. 3 and 9, Acleto Creek (Poth A) (00467505) Field, Elkins, Jesse (06838) Lease, Well Nos. 1, 2, 4, 5, and 7, Acleto Creek (Poth B) (00467510) Field, Wilson County, Texas. Violation of Statewide Rules 8(d)(1); 3(1), (2), and (3); 22; 46(j); 21(j).

165. O&G 04-0262400: Fargo Trading Co., Inc. enforcement action regarding Slick, T. B. Est. Unit (11101) Lease, Well No. 1, Rincon, E. (5250) (76722777) Field, Starr County, Texas. Violation of Statewide Rules 14(b)(2); 3(1), (2), and (3).

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

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

SURFACE MINING AND RECLAMATION DIVISION

167. Authorization for the Deputy Executive Director to issue a notice of contingent contract award for the Alcoa Area F-1 AML Revegetation and Erosion Control Project and to award and execute the contract after receipt and legal review of bonds and insurance documents. The Commission unanimously approved the recommended authorization.

EMERGENCY ITEM

OFFICE OF GENERAL COUNSEL (Emergency Item)

Decision regarding wording of language to be included in a potential final order in pending Public Utility Commission Docket No. 37408, concerning Oncor's CREZ transmission line application, in which the Railroad Commission of Texas has intervened. The Commission unanimously designated Lindil Fowler, the Commissions General Council, the authority to move forward on this action in dealing with the Public Utility Commission.

PUBLIC INPUT

168. 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 2:10 pm.