

**RAILROAD COMMISSION OF TEXAS  
HEARINGS DIVISION**

**SMRD DOCKET NO. C17-0009-SC-42-C  
DOS REPÚBLICAS COAL PARTNERSHIP  
APPLICATION FOR RENEWAL/REVISION  
PERMIT NO. 42B, EAGLE PASS MINE  
MAVERICK COUNTY, TEXAS**

**ORDER ON INTERIM APPEAL**

On September 6, 2019, Dos Repúblicas Coal Partnership ("DRCP") filed an appeal pursuant to 16 Tex. Admin. Code § 1.38 of the Administrative Law Judge's ("ALJ") interim ruling issued on August 27, 2019, wherein the ALJ held that DRCP's applications for Revision Nos. 23 and 26 to Permit No. 42B ("Revisions") were not to be approved administratively and the operations proposed by the Revisions were to be considered in full during the captioned proceeding with an ultimate determination on the regulatory sufficiency of the operations to be made by the Railroad Commission of Texas ("Commission") when acting on the subject renewal/revision application.

Having duly considered the appeal of DRCP and the replies filed thereto, the Commission has determined that the appeal is meritorious and that the ALJ's interim ruling should be overruled.

**IT IS THEREFORE ORDERED** that the appeal filed by DRCP of the ALJ's interim ruling dated August 27, 2019 is **GRANTED**.

**IT IS FURTHER ORDERED** that the Surface Mining and Reclamation Division may continue to administratively process the Revisions in accordance with 16 Tex. Admin Code § 12.226.

**SIGNED** on October 1, 2019.

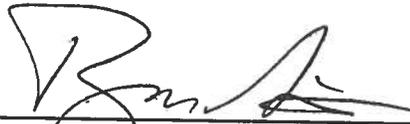
**RAILROAD COMMISSION OF TEXAS**



**CHAIRMAN WAYNE CHRISTIAN**



**COMMISSIONER CHRISTI CRADDICK**



**COMMISSIONER RYAN SITTON**

**ATTEST:**

*Deputy*  
  
Secretary  
Railroad Commission of Texas