

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
DECEMBER 16, 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, December 16, 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. 9791: Statement of Intent filed by CenterPoint Energy Entex to increase the rates in the unincorporated areas of the Texas Coast Division and all consolidated dockets. The Commission unanimously granted the motion for rehearing for the limited purpose of adopting a revised final order with adjustments proposed by Commissioner Carrillo.

GAS SERVICES UNPROTESTED

2. GUD No. 9797: Statement of Intent filed by Universal Natural Gas, Inc. to increase rates in Montgomery, Walker, and Houston Counties, Texas, and all consolidated dockets. The Commission unanimously approved an amended final order.

3. GUD No. 9802: Application of Atmos Energy Corp., Mid-Tex Division, for the test year 2007 annual interim rate adjustment program for the environs areas. The Commission unanimously approved the application.

4. GUD No. 9837: Statement of Intent filed by LDC, LLC, to change the rates in the unincorporated areas in the vicinity of Montgomery, Texas. The Commission unanimously voted to suspend the proposed rates.

5. GUD No. 9839: Statement of Intent filed by Texas Gas Service Company to change the rates within the environs of the North Texas Service Area. The Commission unanimously voted to suspend the proposed rates.

OIL AND GAS PROTESTED

6. O&G 10-0256792: WO Operating Company to inject fluid into a reservoir productive of oil or gas, Harvey Unit (02778), Well Nos. 301, 501, 608, 803, 805, 808, 809, 6016, 8011, 8014, 8019, 8022, 8043, 605r, 6010r, 6013r, 6014r, 8012r, 8016r, 8020r, 8025r, 8027r, 8028r, 8030r, 8031r, 8037r, 8038r, 8039r and 903r, Panhandle Hutchinson County Field, Hutchinson County, Texas. The Commission unanimously approved the Order Nunc Pro Tunc, to correct the final order signed at conference on October 20, 2008.

7. O&G 10-0252806: Petco Petroleum Corp. to inject fluid into a reservoir productive of oil or gas, Panhandle Lease, Well No. 1, Panhandle Gray County Field, Gray County, Texas. The Commission unanimously approved the application.

8. O&G 04-0254384: Statia Enterprises, Inc. enforcement action regarding Gerdes, C.H. (11582) Lease, Well No B-1, Arena, North (Frio 6020) (03504305) Field, San Patricio County, Texas. Violation of Statewide Rules 14(b)(2); 3(1), (2), and (3). The Commission unanimously approved the enforcement order.

9. O&G 04-0257477: JPW Energy, L.L.C. enforcement action regarding Campos, Z. (12629) Lease, Well No. 41, Seven Sisters (82380001) Field, Campos, Z. (162035) Lease, Well No.1, Seven Sisters, East (9400) (82381426) Field, Duval County, Texas. Violation of Statewide Rule 14(b)(2) and (3). The Commission unanimously approved the enforcement order.

MOTION FOR REHEARING

10. O&G 04-0256605: Commission called hearing to afford Michael Joseph Pawlek an opportunity to show cause why he, and any organization in which he holds a position of ownership or control, should not be deemed to be subject to the restrictions of Texas Natural Resources Code §91.114(a)-(c) and Statewide Rule 78(m)(1) by reason of violations of Commission rules found to have been committed by IBC Petroleum, in the final orders served January 11, 2007, in Oil & Gas Docket Nos. 04-0247766, 04-0247767, and 04-0247783. The Commission unanimously denied the motion for rehearing.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

11. O&G 03-0259971: Texcal Energy (GP) LLC enforcement action regarding West Hasting Unit (19054) Lease, Well Nos. 1901, 2504, 2601, 2703, 2802, 3802, 4701, 4812, 6010, 6113, 6408, 6509, 6907, 6911, 6916, 6927, 6931, 7010, 7507, 7621, 7708, 7711, 7809, 7912, 7913, 8135, 8201, 8401, 8701, 9003, 9102, 9303, 9605, 9623, 9628, 9707, 1805a, 8011 & 9627 Hastings, West (39603001) Field, Sneed, Gilbert (05619) Lease, Well No. 29, Hastings, East (39598001) Field, Brazoria County, Texas. Violation of Statewide Rules 46(a), 46(j), 46(a)/46(d)(1)(C).

12. O&G 09-0259689: Carrizo Oil & Gas, Inc. enforcement action regarding Teegarden "A" Lse. Well No. 1h (0637567) Permit, Newark, East (Barnett Shale) (65280200) Field, Tarrant County, Texas. Violation of Statewide Rule 5(c).

MINUTES – DECEMBER 16, 2008

13. O&G 09-0259690: Carrizo Oil & Gas, Inc. enforcement action regarding Taylor Unit (232848) Lease, Well No.1 H, Taylor Unit (233600) Lease, Well No.2h, Newark, East (Barnett Shale) (65280200) Field, Tarrant County, Texas. Violation of Statewide Rule 5(c).
14. O&G 03-0252469: Aspect Energy, LLC enforcement action regarding Lolia Petkovesk Lease, Well No. 1 (0620423) Permit, Big Hill, NW. (Hackberry, Lower) (07888710) Field, Jefferson County, Texas. Violation of Statewide Rule 13(b)(2)(B).
15. O&G 09-0258755: Texas Energy Operations, LC enforcement action regarding Prothro (26571) Lease, Well No. 4j, Wichita County Regular (97155001) Field, Wichita County, Texas. Violation of Statewide Rule 46(a).
16. O&G 08-0257359: E & M Tech enforcement action regarding Texaco "23" (33670) Lease, Ken Regan (Delaware) (48754500) Field, Reeves County, Texas. Violation of Statewide Rule 8(d)(1).
17. O&G 02-0258305: Pitchfork Oil & Gas, Inc. enforcement action regarding Finley, D. (105763) Lease, Well No.1, Palmetto Bend, W (C-12) (68638750) Field, Finley, Dee (07640) Lease, Well No. 3, Palmetto Bend, W. (A-8 Frio) (68638073) Field, Jackson County, Texas. Violation of Statewide Rule 14(d)(12).
18. O&G 02-0258304: M. J. G., Inc. enforcement action regarding Wood Family Memorial Trust (09025) Lease, Well No.1, Wood High (Elsie) (98473166) Field, Victoria County, Texas. Violation of Statewide Rule 8(b).
19. O&G 01-0255899: Claro Operating, LLC enforcement action regarding Live Oak Lease, Well No. 1 (0558028) Permit, Wildcat (00002001) Field, Real County, Texas. Violation of Statewide Rules 14(b)(2); 8(d)(2); 16(b); 13(b)(1)(B).
20. O&G 06-0258457: Exzena Oil Corp. enforcement action regarding King (13652) Lease, Well No.1, Forest Hill (Sub-Clarksville 1st) (31941800) Field, Wood County, Texas. Violation of Statewide Rules 14(b)(2); 13(b)(1)(B); 3(2).
21. O&G 02-0259516: Camoil, Inc. enforcement action regarding Schilhab (157510) Lease, Well No.1, Seclusion (Cockfield 6100) (82024333) Field, Lavaca County, Texas. Violation of Statewide Rule 14(b)(1).
22. O&G 01-0259511: Arriola Operating & Consulting Inc. enforcement action regarding (033181) Operator, Byrd, K.W. (10561) Lease, Well No.1, Marcelina Creek (Austin Chalk) (57367500) Field, Wilson County, Texas. Violation of Statewide Rules 3(1), (2), and (3); 8(d)(1).
23. O&G 02-0258272: Summit Resources Mgmt., LLC. enforcement action regarding Little, G. W. (03762) Lease, Well No.1, Zarsky, S. (Frio 8300) (99709500) Field, Refugio County, Texas. Violation of Statewide Rules 14(b)(2); 3(1), (2), and (3).
24. O&G 7B-0249438: Sequoia Fossil Fuels, Inc. enforcement action regarding Kerr (15671) Lease, Well Nos.1, 2 & 3 Mangum, North (3200) (57098500) Field, Eastland County, Texas. Violation of Statewide Rules 8(d)(1); 3(2).

MINUTES – DECEMBER 16, 2008

25. O&G 7B-0258139: Quicksilver Resources Inc. enforcement action regarding Millard Fillmore Lse. Well No 1h (0641630) Permit, Millard Fillmore Lse Well No 2h (0641843) Permit, Dugger Hewlett North Unit Lse 3h (0659935) Permit, Newark, East (Barnett Shale) (65280200) Field, Somervell County, Texas Violation of Statewide Rule 13(b)(2)(A)(i).
26. O&G 02-0259488: Future Petroleum Company LLC enforcement action regarding McFaddin (03432) Lease, McFaddin (4400) (59371629) Field, Victoria County, Texas. Violation of Statewide Rules 8(d)(1) and (2); 22(b)(1).
27. O&G 09-0259682: XTO Energy Inc. enforcement action regarding Peters Lease, Well No. 2h (0558479) Permit, Newark, East (Barnett Shale) (65280200) Field, Bosque County, Texas. Violation of Rule 16(b).
28. O&G 7B-0258136: XTO Energy Inc. enforcement action regarding Mosites Lease, Well No. C 3h (0638352) Permit, Mosites Lease, Well No. C 4h (0638354) Permit, Blasingame B Unit Lse. Well 2h (0655913) Permit Newark, East (Barnett Shale) (65280200) Field, Parker County, Texas. Violation of Statewide Rule 13(b)(2)(A)(i).
29. O&G 03-0257796: Atasca Resources, Inc. enforcement action regarding Wiess (22612) Lease, Well Nos. 1, &3, Good Guys (Wilcox 9300) (35761475) Field, Tyler County, Texas. Violation of Statewide Rules 8(d)(1); 14(b)(2).
30. LP-Gas Docket No. 1976: We are Crazy d/b/a Country Pantry enforcement action for violation of LP-Gas Safety Rule §9.7(h), at Country Pantry, Vidor, Jasper County, Texas.
31. LP-Gas Docket No. 1980: Highway Pipeline, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at Matlock Enterprises, Inc., 801 E. I-20, Colorado City, Mitchell County, Texas.
32. LP-Gas Docket No. 1985: Inergy Propane, L.L.C. enforcement action for violation of LP-Gas Safety Rule §9.135, at Sunset Ridge Mobile Home Park, 103 Sunset Way, College Station, Brazos County, Texas.
33. LP-Gas Docket No. 1986: Gordon Todd, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at M & M Farm Supply, 2208 W. 4th Street, Cameron, Milam County, Texas.
34. LP-Gas Docket No. 1989: Heritage Operating, L.P. enforcement action for violation of LP-Gas Safety Rule §9.132, at Neighborhood Hardware, 9924 Manchaca Road, Austin, Travis County, Texas.
35. LP-Gas Docket No. 1993: Alton Crocker enforcement action for violation of LP-Gas Safety Rule §9.7(a)(4), at Kountze Independent School District, 1488 FM 1283, Kountze, Hardin County, Texas.
36. LP-Gas Docket No. 1994: Robert W. Howard enforcement action for violation of LP-Gas Safety Rule §9.13(f), at Kountze Independent School District, Kountze, Hardin County, Texas.

MINUTES – DECEMBER 16, 2008

37. LP-Gas Docket No. 2004: HEB Grocery Company, LP enforcement action for violation of LP-Gas Safety Rule §9.17(e)(1)(2), at HEB #575, 14498 Bellaire, Houston, Harris County, Texas.
38. Damage Prevention Docket No. 000632: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.1, at 4015 Fairlakes, Dallas, Dallas County, Texas.
39. Damage Prevention Docket No. 000637: E-Z Bel Construction, LLC enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 140 W. Sunset, San Antonio, Bexar County, Texas.
40. Damage Prevention Docket No. 000673: MGI Network Services, LLC enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at on railroad right-of-way between Terry O Lane and Santiago Street, Austin, Texas.
41. Damage Prevention Docket No. 000697: Smith County Road and Bridge enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at CR-1145, Tyler, Smith County, Texas.
42. Damage Prevention Docket No. 000726: Coastal Conduit and Ditching, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 3702 Cat Springs, Missouri City, Fort Bend County, Texas.
43. Damage Prevention Docket No. 001012: Austin Water Utility enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.3(e) and §18.11(b), at 4900 Nuckols Crossing (Spring Meadow), Austin, Travis County, Texas.
44. Damage Prevention Docket No. 001018: Badeco, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 322 Florida (Carolina), San Antonio, Bexar County, Texas.
45. Damage Prevention Docket No. 001031: D. L. Elliott Enterprise, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.10(b) and §18.11(b), at 6603 Leedale, Houston, Harris County, Texas.
46. Damage Prevention Docket No. 001051: Southwestern Gas Pipeline, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at CR 1510 (State Hwy 138 and CR 1510), Garrison, Shelby County, Texas.
47. Damage Prevention Docket No. 001066: Five B's Construction & Utilities Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.10(b) and §18.11(b), at 312 Pearl Pkwy #1 (E. Grayson and Avenue A), San Antonio, Bexar County, Texas.
48. Damage Prevention Docket No. 001109: Aqua Bore, LLC enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 700 Blk. E. Continental (Byron Nelson), Southlake, Tarrant County, Texas.

MINUTES – DECEMBER 16, 2008

49. Damage Prevention Docket No. 001166: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at 8733 1st (Pecan), Frisco, Collin County, Texas.
50. Damage Prevention Docket No. 001173: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 402 Highland Drive, Seagoville, Dallas County, Texas.
51. Damage Prevention Docket No. 001175: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at FM 511 (Old Port Isabel Road), Brownsville, Cameron County, Texas.
52. Damage Prevention Docket No. 001187: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 7800 Blk. Elam Road, Dallas, Dallas County, Texas.
53. Damage Prevention Docket No. 001189: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2235 Bolden (Kingsmill), Irving, Dallas County, Texas.
54. Damage Prevention Docket No. 001191: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at E. Main at Highway 110 S., Whitehouse, Smith County, Texas.
55. Damage Prevention Docket No. 001193: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 8639 Richardson Branch, Dallas, Dallas County, Texas.
56. Damage Prevention Docket No. 001195: La Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 1129 Culebra (N. Zarzamora), San Antonio, Bexar County, Texas.
57. Damage Prevention Docket No. 001201: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4622 Bayberry (Zion), Garland, Dallas County, Texas.
58. Damage Prevention Docket No. 001206: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 104 Woodrow Circle (Hardwickle), Little Elm, Denton County, Texas.
59. Damage Prevention Docket No. 001213: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 7509 Cottonwood Ct. (Wind Mill), Garland, Dallas County, Texas.
60. Damage Prevention Docket No. 001216: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 912 Rancho (Casa), Mesquite, Dallas County, Texas.
61. Damage Prevention Docket No. 001217: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1609 Tierney, Fort Worth, Tarrant County, Texas.

MINUTES – DECEMBER 16, 2008

62. Damage Prevention Docket No. 001219: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1404 S. Cliff (Ford), Decatur, Wise County, Texas.
63. Damage Prevention Docket No. 001221: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2418 Kayewood (Glenwood), Denton, Denton County, Texas.
64. Damage Prevention Docket No. 001224: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 900 Blk. Rapp (Rufe Snow), Keller, Tarrant County, Texas.
65. Damage Prevention Docket No. 001227: Shaw Energy Delivery Services enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.3(a) and §18.11(b), at Ross Road (Pierce lane and Elroy Road), Austin, Travis County, Texas.
66. Damage Prevention Docket No. 001231: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1518 Bowie (Utah), Waco, McLennan County, Texas.
67. Damage Prevention Docket No. 001233: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1022 Abrams, Richardson, Dallas County, Texas.
68. Damage Prevention Docket No. 001240: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 133 Manufacturing (Levee Street), Dallas, Dallas County, Texas.
69. Damage Prevention Docket No. 001241: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3533 Beverly (Vicki), Haltom City, Tarrant County, Texas.
70. Damage Prevention Docket No. 001245: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at S. Falls Ct. and 3 Bridges (Wickersham), Flower Mound, Denton County, Texas.
71. Damage Prevention Docket No. 001252: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4641 Stockwood Dr. (Castleroy La), Fort Worth, Tarrant County, Texas.
72. Damage Prevention Docket No. 001253: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4100 Mockingbird (Preston Rd.), Highland Park, Dallas County, Texas.
73. Damage Prevention Docket No. 001256: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2415 Locust Avenue (Dalton), Dallas, Dallas County, Texas.

MINUTES – DECEMBER 16, 2008

74. Damage Prevention Docket No. 001257: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 215 S. Chandler (Crawford Street), Denison, Grayson County, Texas.

75. Damage Prevention Docket No. 001263: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 12135 Pine Meadow (Deer Meadow), Houston, Harris County, Texas.

76. Damage Prevention Docket No. 001265: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 10934 Sagebluff (Sagetrail), Houston, Harris County, Texas.

77. Damage Prevention Docket No. 001266: A & A Cable Contractors, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 7312 Market St. (Market), Houston, Harris County, Texas.

78. Damage Prevention Docket No. 001267: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 12014 Pecan Meadow (Deer Meadow), Houston, Harris County, Texas.

79. Damage Prevention Docket No. 001271: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2 Tartan Ct., Conroe, Montgomery County, Texas.

80. Damage Prevention Docket No. 001272: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 10919 Sagecanyon Drive, Houston, Harris County, Texas.

81. Damage Prevention Docket No. 001273: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 9019 Marlive Lane, Houston, Harris County, Texas.

82. Damage Prevention Docket No. 001274: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 401 Keith (Greenville), Allen, Collin County, Texas.

83. Damage Prevention Docket No. 001275: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 552 Woolridge, Conroe, Montgomery County, Texas.

84. Damage Prevention Docket No. 001278: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 603 Nursery, Woodlands, Harris County, Texas.

85. Damage Prevention Docket No. 001280: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 225 E. Highland, Longview, Gregg County, Texas.

86. Damage Prevention Docket No. 001281: Coserv Gas, LTD enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at FM 1171 (Brutan Orand), Flowermound, Denton County, Texas.

MINUTES – DECEMBER 16, 2008

87. Damage Prevention Docket No. 001282: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at Timber Loch and Groans Mill, The Woodlands, Harris County, Texas.
88. Damage Prevention Docket No. 001283: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 9500 Blk. N. Panther Creek, Woodlands, Harris County, Texas.
89. Damage Prevention Docket No. 001284: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 300 Emerson, Montgomery, Montgomery County, Texas.
90. Damage Prevention Docket No. 001285: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at 7300 Market Street (Harbour), Houston, Harris County, Texas.
91. Damage Prevention Docket No. 001286: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 1747 Oak Sprawl, New Braunfels, Comal County, Texas.
92. Damage Prevention Docket No. 001287: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3377 Westheimer Road (Buffalo Speedway), Houston, Harris County, Texas.
93. Damage Prevention Docket No. 001288: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2326 Firnat Street, Houston, Harris County, Texas.
94. Damage Prevention Docket No. 001289: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Austin at Crosby, Portland, San Patricio County, Texas.
95. Damage Prevention Docket No. 001292: Weber Construction enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at Magnolia Road (McLean), Pearland, Brazoria County, Texas.
96. Damage Prevention Docket No. 001302: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 9730 S. Hanworth (Weybridge), Houston, Harris County, Texas.
97. Damage Prevention Docket No. 001305: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Kimery Lane (Ben Ficklin Rd), San Angelo, Tom Green County, Texas.
98. Damage Prevention Docket No. 001306: Blue Grass Maintenance enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 13333 Hutton (Valley View), Farmers Branch, Dallas County, Texas.
99. Damage Prevention Docket No. 001308: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2523 E.S.E. Loop 323 (Intersection of ESE Loop 323 Blvd.), Tyler, Smith County, Texas.

MINUTES – DECEMBER 16, 2008

100. Damage Prevention Docket No. 001317: A & T Steel Fabricators, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.3(a) and §18.11(b), at 18972 Harbor Side Blvd., Montgomery, Montgomery County, Texas.

101. Damage Prevention Docket No. 001319: City of Temple Public Works Utilities enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 1017 S. Main Street (E Avenue H), Temple, Bell County, Texas.

102. Damage Prevention Docket No. 001325: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3041 Churchill Drive (Broadmoore Lane), Flowermound, Denton County, Texas.

103. Damage Prevention Docket No. 001328: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 415 Gardenia (Gardenia and Redwood), Brazoria, Brazoria County, Texas.

104. Damage Prevention Docket No. 001343: City of Cedar Park enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 12212 RR 620 (Little Elm), Cedar Park, Williamson County, Texas.

105. Damage Prevention Docket No. 001344: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 8926 Fondren Village Drive (Fondren Place Drive), Houston, Harris County, Texas.

106. Damage Prevention Docket No. 001347: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 3513 Beverly Drive (Webster Street), Haltom City, Tarrant County, Texas.

107. Damage Prevention Docket No. 001350: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 5434 Jason (Braesmont), Houston, Harris County, Texas.

108. Damage Prevention Docket No. 001351: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at 100 Blk. E. Magnolia Street, Troup, Smith County, Texas.

109. Damage Prevention Docket No. 001352: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 5394 Linda (Diane Avenue), Tyler, Smith County, Texas.

110. Damage Prevention Docket No. 001356: Shaw EDS enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.4(b), at 3809 Cherrywood (38 ½ Street), Austin, Travis County, Texas.

111. Damage Prevention Docket No. 001358: CPS Energy enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(e), at 535 Edwards (Pruitt), San Antonio, Bexar County, Texas.

MINUTES – DECEMBER 16, 2008

112. Damage Prevention Docket No. 001362: Badeco Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 1323 Culebra Road (Hamilton), San Antonio, Bexar County, Texas.

113. Damage Prevention Docket No. 001364: Brownsville Public Utilities Board enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.10(b) and §18.11(b), at 1179 Ruben M. Torres Blvd, (Jose Marti Blvd.), Brownsville, Cameron County, Texas.

114. Damage Prevention Docket No. 001379: W. W. Webber, LLC enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.10(b) and §18.11(b), at Dixie Farm Road at FM 518, Pearland, Brazoria County, Texas.

115. Damage Prevention Docket No. 001380: Laughlin-Thyssen, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 608 Kinney Avenue (Virginia Avenue), Austin, Travis County, Texas.

116. Damage Prevention Docket No. 001387: City of Newark enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.1 and §18.11(b), at 507 Central Avenue (McCanne), Newark, Wise County, Texas.

117. Damage Prevention Docket No. 001398: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1603 S. Cliff Street, Decatur, Wise County, Texas.

118. Damage Prevention Docket No. 001400: City of Port Arthur enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 1116 W. 11th Street (Dewalt), Port Arthur, Jefferson County, Texas.

119. Damage Prevention Docket No. 001403: S. J. Louis Construction of Texas enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.11(b), at 2025 Brinker Ct. (Ball Park Way), Arlington, Tarrant County, Texas.

120. Damage Prevention Docket No. 001415: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 5331 Baron Trace, Katy, Fort Bend County, Texas.

121. Damage Prevention Docket No. 001416: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Davis (Bandit Trail), Keller, Tarrant County, Texas.

122. Damage Prevention Docket No. 001417: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at 11711 Petersham (Chessington), Houston, Harris County, Texas.

123. Damage Prevention Docket No. 001420: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2122 Silver Sage (Eagle Pass), Keller, Tarrant County, Texas.

124. Damage Prevention Docket No. 001421: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 10400 Denton Drive (Lombardy), Dallas, Dallas County, Texas.

MINUTES – DECEMBER 16, 2008

125. Damage Prevention Docket No. 001422: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 915 Pioneer (Nursery Road), Irving, Dallas County, Texas.

126. Damage Prevention Docket No. 001423: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Cross Timbers (Dover), Flower Mound, Denton County, Texas.

127. Damage Prevention Docket No. 001427: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3557 Beverly Drive, Haltom City, Tarrant County, Texas.

128. Damage Prevention Docket No. 001428: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1302 Renner Drive, Dallas, Dallas County, Texas.

129. Damage Prevention Docket No. 001429: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1514 Live Oak (W. Avenue P), Temple, Bell County, Texas.

130. Damage Prevention Docket No. 001433: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3000 Laguna Drive (Townbluff), Plano, Collin County, Texas.

131. Damage Prevention Docket No. 001434: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 821 Foch, Fort Worth, Tarrant County, Texas.

132. Damage Prevention Docket No. 001435: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 3018 Luzon (Briery), Irving, Dallas County, Texas.

133. Damage Prevention Docket No. 001437: A & A Cable Contractors Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at Ravina Lane and Austin Street, League City, Galveston County, Texas.

134. Damage Prevention Docket No. 001441: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3925 Prescott, Dallas, Dallas County, Texas.

135. Damage Prevention Docket No. 001442: S J Louis Construction Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at Sean Haggerty (Roger Maris), El Paso, El Paso County, Texas.

136. Damage Prevention Docket No. 001445: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Crowley Road (Risinger Road), Fort Worth, Tarrant County, Texas.

MINUTES – DECEMBER 16, 2008

137. Damage Prevention Docket No. 001446: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(b), at 5918 Claridge (Dunlap), Houston, Harris County, Texas.

138. Damage Prevention Docket No. 001448: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Lot 35 Pearl Ct. (Happy Circle), Whitehouse, Smith County, Texas.

139. Damage Prevention Docket No. 001450: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 306 W. Broadway (Galveston Ave.), Fort Worth, Tarrant County, Texas.

140. Damage Prevention Docket No. 001452: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1031 N. St. Augustine (San Leon), Dallas, Dallas County, Texas.

141. Damage Prevention Docket No. 001453: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at 12123 Fondren Place (Deer Meadow), Houston, Harris County, Texas.

142. Damage Prevention Docket No. 001454: PM Construction enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 10838 Sugar Hill (Lakeside Estates), Houston, Harris County, Texas.

143. Damage Prevention Docket No. 001455: HMI Services enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at R507 N. Englewood (Erskine Avenue and N. Franford Avenue), Lubbock, Lubbock County, Texas.

144. Damage Prevention Docket No. 001460: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2733 Foreman, Dallas, Dallas County, Texas.

145. Damage Prevention Docket No. 001461: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Security and Conveyor, Dallas, Dallas County, Texas.

146. Damage Prevention Docket No. 001462: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.5(a) and §18.5(a) at 1109 Delmar, Garland, Dallas County, Texas.

147. Damage Prevention Docket No. 001463: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Brand and Windsor, Laredo, Webb County, Texas.

148. Damage Prevention Docket No. 001464: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1605 S. Cliff (7370), Decatur, Wise County, Texas.

MINUTES – DECEMBER 16, 2008

149. Damage Prevention Docket No. 001465: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3 Summer Tree (Candlewood Circle), Wichita Falls, Wichita County, Texas.

150. Damage Prevention Docket No. 001466: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at I-35 and Heritage Road, Fort Worth, Tarrant County, Texas.

151. Damage Prevention Docket No. 001468: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Routh and Woodrow, Dallas, Dallas County, Texas.

152. Damage Prevention Docket No. 001469: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 3041 Luzon (Briery), Irving, Dallas County, Texas.

153. Damage Prevention Docket No. 001470: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at Garland Road and Jupiter Road, Dallas, Dallas County, Texas.

154. Damage Prevention Docket No. 001472: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1912 Woods Lane (Gage Street), Haltom City, Tarrant County, Texas.

155. Damage Prevention Docket No. 001474: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 702 Hamilton Street, West Columbia, Brazoria County, Texas

156. Damage Prevention Docket No. 001479: City of Alvin enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 3142 FM 1462, Alvin, Brazoria County, Texas.

157. Damage Prevention Docket No. 001481: City Public Service Energy enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 12766 Cascade Hills (Suncatcher), San Antonio, Bexar County, Texas.

158. Damage Prevention Docket No. 001484: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Kingsley (Ramona), Dallas, Dallas County, Texas.

159. Damage Prevention Docket No. 001486: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3111 and CR 290, Floydada, Floyd County, Texas.

160. Damage Prevention Docket No. 001487: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2633 Webster Ct., Plano, Collin County, Texas.

161. Damage Prevention Docket No. 001488: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3910 Avenue G (East 40th Street), Austin, Travis County, Texas.

MINUTES – DECEMBER 16, 2008

162. Damage Prevention Docket No. 001489: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 702 Jesse Street (Juliet Street), Austin, Travis County, Texas.

163. Damage Prevention Docket No. 001490: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at South Ann (Robin Lane), Harker Heights, Bell County, Texas.

164. Damage Prevention Docket No. 001492: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 800 E. Pioneer, Irving, Dallas County, Texas.

165. Damage Prevention Docket No. 001497: Laughlin-Thyssen, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 901 Jessie (Tread well), Austin, Travis County, Texas.

166. Damage Prevention Docket No. 001498: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 7700 Forest Hill #159, Fort Worth, Tarrant County, Texas.

167. Damage Prevention Docket No. 001499: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 10577 Lombard, Dallas, Dallas County, Texas.

168. Damage Prevention Docket No. 001500: City of Denton ¿Street Department¿ enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(e), at 525 Skinner, Denton, Denton County, Texas.

169. Damage Prevention Docket No. 001506: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4125 Prescott, Dallas, Dallas County, Texas.

170. Damage Prevention Docket No. 001507: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 7449 College Circle S. (Susan Lee Street), North Richland Hills, Tarrant County, Texas.

171. Damage Prevention Docket No. 001508: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2126 Stone Ridge Drive (Ridgegate Drive, Keller, Tarrant County, Texas.

172. Damage Prevention Docket No. 001509: City of Denton enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 2013 Marshal (Hamton), Denton, Denton County, Texas.

173. Damage Prevention Docket No. 001511: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 6627 Lindy Lane (Idylwood Drive), Houston, Harris County, Texas.

MINUTES – DECEMBER 16, 2008

174. Damage Prevention Docket No. 001515: A & A Cable Contractors Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 1906 Fall Creek (Beeding), Keller, Tarrant County, Texas.

175. Damage Prevention Docket No. 001516: Austin Water Utility enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.4(b), at 9327 Burnet Road (Longhorn Blvd.), Austin, Travis County, Texas.

176. Damage Prevention Docket No. 001517: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 3207 Briarcrest Drive, Bryan, Brazos County, Texas.

177. Damage Prevention Docket No. 001521: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 8930 Dawnridge (Fondren Place), Houston, Harris County, Texas.

178. Damage Prevention Docket No. 001523: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Cat Mountain and Rufe Snow, Keller, Tarrant County, Texas.

179. Damage Prevention Docket No. 001524: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 6900 Blk. Oak Grove Road (Joel West), Fort Worth, Tarrant County, Texas.

180. Damage Prevention Docket No. 001525: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2521 Millington (Tulane), Plano, Collin County, Texas.

181. Damage Prevention Docket No. 001528: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 10907 Albury (Claridge), Houston, Harris County, Texas.

182. Damage Prevention Docket No. 001533: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4019 Lemon Tree Lane (Athlone Drive), Houston, Harris County, Texas.

183. Damage Prevention Docket No. 001534: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 301 Hidden Valley (Anneetta Road), Aledo, Parker County, Texas.

184. Damage Prevention Docket No. 001535: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Singleton/Navarro, Dallas, Dallas County, Texas.

185. Damage Prevention Docket No. 001536: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4500 Holland (Prescott), Dallas, Dallas County, Texas.

186. Damage Prevention Docket No. 001537: M.T. Contractors enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 1613 S. Primavera (Rivera), Pearland, Brazoria County, Texas.

MINUTES – DECEMBER 16, 2008

187. Damage Prevention Docket No. 001538: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 205 Casalita, Garland, Dallas County, Texas.

188. Damage Prevention Docket No. 001539: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 4022 Gus Thomason (Interstate 30), Mesquite, Dallas County, Texas.

189. Damage Prevention Docket No. 001540: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 2301 Forest Park (I-30), Fort Worth, Tarrant County, Texas.

190. Damage Prevention Docket No. 001541: North Texas Contracting enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 501 S. Fannin, Rockwall, Rockwall County, Texas.

191. Damage Prevention Docket No. 001544: Mid-America of Texas, Inc. enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.10(b), at 10504 Huntington Road (Walmea), Frisco, Collin County, Texas.

192. Damage Prevention Docket No. 001545: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1609 Wood Lane (Catalpa Street), Haltom City, Tarrant County, Texas.

193. Damage Prevention Docket No. 001546: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Intersection of Valley Ranch Bend and Caden Creek, New Caney, Montgomery County, Texas.

194. Damage Prevention Docket No. 001552: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1211A 14th Street, Santa Fe, Galveston County, Texas.

195. Damage Prevention Docket No. 001555: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 6512 Collard Ct. (Main Street), North Richland Hills, Tarrant County, Texas.

196. Damage Prevention Docket No. 001556: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Calico Lane (Piney Pt.), Houston, Harris County, Texas.

197. Damage Prevention Docket No. 001557: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at Bois D Arc (White), McKinney, Collin County, Texas.

198. Damage Prevention Docket No. 001562: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 8100 Airport (North Garden Street), Houston, Harris County, Texas.

MINUTES – DECEMBER 16, 2008

199. Damage Prevention Docket No. 001563: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(b), at 1100 Shufford Street (Chamberlain Street), Irving, Dallas County, Texas.

200. Damage Prevention Docket No. 001565: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 825 Cliff More (Scot), Keller, Tarrant County, Texas.

201. Damage Prevention Docket No. 001566: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 454 Pebblecreek (Ridgecliff), Keller, Tarrant County, Texas.

202. Damage Prevention Docket No. 001567: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1920 Overlook Ridge Lane (Beeding), Keller, Tarrant County, Texas.

203. Damage Prevention Docket No. 001568: Atmos Energy Corp., Mid-Tex. Div., enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 1508 Hudnall Farm Road (Keller Smithfield Road S.), Keller, Tarrant County, Texas.

204. Damage Prevention Docket No. 001569: City of Morgan's Point enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 100 Willow Street, La Porte, Harris County, Texas.

205. Damage Prevention Docket No. 001570: City of Rosenberg enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 406 Houston Street (FM 723), Rosenberg/Brazos Park, Fort Bend County, Texas.

206. Damage Prevention Docket No. 001571: Circle C. Construction enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.3(a), at 5201 N. Hampshire (Tierney), Fort Worth, Tarrant County, Texas.

207. Damage Prevention Docket No. 001575: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.5(a), at 16015 Pipers View (338 Lost Rock), Houston, Harris County, Texas.

208. Damage Prevention Docket No. 001577: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 10823 Sagevale (Sageorchard), Houston, Harris County, Texas.

209. Damage Prevention Docket No. 001587: Mercer Construction Company enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.4(a), at 2902 Lone Tree Road (Ben Wilson Street), Victoria, Victoria County, Texas.

210. Damage Prevention Docket No. 001588: Mercer Construction Company enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.4(a), at 2802 Lone Tree Road (Ben Wilson), Victoria, Victoria County, Texas.

MINUTES – DECEMBER 16, 2008

211. Damage Prevention Docket No. 001591: Camino Construction LP enforcement action for violation of Underground Pipeline Damage Prevention Rules 16 TAC §18.4(a) and §18.11(b), at 600 Drexel (Main Street), McKinney, Collin County, Texas.

212. Damage Prevention Docket No. 001592: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 367 Eldervista, Houston, Harris County, Texas.

213. Damage Prevention Docket No. 001598: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Prevention Rule 16 TAC §18.8(a), at 18322 Desert Marigold Drive (Remington Springs Drive), Houston, Harris County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

214. O&G 01-0258759: Blackbrush O & G, Inc. to consider a net gas-oil ratio for all wells completed in the Pearsall (Buda Lime) Field, Frio, Dimmit, La Salle, and Zavala Counties, Texas.

215. O&G 01-0259972: U.S.A. Plugging Company Application of U.S.A. Plugging Company to supercede the final order signed on July 15, 2008, in Oil & Gas Docket No. 01-0254496 requiring the Sweeney, Camille (12964) Lease, Well Nos. 1 & 3, Touchstone (Olmos -A-) Field, and Sweeney, Camille (13240) Lease, Well No. 2, Pearsall (Austin Chalk) Field Frio County, Texas, be plugged, enabling U.S.A. Plugging Company to become the operator of record.

216. O&G 02-0259680: TXO Production Corporation Application of TXO Production Corporation to supercede the signed on 06-06-00 in Oil & Gas Docket No. 02-0223201 requiring that the Dahlstrom (094863) Lease, Well #1 (094863) Mayo (Frio 6530) (58693050) Field, Jackson County, Texas, be plugged, enabling TXO Production Corporation to become the operator of record.

217. O&G 03-0259031: Slawson Exploration Company, Inc to consider a net gas-oil ratio for Harrison (25180) Lease, Well No.2, Angleton, South (12,600) (02886800) Field, Brazoria County, Texas.

218. O&G 03-0259610: Century Exploration Houston, Inc consolidate the Bradley, South (Yegua 7770) Field into the Van Meter (Yegua Ey-9) Field, expand the correlative interval, suspend allocation formula, adopt AOF designation, cancel overproduction and adopt permanent gas well classification, Hardin County, Texas.

219. O&G 03-0259723: Century Exploration Houston, Inc to consider a new field designation for its Mil-Vid Prop, et al. 'A-152' Lease, Well No. 1, and to consider temporary field rules, adoption of an MER and cancellation of overproduction, (Proposed) Adams Ranch (Yegua Dy-2) Field, Jasper County, Texas.

MINUTES – DECEMBER 16, 2008

220. O&G 03-0259778: Leexus Oil LLC Application of Leexus Oil, LLC to supercede the Final Order signed on June 24, 2008, in Oil and Gas Docket No. 03-0232385 requiring the plugging of the Loebau (22122) Lease, Well No. 1, Giddings (Austin Chalk-3) (34733500) Field, Lee County, Texas, enabling the applicant to become the operator of record.

221. O&G 04-0258736: Pogo Producing Company LLC to consolidate the Los Mogotes (7400), Los Mogotes (8120) and Los Mogotes (9150) Fields into a single field to be known as the Los Mogotes (Wilcox Cons.) Field, to adopt field rules for the consolidated field, and to transfer certain wells into the Field Zapata County, Texas.

222. O&G 04-0259605: EOG Resources, Inc. amend the vertical interval for the Nueces Bay Deep consolidated Field, San Patricio County, Texas.

223. O&G 05-0259792: Application of Emmanual Oil to supercede the final order signed on July 22, 2003, in Oil & Gas Docket No. 05-0233579 requiring that the Cooper Foundation -W- (01878) Lease, Well No. 20, Deer Creek (23939001) Field, Falls County, Texas, be plugged enabling Emmanual Oil to become the operator of record.

224. O&G 06-0259028: Samson Lone Star, LLC to consider a net gas-oil ratio for Huxley (Fredricksburg) (43940350) Field, Shelby County, Texas.

225. O&G 06-0259377: Encore Operating, L.P. to amend the field rules for the Overton (Cotton Valley Sand) (67849150) Field, Smith, Cherokee, and Rusk Counties, Texas.

226. O&G 06-0259436: Comstock Oil & Gas, LP to amend the field rules for the Blocker (Cotton Valley) Field, Harrison and Rusk Counties, Texas.

227. O&G 08-0258189: Exxon Mobil Corporation to balance all accrued overproduction and underproduction in the Evetts (Pennsylvanian) Field, Winkler and Loving Counties, Texas.

228. O&G 08-0259381: Brahaney Drilling Co. to amend the field rules for the Coronet (2900) (20704750) Field, Howard County, Texas.

229. O&G 08-0259977: Pioneer Natural Res. USA, Inc. amend field rules for the Spraberry (Trend Area) Field (85280300), Midland, Glasscock, Reagan, Upton, Andrews, Crane, Howard, Dawson, Gaines, and Martin Counties (Railroad Commission Districts 08 and 8A), Texas.

230. O&G 09-0258925: Devon Energy Production Co, L.P. for tight area designation for the Boonsville (Bend Congl., Gas) Field, Wise, Parker, Jack, Denton, Cooke, and Tarrant Counties (Railroad Commission Districts 05, 7B, and 09), Texas.

231. O&G 8A-0259026: Fasken Oil and Ranch, Ltd. To consider an MER and/or net GOR for the Los Ybanez (Spraberry) (55018500) Field, Dawson County, Texas.

232. O&G 8A-0259184: Breitburn Operating L.P. to consider permanent field rules for the Lazy -JL- (Spraberry, Lo.) (52539666) Field, Garza County, Texas.

MINUTES – DECEMBER 16, 2008

233. O&G 8A-0259192: Tamarack Petroleum Company, Inc. to amend the field rules, Lee Harrison (52872001) Field, Lubbock County, Texas.

234. O&G 8A-0259687: P.O.&G. Operating, LLC application to supercede the final order served on June 27, 2007, in Oil & Gas Docket No. 8A-0249476 requiring that the Griffin, T. L. "6-a" (02665) Lease, Well Nos. 2a and 6, Griffin, T. L. "6-b" (02666) Lease, Well No. 4, and Griffin, T. L. "6-c" (02667) Lease, Well No. 8, Hobo (Pennsylvanian) (41816333) Field, Borden County, Texas, be plugged, enabling P.O.&G. Operating LLC to become the operator of record.

235. O&G 03-0258738: Clay/Katy Hockley, Ltd. Pursuant to Statewide Rule 76, for approval of a proposed qualified subdivision for a 157.109 Acre Tract in Harris County, Texas.

236. O&G 04-0259937: EOG Resources, Inc. for the recommendation of a tight gas formation for the Reklaw Formation of the Roma, East (5650) Field, Starr County, Texas.

237. O&G 04-0259936: Chevron U.S.A. Inc. for the recommendation of a tight gas formation for the Vicksburg Formation of the Encinitas, East (V-24) Field, Brooks County, Texas.

238. O&G 06-0259942: Southwestern Energy Production Co. for the recommendation of a tight gas formation for the James Lime Formation of the Loco Bayou (James Lime) Field, Angelina, Cherokee, and Nacogdoches Counties, Texas.

239. O&G 06-0259941: Samson Lone Star, L.L.C. for the recommendation of a tight gas formation for the James Formation of the Kendrick (James) Field, Nacogdoches County, Texas.

240. O&G 06-0259939: GMT Exploration Co Texas, LLC for the recommendation of a tight gas formation for the Travis Peak Formation of the Buckner Creek (Travis Peak) Field, Rusk County, Texas.

241. O&G 06-0259156: Southwestern Energy Production Co. for the recommendation of a tight gas formation for the Travis Peak Formation of the Red Land Field, Angelina County, Texas.

242. O&G 06-0260066: Newfield Exploration Co. for the recommendation of a tight gas formation for the Rodessa Formation of the Bethel Dome, E. (Mass. Rodessa) Field, Anderson County, Texas.

243. O&G 06-0260067: Newfield Exploration Co. for the recommendation of a tight gas formation for the Pettit Formation of the Bethel Dome, East (Pettit Gas) Field, Anderson County, Texas.

244. O&G 04-0260068: Suemaur Expl. & Prod., LLC for the recommendation of a tight gas formation for the Frio Formation of the Chile Vieja (Frio) Field, Willacy County, Texas.

MINUTES – DECEMBER 16, 2008

245. O&G 04-0260072: Suemaur Expl. & Prod., LLC for the recommendation of a tight gas formation for the Frio Formation of the Chile Vieja (Frio) Field, Willacy County, Texas.

246. O&G 04-0260179: Kerr-McGee Oil & Gas Onshore LP for the recommendation of a tight gas formation for the Vicksburg Formation of the Lyda (Vicksburg Lower) and Lyda (Rincon W) Fields, Starr County, Texas.

247. O&G 8A-0260086: Hess Corporation for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Seminole San Andres Unit (#60475) Lease, Seminole (San Andres) (#82225 142) Field, Gaines County, Texas.

248. O&G 08-0260205: Occidental Permian LTD. for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Cowden, Elliott F., -B- (#01580) Lease, Foster (#32309 001) Field, Ector County, Texas.

249. O&G 8A-0259816: Brown, Geo. R Partnership, LP, for authority pursuant to Statewide Rule 50 to approve or certify an EOR project for the Post Estate "A" (#01898) Lease, Garza (#34113 001) Field, Garza County, Texas.

MASTER DEFAULT ORDERS

The Commission unanimously approved the following default orders:

250. O&G 03-0257732: Camoil, Inc. enforcement action regarding Matthews "E" (139580) Lease, Well No. 2, Wylie (Frio 3925) (99035200) Field, Colorado County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

251. O&G 09-0243923: KTC Oil Enterprises, LLC enforcement action regarding McAnally (19795) Lease, Well Nos. 2, 4, 5, 7, 16, and 17, Archer County Regular (03446001) Field, Archer County, Texas. Violation of Statewide Rules 14(b)(2); 3(2); 16(a).

252. O&G 09-0252789: Rasher Energy, Inc. enforcement action regarding Taylor -C- (14225) Lease, Well Nos. 1, 2, 3, 4, 6, 8, 9, 10, 11, 12, and 16, Sterrett (Deep) (20896) Lease, Well No. 2, Archer County Regular (03446001) Field, Archer County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 3(1), (2), and (3); 8(d)(1); 46(j).

253. O&G 09-0256187: Alco Oil & Gas Co. LLC enforcement action regarding Moss (17010) Lease, Well No. 3, Shepherd (17075) Lease, Well No. 4, Hull-Silk-Sikes (4000) (43431730) Field, Archer County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 46(j).

254. O&G 09-0256188: Alco Oil & Gas Co. LLC enforcement action regarding Ahrens, Katie "A" (23020) Lease, Well No. 04, Archer County Regular (03446001) Field, Phillips-Moss (26370) Lease, Well No. 02, Hull-Silk-Sikes (3800) (43431700) Field, Archer County, Texas. Violation of Statewide Rules 14(b)(2); 3(2); 46(j) and (d)(1)(I).

255. O&G 09-0256280: Alco Oil & Gas Co. LLC enforcement action regarding East Holliday Parkey Sand Unit (00963) Lease, Well No. 136, Holliday, East (42205001) Field, Archer County, Texas. Violation of Statewide Rule 8(d)(1).

MINUTES – DECEMBER 16, 2008

256. O&G 09-0256760: Marchman, J. E. enforcement action regarding Atwood, Fred (12445) Lease, Well No. 03, Young County Regular (99480001) Field, Young County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 13(b)(1)(B).

257. O&G 09-0256804: Marchman, J. E. enforcement action regarding Atwood, Fred (12445) Lease, Young County Regular (99480001) Field, Young County, Texas. Violation of Statewide Rule 8(d)(1).

OFFICE OF GENERAL COUNSEL-RULES

PROPOSAL

258. Notice of intent to review and re-adopt 16 Tex. Admin. Code Chapter 3, relating to Oil and Gas Division, in accordance with Texas Government Code, §2001.039. The Commission unanimously approved publishing the rule in the *Texas Register* for a 30-day public comment period.

259. Notice of intent to review and re-adopt 16 Tex. Admin. Code Chapter 11, relating to Surface Mining and Reclamation Division, in accordance with Texas Government Code, §2001.039. The Commission unanimously approved publishing the rule in the *Texas Register* for a 30-day public comment period.

260. Notice of intent to review and re-adopt 16 Tex. Admin. Code Chapter 12, relating to Coal Mining Regulations, in accordance with Texas Government Code, §2001.039. The Commission unanimously approved publishing the rule in the *Texas Register* for a 30-day public comment period.

ADOPTION

261. Amendment of various rules in 16 Tex. Admin. Code Chapter 8 to implement changes to pipeline safety regulations regarding natural gas gathering, accident reporting, leak reporting, and enforcement penalties, and to update the adoption by reference of federal pipeline safety standards (GUD No. 9757). This item was pulled and no action taken. This item was pulled and no action was taken.

ADMINISTRATIVE MATTERS

INTERGOVERNMENTAL AND PUBLIC RELATIONS

262. Legislative proposals for the 81st legislative session. This item was pulled and no action taken. This item was pulled and no action was taken.

OIL AND GAS DIVISION

263. Fiscal Year 2008 Oil Field Cleanup Program Annual Report. The Commission unanimously approved the report. The Commission unanimously approved the report.

264. Update on the Daisetta sinkhole. No new information regarding this item was presented.

OFFICE OF GENERAL COUNSEL

265. Federal Energy Regulatory Commission Docket No. RM08-2-000, Order No. 720, issued on November 20, 2008; Pipeline Posting Requirements under Section 23 of the Natural Gas Act. The Commission unanimously approved this item, authorizing General Counsel Lindil Fowler to file a motion for rehearing with the Federal Energy Regulatory Commission and to begin conversing with the Attorney General's Office regarding this matter.

266. Recommendations regarding rulemaking related to Finding No. 4 in the August 4, 2008, report on the internal audit of the drilling permit section of the Oil and Gas Division. Chairman Williams made a motion to proceed with rulemaking on this item. The motion died for lack of a second. No other vote was taken.

COMMISSIONERS

Chairman Williams

267. Selection of Executive Director. At 10:42 am, Chairman Williams announced the Commission would convene into a closed meeting pursuant to Section 551.074 of the Texas Open Meetings Act, to discuss personnel matters. At 11:12 am, the Commission reconvened in the open meeting. No final action, decision or vote was held during the closed meeting.

Commissioner Jones

268. Proposals to address critical staffing, financial and resource needs of the Commission. Commissioner Jones deferred this item to be included in the Railroad Commission's legislative proposals at a future conference.

PUBLIC INPUT

269. 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 11:18 am.