

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
JUNE 10, 2008**

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, June 10, 2008, commencing at 9:30 a.m. Chairman Michael L. Williams and Commissioners Victor G. Carrillo and Elizabeth A. Jones were present. Chairman Williams presided.

OFFICE OF GENERAL COUNSEL – HEARINGS SECTION

GAS SERVICES PROTESTED

1. GUD No. 9762: Statement of Intent filed by Atmos Energy Corporation to increase utility rates within the unincorporated areas served by the Atmos Energy Corp., Mid-Tex Division, and all consolidated dockets. The Commission deferred this item to the June 24, 2008 conference.

SURFACE MINING AND RECLAMATION

2. Docket No. C8-0010-SC-04-F: Application by Luminant Mining Company, LLC for approval of release of reclamation liability on 703.2 acres of Martin Lake Mine, Permit No. 4J, (Phase I, backfilling, regrading, and drainage control) Panola and Rusk Counties, Texas. The Commission unanimously approved the application.

3. Docket No. C7-0028-SC-11-F: San Miguel Electric Cooperative, Inc., San Miguel Lignite Mine, Permit No. 11F, application for release of Phase III reclamation obligations (protection of surface water and groundwater, and completion of extended responsibility period) for 435.39 acres, Atascosa County, Texas. The Commission unanimously approved the application.

4. Docket No. C4-0003-SC-00-A: Application by Luminant Mining Company LLC (f/k/a TXU Mining Company LP) for new permit for proposed Leesburg Mine, Camp County, Texas, and proposed self-bond with third-party guarantee. The Commission unanimously approved the application and self-bond.

OIL AND GAS PROTESTED

5. O&G 06-0255034: Atlantis Oil Company, Inc. to inject fluid into a reservoir productive of oil or gas, Moody National Bank Lease, Well No. 6, Good Springs, W.

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(Woodbine) Field, Rusk County, Texas. The Commission unanimously approved the application with limiting provisions.

6. O&G 09-0255550: Great Northern Energy Inc. to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas, GNE 15 Lease, Well No. 1s, Newark, East (Barnett Shale) Field, Erath County, Texas. The Commission unanimously approved the application.

7. O&G 09-0253880: Chesapeake Operating, Inc. to amend the field rules for the Newark, East (Barnett Shale) Field, Bosque, Clay, Comanche, Cooke, Denton, Eastland, Ellis, Erath, Hamilton, Hill, Hood, Jack, Johnson, Montague, Palo Pinto, Parker, Somervell, Tarrant, Young, and Wise Counties, Texas. Commissioners Jones and Carrillo voted to grant the request for oral argument to be held on June 24, 2008. Chairman Williams recused himself.

8. O&G 09-0252373: Finley Resources, Inc. for the formation of a unit pursuant to the Mineral Interest Pooling Act, for the proposed East Side Unit, Newark, East (Barnett Shale) Field, Tarrant County, Texas. The Commission unanimously voted to grant the motion for oral argument to be held on June 24, 2008.

9. O&G 0250297: Dominion Oklahoma Texas E&P, Inc. to consider an exception to SWR 37 and 38 for the Kelly 102 Lease, Well No. 28, Sawyer (Canyon) (81267333) Field, Fawcett (Wolfcamp) (30424500) Field, Sutton County, Texas. The Commission unanimously approved this item.

10. O&G 0250298: Dominion Oklahoma Texas E&P, Inc. to consider an exception to SWR 37 and 38 for the Kelly 102 Lease, Well No. 26, Sawyer (Canyon) (81267333) Field, Fawcett (Wolfcamp) (30424500) Field, Sutton County, Texas. The Commission unanimously approved this item.

11. O&G 0250312: Dominion Oklahoma Texas E&P, Inc. to consider an exception to SWR 37 and 38 for the Kelly 102 Lease, Well No. 27, Sawyer (Canyon) (81267333) Field, Fawcett (Wolfcamp) (30424500) Field, Sutton County, Texas. The Commission unanimously approved this item.

12. O&G 0252244: Dominion Oklahoma Texas E&P, Inc. to consider an exception to SWR 37 and 38 for the Lease, Kelly 102, Well No. 29, Field: 30424500 Fawcett (Wolfcamp) Field: 81267333 Sawyer (Canyon) Sutton County, Texas. The Commission unanimously approved this item.

13. O&G 0252265: Dominion Oklahoma Texas E&P, Inc. to consider an exception to SWR 37 and 38 for the Lease, Kelly 102, Well No. 30, Field: 30424500 Fawcett (Wolfcamp) Field: 81267333 Sawyer (Canyon) Sutton County, Texas. The Commission unanimously approved this item.

14. O&G 0253335: Dominion Oklahoma Texas E&P, Inc. to consider an exception to SWR 37 and 38 for the Kelly 102 Lease, Well No. 31, Fawcett (Wolfcamp) and Sawyer (Canyon) Field, Sutton County, Texas. The Commission unanimously approved this item.

15. O&G 10-0251513: Newfield Expl. Mid-Con. Inc. to Dispose of oil and gas waste by injection into a porous formation not productive of oil or gas, Britt, Thomas Lease,

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Well No. 106, Allison-Britt (12350) Field, Wheeler County, Texas. The Commission unanimously approved this item.

16. O&G 10-0251514: Newfield Expl. Mid-Con. Inc. to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas, Britt Ranch "E" 8 Lease, Well No. 308, Stiles Ranch (Granite Wash) Field, Wheeler County, Texas. The Commission unanimously approved this item.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

17. O&G 09-0255612: B & S Disposal, LLC enforcement action regarding Coley (127794) Lease, Well No.2, Tripp Hill (Atoka) (91410100) Field, Jack County, Texas. Violations of Statewide Rules 8(d)(1) and 16 TAC §4.611.

18. O&G 03-0253809: Stratco Operating Co., Inc. enforcement action regarding Deats, Ella M., et al. (01618) Lease, Well Nos. 2, & 4 Gillock (Big Gas) (34925037) Field, Galveston County, Texas. Violation of Rules 14(b)(2); 9(12); and 16(b).

19. O&G 02-0255010: Double Play Oil & Gas, Inc. enforcement action regarding Hinnant Lease, Well No. 1 (0602649) Permit, Wildcat (00004001) Field, Live Oak County, Texas. Violation of Rules 14(b)(2) and 16(b).

20. O&G 09-0255816: Mesquite SWD Inc. enforcement action regarding Calhoun SWD (30156) Lease, Well No. 1, Newark, East (Barnett Shale) (65280200) Field, Montague County, Texas. Violation of Rules 8(d)(1); 9(1); and 9(11)(D).

21. O&G 03-0255527: Rex Energy Operating Corp. enforcement action regarding Coline (036912) Lease, Well No.12, Batson New (Frio 3700) (06115400) Field, Hardin County, Texas. Violation of Rule 14(b)(2) and (3).

22. O&G 01-0256316: Daystar Operating Company, LLC enforcement action regarding (208176) Operator, Blackwell, Raymond (01111) Lease, Well No. 01, Luling-Branyon (55679001) Field, Caldwell County, Texas. Violation of Rules 9(1) and 46(a).

23. O&G 01-0254494: Bay Rock Operating Company enforcement action regarding Ball, J. J. (00694) Lease, Well No. 01, Imogene, S. (Carrizo) (44331333) Field, Atascosa County, Texas. Violation of Rules 14(b)(2); 13(b)(1)(B); and 3(1), (2), and (3).

24. O&G 08-0256323: River Bend Oil Company, Inc. enforcement action regarding Brown Heirs (04699) Lease, Well No. 13, Pecos Valley (High Gravity) (70129580) Field, Ward County, Texas. Violation of Rule 8(d)(1).

25. O&G 01-0256318: HM Petroleum Inc. enforcement action regarding Anna (12305) Lease, Well No. 01, Nixon (65586001) Field, Wilson County, Texas. Violation of Rules 9(1) and 46(a).

26. O&G 09-0251309: Maranatha Exploration, LP enforcement action regarding Perkins (20611) Lease, Well Nos. 1, 1L ,2, 3, 4L, 5L, 6L, 7, 8, and 10, Wichita County Regular (97155001) Field, Wichita County, Texas. Violation of Rules 14(b)(2) and (3); 9(12); 3(1), (2), and (3); 13(b)(1)(B); and 46(j).

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27. O&G 09-0256803: Joint Resources Company enforcement action regarding Moseley Unit (30899) Lease, Well No. 01, Newark, East (Barnett Shale) (65280200) Field, Montague County, Texas. Violation of Rule 8(d)(1).

28. O&G 03-0254676: Delta Exploration Company, Inc. enforcement action regarding (213559) Operator, Triple F Oilfield Service (870386) Operator, James Gray "A" Lease, Well No. 3 (0626027) Permit, Wildcat (00006001) Field, Newton County, Texas. Violation of Rule 8(d)(1).

29. O&G 05-0250808: New Hope Production, LLP enforcement action regarding Simmons, T. L. /Roy/ Hrs. (01273) Lease, Well No. 1, 3, 5 and 6i Wortham (98869001) Field, Freestone County, Texas. Violation of Rules 8(d)(1) and 21(j).

30. Damage Prevention Docket No. 000029: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 3620 Conflans, Irving, Dallas County, Texas.

31. Damage Prevention Docket No. 000049: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 1881 Central Expressway, Plano, Collin County, Texas.

32. Damage Prevention Docket No. 000063: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 10500 C. F. Hawn Freeway, Dallas, Dallas County, Texas.

33. Damage Prevention Docket No. 000065: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 520 N. Loop 288, Denton, Denton County, Texas.

34. Damage Prevention Docket No. 000067: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 7071 Bethlehem Dr., Grand Prairie, Dallas County, Texas.

35. Damage Prevention Docket No. 000075: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at Jackson and Clearpoint, Garland, Dallas County, Texas.

36. Damage Prevention Docket No. 000092: Ramos Industries Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 2235 Pasadena, Pasadena, Harris County, Texas.

37. Damage Prevention Docket No. 000114: Centerpoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at Town Center Blvd. and FM 2218, Rosenberg, Fort Bend County, Texas.

38. Damage Prevention Docket No. 000118: La Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §§18.10(b) and 18.11(b), at 812 Culebra, San Antonio, Bexar County, Texas.

39. Damage Prevention Docket No. 0000132: Texas Sterling enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 1530

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Post Road, San Marcos, Hays County, Texas.

40. Damage Prevention Docket No. 000140: Harris County Steel & Plumbing, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §§18.3(a) and 18.11(b), at 14 Hammock Dunnes Place, Spring, Harris County, Texas.

41. Damage Prevention Docket No. 000146: A.C. Contracting Service, LLC enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §§18.10(b) and 18.11(b), at Los Milagros and Santa Elena, Mission, Hidalgo County, Texas.

42. Damage Prevention Docket No. 000148: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 105 N. Alamo, Rockwall, Rockwall County, Texas.

43. Damage Prevention Docket No. 000168: Allen Sweeden enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 1302 NW Loop 281, Longview, Gregg County, Texas.

44. Damage Prevention Docket No. 000179: City of Wichita Falls enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 1313 Burnett, Wichita Falls, Wichita County, Texas.

45. Damage Prevention Docket No. 000180: Preston Harwood enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 1612 Tuscan Ridge, Southlake, Tarrant County, Texas.

46. Damage Prevention Docket No. 000187: Maddox Steel & Plumbing enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 1013 Murphy Road, Colleyville, Tarrant County, Texas.

47. Damage Prevention Docket No. 000189: Muniz Concrete enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 38 S. Garnet Bend, Houston, Harris County, Texas.

48. Damage Prevention Docket No. 000191: A&A Cable Contractors, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 2912 Port Rose, Houston, Harris County, Texas.

49. Damage Prevention Docket No. 000225: Vaca & Associates, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 29 N. of Broadway, Pearland, Brazoria County, Texas.

50. Damage Prevention Docket No. 000239: Centerpoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 21422 Park Mill Lane, Houston, Harris County, Texas.

51. Damage Prevention Docket No. 000242: City of Denison enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 7201 Driggs Dr., Denison, Grayson County, Texas.

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52. Damage Prevention Docket No. 000257: Centerpoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at Linda Dr. (Hwy 259 S), Daingerfield, Morris County, Texas.
53. Damage Prevention Docket No. 000263: Centerpoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 711 Mugge St., Runge, Karnes County, Texas.
54. Damage Prevention Docket No. 000264: Centerpoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 509 Strafford, Baytown, Harris County, Texas.
55. Damage Prevention Docket No. 000272: City of Justin enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 205 Harmonson, Justin, Denton County, Texas.
56. Damage Prevention Docket No. 000273: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 205 Harmonson, Justin, Denton County, Texas.
57. Damage Prevention Docket No. 000280: McClean Construction, LTD enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 715 West Ave. C, Killeen, Bell County, Texas.
58. Damage Prevention Docket No. 000281: Atmos Energy Corp., Mid-Tex Division enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 715 W. Ave. C, Killeen, Bell County, Texas.
59. Damage Prevention Docket No. 000282: Wilkins Construction, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §§18.10(b) and 18.11(b), at 8795 McCoy, Tyler, Smith County, Texas.
60. Damage Prevention Docket No. 000285: Joslin Construction enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §§18.11(b) and 18.3(a), at 11000 Business Center Drive, Pearland, Brazoria County, Texas.
61. Damage Prevention Docket No. 000290: Cablemasters Construction enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 227 Ascot Lane, Sugarland, Fort Bend County, Texas.
62. Damage Prevention Docket No. 000291: Centerpoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 2227 Ascot Lane, Sugarland, Fort Bend County, Texas.
63. Damage Prevention Docket No. 000295: The Holbrook Company, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §§18.4(b) and 18.11(b), at 2451 Justin Road (FM 407), Flower Mound, Denton County, Texas.
64. Damage Prevention Docket No. 000302: Triple B Construction enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 2426 5th Street, Missouri, Fort Bend County, Texas.

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65. Damage Prevention Docket No. 000317: MP Technologies enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at Southwest Corner of Town Center Boulevard, Rosenberg, Fort Bend County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications with the exception of Items 81 and 82 which were pulled:

66. O&G 10-0254738: EOG Resources, Inc. to consider a net gas-oil ratio for its Cooper 358 Lease, Well Nos. 1h and 2h, Lipscomb (Cleveland) Field, Lipscomb County, Texas.

67. O&G 03-0255497: Unit Petroleum Company to amend permanent field rules for the Jazz (Wilcox Deep) Field, Polk, Hardin and Tyler Counties, Texas.

68. O&G 03-0255025: Cimarex Energy Co. to consider an MER for the Sour Lake Easter (Yegua) (84699495) Field, Hardin County, Texas.

69. O&G 08-0254689: Roff Operating Company, LLC to consider a net gas-oil ratio for Brown (38133) Lease, Well No.2, Breedlove (Spraberry) (11751200) Field, Martin County, Texas.

70. O&G 7C-0254878: McCammon Oil & Gas, Inc. to consider temporary field rules for the Crack a Dawn (Strawn "C") Field, Concho County, Texas.

71. O&G 04-0255756: Loudon Operating Company, L.L.C. to consider an MER for the Lopez Lease, Encinitas (Frio 7310) (29010274) Field, Brooks County, Texas.

72. O&G 03-0256487: Apache Corporation to consider a new field designation, transfer of wells, and temporary field rules for a new field to be known as the Giddings, South (Eagleford) Field, Brazos and Burleson Counties, Texas.

73. O&G 8A-0256753: Swanson, Tommy Oil Company, Inc. to amend the field rules for the Illusion Lake (San Andres) Field, Lamb County, Texas.

74. O&G 04-0256156: Abraxas Petroleum Corporation to consider a net gas-oil ratio for the Welder, Minnie S. (13452) Lease, Well No. 69, Plymouth (4400) Field, San Patricio County, Texas.

75. O&G 06-0256612: Encana Oil & Gas (USA) Inc. to consider consolidation of the Raintree (Pettit) and Raintree (Hosston) Fields into a single field to be known as the Raintree (Travis Peak Consolidated) Field, and to adopt field rules for the proposed consolidated field, Angelina, Cherokee, and Nacogdoches Counties, Texas.

76. O&G 06-0253146: Devon Energy Production Co, L.P. to consider a net gas-oil ratio for its Wallace Unit, Well No. 6, Bethany, East (Cotton Valley) Field, Panola County, Texas.

77. O&G 08-0256399: Whiting Oil and Gas Corporation to inject fluid containing

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hydrogen sulfide gas into a reservoir productive of oil or gas for various wells, Ward-Estes, North Field, Ward County, Texas.

78. O&G 09-0256750: Devon Energy Production Co, L.P. to consider an exception to the Rule 86(d)(4) requirement that all points on a horizontal drainhole be within the proration and drilling unit, Bedinger-south Lease, Well No. 1h, Newark, East (Barnett Shale) Field, Parker County, Texas.

79. O&G 09-0256894: Devon Energy Production Co, L.P. to consider an exception to the Rule 86(d)(4) requirement that all points on a horizontal drainhole be within the proration and drilling unit, Day Lease, Well No. 10h, Newark, East (Barnett Shale) Field, Tarrant County, Texas.

80. O&G 09-0256895: Devon Energy Production Co, L.P. to consider an exception to the Rule 86(d)(4) requirement that all points on a horizontal drainhole be within the proration and drilling unit, Day Lease, Well No. 9h, Newark, East (Barnett Shale) Field, Tarrant County, Texas.

81. O&G 09-0256751: Range Production Company to consider an exception to the Rule 86(d)(4) requirement that all points on a horizontal drainhole be within the proration and drilling unit, Tucker-Campbell Unit, Well No. 3h, Newark, East (Barnett Shale) Field, Denton County, Texas.

82. O&G 09-0256752: Range Production Company to consider an exception to the Rule 86(d)(4) requirement that all points on a horizontal drainhole be within the proration and drilling unit, Tucker-Campbell Unit, Well No. 2h, Newark, East (Barnett Shale) Field, Denton County, Texas.

83. O&G 7B-0256797: Cholla Petroleum, Inc. for the recommendation of a tight gas formation for the Set Ranch (Congl.) Field, Palo Pinto County, Texas.

84. O&G 8A-0257050: OXY USA WTP LP for authority pursuant to Statewide Rule 50 to Approve or certify an EOR project for the West Welch Unit (#14783) Lease, Welch (#96062 001) Field, Dawson County, Texas.

85. O&G 08-0257049: OXY USA WTP LP for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the North Dollarhide Unit (#32853) Lease, Dollarhide (Clear Fork) (#25188 200) Field, Andrews County, Texas.

86. O&G 8A-057048: Devon Energy Production Co., L.P. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Six Hearts, Ltd., et al. (#68939) Lease, Wellman, W. (San Andres) (96188333) Field, Terry County, Texas.

87. O&G 08-0257095: Texland Petroleum, L.P. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Logsdon, et al. -D- (#16399), Scarborough -C- (#16915), Logsdon, et al. -B- (#17106), Logsdon -C- (#18905), Logsdon, C. W. "E" (#19320), Scarborough Unit (#31494), Rainey, Donna (#34891), Lineberry (San Andres CF Unit) (#35073), Grogan (San Andres CF) Unit (#35221) Lease, Fullerton (San Andres) (#33230500) Field, Andrews County, Texas.

ADMINISTRATIVE MATTERS

ADMINISTRATION DIVISION

88. Fiscal Year 2009 operating budget and strategic plan. The Commission unanimously approved this item.

OIL AND GAS DIVISION

89. Authority to award an extended service contract for plugging wells with state funds; requisition number 455-8-1003 for 24 wells located in Duval County (District 04); estimated value \$404,420. The Commission unanimously approved the contract award.

90. Authority to award a contract for plugging wells with state funds; requisition number 455-8-1117 for 22 wells in Fort Bend County (District 03); estimated value \$612,923. The Commission unanimously approved the contract award.

OFFICE OF GENERAL COUNSEL

At 11:24 am, Chairman Williams announced that the Commission would convene in a closed meeting pursuant to the Open Meetings Law, Tex. Gov't Code, Chapter 551, Section 551.071 of the Act to consult with its attorney regarding the following two items, 91 and 92. The certified agenda of the closed meeting is maintained in a sealed envelope in a locked file at the Commission. No action was taken during the closed meeting. The Commission reconvened in open meeting at 12:02 pm.

91. Case No. 03-07-00025-CV, Texas Citizens for a Safe Future and Clean Water and Mr. James G. Popp v. Railroad Commission of Texas and Pioneer Exploration, Ltd., in the Court of Appeals for the Third District, Austin. The Commission unanimously voted to seek the Attorney General's assistance in appealing this case to the Texas Supreme Court.

92. Cause No. D-1-GN-06-003322, SWEPI LP v. Railroad Commission of Texas, in the District Court of Travis County, 345th Judicial District. The Commission took no action on this item.

PUBLIC INPUT

93. 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 12:08 pm.