

**RAILROAD COMMISSION OF TEXAS  
FORMAL COMMISSION ACTIONS  
NOVEMBER 3, 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 Thursday November 3, 2009, commencing at 9:30 a.m. Commissioner Elizabeth A. Jones and Commissioner Michael L. Williams were present. Commissioner Williams 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. This item was pulled from consideration.

**OIL AND GAS PROTESTED**

2. 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 unanimously approved the examiners recommendation.

3. O&G 06-0258895: Texas Land & Petro Co., LLC, Commission-called hearing to give Texas Land & Petro Co., LLC, an opportunity to show cause why the plugging extension for the Irish Gas Unit, Well No. 1, Joaquin (Travis Peak) Field, Shelby County, Texas, should not be canceled and why Texas Land & Petro Co., LLC, should not be ordered to immediately plug the well. The Commission unanimously approved the examiners recommendation.

**AGREED ENFORCEMENT ORDERS** (97 of 133 items; numbers 4-100)

The Commission unanimously approved the following agreed orders excluding item no. 11 which was passed until the next available conference:

4. O&G 8A-0260206: Turrentine Oil & Gas, Inc. enforcement action regarding Acu Masten (67803) Lease, Well No. 4, Levelland (53411001) Field, Cochran County, Texas. Violation of Statewide Rule 14(b)(2).

5. O&G 7b-0261326: Proco Operating Co., Inc. enforcement action regarding Wesco, Jake Green (075769) Lease, Well No. 6, Lipan (Strawn) (53826500) Field, Hood County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
6. O&G 04-0257169: Rosenthal, Stanley H. enforcement action regarding Serna, R. (02860) Lease, Well No. 15, Seven Sisters (82380001) Field, Duval County, Texas. Violation of Statewide Rules 8(d)(1); 73(i).
7. O&G 04-0257476: Rosenthal, Stanley H. enforcement action regarding Serna, R. (02860) Lease, Well Nos. 7, 8, 11, and 13, Seven Sisters (82380001) Field, Duval County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 13(b)(1)(B); 9(12).
8. O&G 01-0261081: Spur Operating Co. enforcement action regarding Hansen, Anton (061756) Lease, Well No. 1, Hansen, Anton (05444) Lease, Well No. 2, Winter Garden (Olmos) (98132025) Field, Dimmit County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
9. O&G 7b-0261028: Rockwood Resources Inc enforcement action regarding Timmins (058068) Lease, Well No. 1, Manziel-Timmins (063236) Lease, Well No. 1, Timmins (063511) Lease, Well No. 2, Coleman County Regular (Gas) (19511456) Field, Coleman County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
10. O&G 03-0262039: Unit Petroleum Company enforcement action regarding Quinn Lease, Well No. 1 (0628682) Permit, Wildcat (00006001), Jazz (Wilcox Deep) (45995470) Field, Polk County, Texas. Violation of Statewide Rule 14(b)(1).
11. O&G 02-0260214: Discovery Petroleum, L.L.C. enforcement action regarding Scott, J. R. Ranch (088593) Lease, Well No. 1, Normanna, S. (2050) (66017500) Field, Bee County, Texas. Violation of Statewide Rule 14(b)(2).
12. O&G 01-0260558: Sabinal Resources, Inc. enforcement action regarding Buerger, Lena (14743) Lease, Well No. 4, Pearsall (Austin Chalk) (69981125) Field, Frio County, Texas. Violation of Statewide Rule 14(b)(2).
13. O&G 02-0261012: Saxum Oil & Gas, LLC enforcement action regarding Campbell (01320) Lease, Well Nos. 2 and 3, Campbell, P. L. (01847) Lease, Well Nos. 1 and 2, Ray (74891001) Field, Bee County, Texas. Violation of Statewide Rule 14(b)(2).
14. O&G 04-0262185: Southwest Gathering Company enforcement action regarding Steinkraus, F (10405) Lease, Well No. 3 Lease, Storage Facility Mathis, East (5400) (58271888) Field, San Patricio County, Texas. Violation of Statewide Rules 8(d)(1); 13(b)(1)(B).
15. O&G 7b-0261217: Mole Hole Prod. enforcement action regarding Coe (00876) Lease, Well Nos. 1, 3, 7, and 8, Thate, E. E. (00978) Lease, Well Nos. 2, 3, 4, 5, and 6, Coleman County Regular (19511001) Field, Coleman County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
16. O&G 03-0262756: JK Exploration & Production, Inc. enforcement action regarding (433012) Operator, Gulf Sterling Fee (13873) Lease, Well Nos. 2 and 3, Saratoga

(81057001) Field, Hardin County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 9(12).

17. O&G 03-0262412: South Bay Resources, L.L.C. enforcement action regarding Arnold Gas Unit Lease, Well No. 1 (0641950) Permit, Wildcat (00006001) Field, Matagorda County, Texas. Violation of Statewide Rule 14(b)(1).

18. O&G 04-0255076: IPR USA Corp. enforcement action regarding KMF 228 Lease, Well No. 1 (0614348) Permit, Wildcat (00008001) Field, Kenedy County, Texas. Violation of Statewide Rule 16(b).

19. LP-Gas Docket No. 2056: United Fuel and Energy Corp. enforcement action for violation of LP-Gas Safety Rule 16 TAC §9.135, at Farmers's Co-Op Society #2, Ackerley, Martin County, Texas.

20. LP-Gas Docket No. 2088: Cortez Gas Co. d/b/a Bailey County Propane enforcement action for violation of LP-Gas Safety Rule 16 TAC §9.135, at Bula County Gin Co., 3211 FM 34, Bula, Bailey County, Texas.

21. LP-Gas Docket No. 2091: Wise Service Company-Fuel enforcement action for violation of LP-Gas Safety Rule 16 TAC §9.135, at 5P Welding, 1409 South 287, Decatur, Wise County, Texas.

22. Damage Prevention Dockets No. 000144: Courtney Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at CR 116, Gary, Panola County, Texas.

23. Damage Prevention Dockets No. 000643: City of Fort Worth Water Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2806 Market Avenue, Fort Worth, Tarrant County, Texas.

24. Damage Prevention Dockets No. 000677: City of Fort Worth Water Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 8948 Random Road, Fort Worth, Tarrant County, Texas.

25. Damage Prevention Dockets No. 001672: City of Bonham enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 1316 East 9th Street (Carpenter Loop), Bonham, Fannin County, Texas.

26. Damage Prevention Dockets No. 001773: City of Waco enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1106 North 61st Street (Edmond), Waco, McLennan County, Texas.

27. Damage Prevention Dockets No. 001839: City of Sulphur Springs enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1207 Mockingbird Lane (Interstate HI 30), Sulphur Springs, Hunt County, Texas.

28. Damage Prevention Dockets No. 001871: City of Converse enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 9141 F.M. 78 (South Seguin Road), Converse, Bexar County, Texas.

29. Damage Prevention Dockets No. 002525: Circle H Contractors, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 508 West Broad Street (4th Street), Mansfield, Tarrant County, Texas.
30. Damage Prevention Dockets No. 002689: Renaissance Contractors Partnership enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 5201 Tremont (Munger), Dallas, Dallas County, Texas.
31. Damage Prevention Dockets No. 003002: TLT Construction Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b) and 18.11(b), at 725 Penfolds (Bethel), Coppell, Dallas County, Texas.
32. Damage Prevention Dockets No. 003016: Island Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 600 East Cotter (North Street), Port Aransas, Nueces County, Texas.
33. Damage Prevention Dockets No. 004807: House of Power Electric enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 13310 Greenwood Lakes Lane, Houston, Harris County, Texas.
34. Damage Prevention Dockets No. 005036: City of Sulphur Springs enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 321 Weaver Drive (Shook Street), Sulphur Springs, Hopkins County, Texas.
35. Damage Prevention Dockets No. 005089: America's Best Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4615 Wentworth, Fulshear, Fort Bend County, Texas.
36. Damage Prevention Dockets No. 005217: Fishel Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2109 Gemini Drive, Garland, Dallas County, Texas.
37. Damage Prevention Dockets No. 005295: Handy Man's Supply enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 700 Benjamin Street, Throckmorton, Throckmorton County, Texas.
38. Damage Prevention Dockets No. 005330: City of Marlin enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 427 West Anders (Oak Lane), Marlin, Falls County, Texas.
39. Damage Prevention Dockets No. 005331: City of Marlin enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 301 Maryland (Southland), Marlin, Falls County, Texas.
40. Damage Prevention Dockets No. 005386: Digco enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 110 Morgan, Montgomery County, Texas.
41. Damage Prevention Dockets No. 005435: House of Power Electric enforcement

action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 17403 Bear River Lane, Houston, Harris County, Texas.

42. Damage Prevention Dockets No. 005576: Carl Mann enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 8619 Chickasaw Plum Way, Katy, Harris County, Texas.

43. Damage Prevention Dockets No. 005629: Daniel Sand & Topsoil enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 5813 Mt. Houston Road (Ashworth Road), Houston, Harris County, Texas.

44. Damage Prevention Dockets No. 005706: City of Hillsboro enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 405 Houston (East Walnut Street), Hillsboro, Hill County, Texas.

45. Damage Prevention Dockets No. 005734: Dominion Developing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4928 Maple, Houston, Harris County, Texas.

46. Damage Prevention Dockets No. 005754: City of Port Arthur enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 5121 Procter (Inhoff), Port Arthur, Jefferson County, Texas.

47. Damage Prevention Dockets No. 005763: J.D.S. Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 502 Cedar Street, Cedar Hill, Dallas County, Texas.

48. Damage Prevention Dockets No. 005772: Corral Fence enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2956 Sunburst (Sunbeck), Farmers Branch, Denton County, Texas.

49. Damage Prevention Dockets No. 005946: Joe Ochoa enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3100 Greenridge Road (North Pebble Beach Drive), Missouri City, Fort Bend County, Texas.

50. Damage Prevention Dockets No. 005969: San Jacinto Pools enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3710 Doyle Ct. (South Fitzgerald), Missouri City/Sienna Plantation, Fort Bend County, Texas.

51. Damage Prevention Dockets No. 005978: Mar-Con Services, LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at Carlow (Bernard), Houston, Harris County, Texas.

52. Damage Prevention Dockets No. 005992: Reytec Construction Resources, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at McGowen (Caroline), Houston, Harris County, Texas.

53. Damage Prevention Dockets No. 006007: Franks Nursery enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and

18.11(b), at 1702 Winston Homestead Drive (Pitts Road), Richmond, Fort Bend County, Texas.

54. Damage Prevention Dockets No. 006015: D & D Foundations, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 1931 New Harmony, Montgomery County, Texas.

55. Damage Prevention Dockets No. 006016: Dry Creek Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 309 Garrett Street (York Avenue), Conroe, Montgomery County, Texas.

56. Damage Prevention Dockets No. 006100: Metal Railing of America enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 6010 Pine Forest Drive (Shadywood Road), Houston, Harris County, Texas.

57. Damage Prevention Dockets No. 006121: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 225 East Carroll, Gonzales, Gonzales County, Texas.

58. Damage Prevention Dockets No. 006144: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2356 Collin (Camp Wisdom), Grand Prairie, Tarrant County, Texas.

59. Damage Prevention Dockets No. 006147: John Burns Const. Company of TX Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 4327 Hamilton (Gaisford), Dallas, Dallas County, Texas.

60. Damage Prevention Dockets No. 006159: City of Fort Worth Water Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at 3753 Galvez (Brandies), Fort Worth, Tarrant County, Texas.

61. Damage Prevention Dockets No. 006165: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 5512 Rustic Trail, Colleyville, Tarrant County, Texas.

62. Damage Prevention Dockets No. 006168: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 500 North Galloway (Kearney), Mesquite, Dallas County, Texas.

63. Damage Prevention Dockets No. 006169: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 7808 Noneman (Sweetbriar Ct.), North Richland Hills, Tarrant County, Texas.

64. Damage Prevention Dockets No. 006172: JTP Utilities's Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Central Village, Denton, Denton County, Texas.

65. Damage Prevention Dockets No. 006173: Atmos Energy Corp., Mid-Tex Div.

enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 708 Cottonwood Bend, Allen, Collin County, Texas.

66. Damage Prevention Dockets No. 006174: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 305 North East Street (Division), Arlington, Tarrant County, Texas.

67. Damage Prevention Dockets No. 006177: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1406 French Street (East Grauwylar), Irving, Dallas County, Texas.

68. Damage Prevention Dockets No. 006182: City of Mesquite Utilities enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1910 Apache Trail (Osage), Mesquite, Dallas County, Texas.

69. Damage Prevention Dockets No. 006184: Smetana & Associates enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 4018 Deer Trail, Temple, Bell County, Texas.

70. Damage Prevention Dockets No. 006186: Waters Engineering enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 314 Kruger Street, New Braunfels, Guadalupe County, Texas.

71. Damage Prevention Dockets No. 006193: NTS Construction Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 81st and Avenue U, Lubbock, Lubbock County, Texas.

72. Damage Prevention Dockets No. 006198: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1135 Mockingbird, Sulphur Spring/City of Sulphur Springs, Hopkins County, Texas.

73. Damage Prevention Dockets No. 006200: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 14000 Block Julington, Houston, Harris County, Texas.

74. Damage Prevention Dockets No. 006202: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 4807 1st Street, Pasadena, Harris County, Texas.

75. Damage Prevention Dockets No. 006205: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Oak Creek, Pilot Point, Denton County, Texas.

76. Damage Prevention Dockets No. 006207: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2202 Jackson Street (Oleander), Port Lavaca, Calhoun County, Texas.

77. Damage Prevention Dockets No. 006210: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 18011 Longmoor Drive (Bradstone), Houston/Deerfield Village, Harris County, Texas.

78. Damage Prevention Dockets No. 006212: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2814 Worthington, Houston, Harris County, Texas.
79. Damage Prevention Dockets No. 006216: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 801 Wells (1st Street), Conroe/Duggan, Montgomery County, Texas.
80. Damage Prevention Dockets No. 006224: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 4001 Kiphen, Round Rock, Williamson County, Texas.
81. Damage Prevention Dockets No. 006227: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Rhones Quarter Road, Tyler/Grande Blvd. Extension, Smith County, Texas.
82. Damage Prevention Dockets No. 006230: Dual Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 839 East Front, Hawkins, Wood County, Texas.
83. Damage Prevention Dockets No. 006231: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3530 Lakeview Cutoff (Hulett), Vidor, Orange County, Texas.
84. Damage Prevention Dockets No. 006234: City of Canton enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 311 West College (Wills Point), Canton, Van Zandt County, Texas.
85. Damage Prevention Dockets No. 006243: Smetana & Associates Construction Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at 1806 East Adams (North 36th Street), Temple, Bell County, Texas.
86. Damage Prevention Dockets No. 006245: Smetana & Associates Construction Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 1403 South 41st Street (Avenue P), Temple, Bell County, Texas.
87. Damage Prevention Dockets No. 006246: Quality Concrete Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 7310 Louetta, Houston, Harris County, Texas.
88. Damage Prevention Dockets No. 006247: Hess Corporation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 600 North West Avenue D (West Avenue A and United States Highway 62), Seminole/Western Hills, Gaines County, Texas.
89. Damage Prevention Dockets No. 006248: City of Round Rock enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at Spring Street (Anderson Avenue), Round Rock/Round Rock Proper, Williamson

County, Texas.

90. Damage Prevention Dockets No. 006250: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4704 Arapahoe Pass (Pack Saddle), Austin, Travis County, Texas.

91. Damage Prevention Dockets No. 006254: TCL Construction Enterprises Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 303 Torreon (Colorado), San Antonio, Bexar County, Texas.

92. Damage Prevention Dockets No. 006259: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 410 North Burnet Street (La Grange), Manor, Travis County, Texas.

93. Damage Prevention Dockets No. 006262: Pipelayers, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1700 Block Oak Sprawl (Oak Sprawl and Hwy 46), Spring Branch, Comal County, Texas.

94. Damage Prevention Dockets No. 006263: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1205 West Anderson Lane (Gault Street), Austin, Travis County, Texas.

95. Damage Prevention Dockets No. 006267: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 2018 South Broadway Avenue (Nineth Street), Tyler, Smith County, Texas.

96. Damage Prevention Dockets No. 006270: Environmental Design enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 5309 Briar (Briar Trail), Houston, Harris County, Texas.

97. Damage Prevention Dockets No. 006276: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 4573 Cascades Shoreline Drive, Tyler, Smith County, Texas.

98. Damage Prevention Dockets No. 006278: City of Paris enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1150 Clement Road, Paris, Lamar County, Texas.

99. Damage Prevention Dockets No. 006279: Southwest Water Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 1209 Blackthorn Drive, Pflugerville, Williamson County, Texas.

100. Damage Prevention Dockets No. 006280: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 434 North Main Street, Paris, Lamar County, Texas.

101. Damage Prevention Dockets No. 006282: CPS Energy enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3434 West Houston Street, San Antonio, Bexar County, Texas.

102. Damage Prevention Dockets No. 006288: S & S Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 7625 Kings Lake, Corpus Christi, Nueces County, Texas.
103. Damage Prevention Dockets No. 006292: Structured Foundation Repairs enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 5208 Quail Creek Drive, McKinney, Collin County, Texas.
104. Damage Prevention Dockets No. 006303: South Plains Service, LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 6456 43rd Street, Lubbock, Lubbock County, Texas.
105. Damage Prevention Dockets No. 006304: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Memphis, Lubbock, Lubbock County, Texas.
106. Damage Prevention Dockets No. 006306: South Plains Service, LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 6460 43rd Street, Lubbock/Raider Ranch, Lubbock County, Texas.
107. Damage Prevention Dockets No. 006307: Schmidt Excavating enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at FM 1072 and CR 122, Olton, Lamb County, Texas.
108. Damage Prevention Dockets No. 006308: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at FM 1072 and CR 122, Olton, Lamb County, Texas.
109. Damage Prevention Dockets No. 006314: Southwest Texas Munic Gas Corp. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1610 East Avenue H (South Ragin), Alpine, Brewster County, Texas.
110. Damage Prevention Dockets No. 006316: Southwest Texas Munic Gas Corp. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 700 West Gallego (South 11th), Alpine/Alley between West Gallego and West Avenue H, Brewster County, Texas.
111. Damage Prevention Dockets No. 006318: Jar Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 500 Mulberry (La Estancia), El Paso, El Paso County, Texas.
112. Damage Prevention Dockets No. 006319: Madera Valley WSC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at West Main Street (Hwy 17), Saragosa/West Main Street, Saragosa, Texas, Reeves County, Texas.
113. Damage Prevention Dockets No. 006320: Plains Marketing, L.P. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Hwy 163 and County Road 401, Big Lake/North East of Biglake, Reagan County, Texas.

114. Damage Prevention Dockets No. 006324: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 9546 US Highway, Henderson, Rusk County, Texas.
115. Damage Prevention Dockets No. 006327: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 8500 North Stemmons, Dallas, Dallas County, Texas.
116. Damage Prevention Dockets No. 006328: Future Telecom Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 8500 North Stemmons, Dallas, Dallas County, Texas.
117. Damage Prevention Dockets No. 006329: B & L Construction Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 7th Street, Crawford/7th Street, McLennan County, Texas.
118. Damage Prevention Dockets No. 006330: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 309 South First Street (South First and Pine Street), Diboll/South First Street, Angelina County, Texas.
119. Damage Prevention Dockets No. 006332: Circle C Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 5809 McCart, Fort Worth, Tarrant County, Texas.
120. Damage Prevention Dockets No. 006336: Dallas Foundation Drilling enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 5730 West Amherst, Dallas, Dallas County, Texas.
121. Damage Prevention Dockets No. 006337: Enbridge Pipelines (East. TX) L.P. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at FM 489 and FCR 811, Freestone, Freestone County, Texas.
122. Damage Prevention Dockets No. 006338: J.D. Abrams, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 909 North Loop 288, Denton, Denton County, Texas.
123. Damage Prevention Dockets No. 006340: City of Santa Anna enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 609 Wallis Street (Second Street), Santa Anna, Coleman County, Texas.
124. Damage Prevention Dockets No. 006341: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at Baker Street (McDaniels Street), Mineola, Wood County, Texas.
125. Damage Prevention Dockets No. 006342: City of Mineola enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at Baker Street (McDaniels Street), Mineola, Wood County, Texas.
126. Damage Prevention Dockets No. 006343: Atmos Energy Corp., Mid-Tex Div.

enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at West Corsicana and Walker, Athens, Henderson County, Texas.

127. Damage Prevention Dockets No. 006344: City of Athens enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at West Corsicana and Walker, Athens, Henderson County, Texas.

128. Damage Prevention Dockets No. 006346: M.J. Sheridan of TX Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at East Houston, Marshall, Harrison County, Texas.

129. Damage Prevention Dockets No. 006350: City of Waxahachie enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 311 East Parks Street, Waxahachie, Ellis County, Texas.

130. Damage Prevention Dockets No. 006356: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 400 Block of North Street, Arlington, Tarrant County, Texas.

131. Damage Prevention Dockets No. 006357: Deweerd Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 2705 West Arkansas, Arlington/Dalworthington Gardens, Tarrant County, Texas.

132. Damage Prevention Dockets No. 006360: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 910 Deer Hollow Blvd., Southlake, Tarrant County, Texas.

133. Damage Prevention Dockets No. 006362: JT Lanehart Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 6702 Mission Bell (Via Norte Drive), Houston, Harris County, Texas.

134. Damage Prevention Dockets No. 006363: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2100 Block Fritz Swanson Road, Kilgore, Gregg County, Texas.

135. Damage Prevention Dockets No. 006371: City of Conroe enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 726 Avenue J (South 5th Street), Conroe, Montgomery County, Texas.

136. Damage Prevention Dockets No. 006471: City of Richardson enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 305 South Lois (Shirley Ct.), Richardson, Dallas County, Texas.

## **OIL AND GAS UNPROTESTED**

### **CONSENT AGENDA** (10 items; numbers 137-146)

137. O&G 06-0263206: EOG Resources, Inc. to amend the field rules in the Carthage, North (Bossier Shale) Field, Harrison, Marion, Panola, Rusk, Shelby, and Nacogdoches Counties, Texas.

138. O&G 7B-0263040: Kinder Morgan Production Co LLC to consider consolidation of the Katz, Katz (Day) and Katz (5100) Fields into a single field to be known as the Katz (Strawn) Field, and to consider field rules for the proposed consolidated field, Haskell, King, Knox, and Stonewall Counties, Texas.

139. O&G 7C-0262734: COG Operating LLC to consider a net gas-oil ratio for Univ3 Vincent 24 (16320) Lease, Well No. 16, Sheep Mountain (Consolidated) (82857300) Field, Upton County, Texas.

140. O&G 01-0263060: Application of Civron Petroleum Resources, LLC to supersede the Final Orders in Oil & Gas Docket Nos. 01-0227778 (December 4, 2001); 01-0227779 (September 7, 2001); 01-0227780 (November 20, 2001); and 01-0227783 (October 23, 2001), requiring that the Coleman Lease, Well Nos. 1 (118709), 2 (118710), 3 (124077), and 4 (118711), the Coleman "A" Lease, Well Nos. 1A (118713), 2A (118714), and 3A (118715), and the Pettit Lease, Well Nos. 1 (131426), 2 (131427), and 3 (131428), Somerset Field, Bexar County, Texas, be plugged, enabling Civron Petroleum Resources, LLC to become the operator of record.

141. O&G 06-0261803: Southwestern Energy Production Co. order nunc pro tunc for the recommendation of a tight gas formation for the James Lime Formation of Angie (James Lime) and Martinsville, SE (James) Fields, Shelby, San Augustine, and Nacogdoches Counties, Texas.

142. O&G 06-0257959: Southwestern Energy Production Co. order nunc pro tunc for the recommendation of a tight gas formation for the James Lime Formation of Angie (James Lime) and Martinsville, SE (James) Fields, Shelby, San Augustine, and Nacogdoches Counties, Texas.

143. O&G 03-0263054: John H. Young, Inc. for the recommendation of a tight gas formation for the Edwards Formation of Reuter (Edwards) Field, Fayette County, Texas.

144. O&G 04-0263199: Wagner Oil Company for the recommendation of a tight gas formation for the Frio Cons Formation of La Sal Vieja (Frio Cons) Field, Willacy County, Texas.

145. O&G 10-0263196: Strat Land Exploration Company for the recommendation of a tight gas formation for the Morrow Formation of Morgan (Morrow Lower) Field, Lipscomb County, Texas.

146. O&G 02-0263342: Dan A. Hughes Company, L.P. for the recommendation of a tight gas formation for the Wilcox Formation of Causey (11,100) Field, Bee County, Texas.

## **ADMINISTRATIVE MATTERS**

### **EXECUTIVE OFFICE**

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

## **ADMINISTRATION DIVISION**

148. Approval of the Commission's Fiscal Year 2009 Annual Financial Report. The Commission unanimously approved the report and delegated the conforming changes to Denise Hudson.

## **PUBLIC INPUT**

149. 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 9:38 am.