

VICTOR G. CARRILLO, CHAIRMAN
ELIZABETH A. JONES, COMMISSIONER
MICHAEL L. WILLIAMS, COMMISSIONER

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
JUNE 30, 2009**

After providing notice as required by the Texas Open Meetings Act, the Railroad Commission of Texas held an open meeting at the William B. Travis Building, 1701 N. Congress Avenue, in Room 1-111, Austin, Texas, on Tuesday June 30, 2009, commencing at 9:30 a.m. Chairman Victor G. Carrillo, Commissioners Elizabeth A. Jones and Michael L. Williams were present. Chairman Carrillo presided.

OFFICE OF GENERAL COUNSEL-HEARINGS SECTION

OIL AND GAS PROTESTED

1. O&G 08-0261255: Kinder Morgan Production Co. LLC to consider approval of applicant's Form H-13, Positive Response Certification, for its Yates Field Unit, Yates Field, Pecos County, Texas, Pursuant to Statewide Rule 50. The Commission unanimously approved the application with revisions. The new order will be presented at the next conference.
2. O&G 08-0258358: Railroad Commission District 08 commission called review of the temporary field rules for the Toyah, NW (Shale) (90890700) Field, Reeves County, Texas. The Commission unanimously approved the amended order as presented.
3. O&G 03-0261365: Davidson, Grover R. application for a reduction in the amount of financial assurance required pursuant to Statewide Rule 78(g) for its operations in the state of Texas. The Commission unanimously approved the application.
4. O&G 09-0260202: XTO Energy Inc. pursuant to the Mineral Interest Pooling Act for creation of a pooled unit for its Texas Steel Unit, Well No. 1, Newark, East (Barnett Shale) Field, Tarrant County, Texas. Chairman Carrillo and Commissioner Jones voted to grant the oral argument. Commissioner Williams recused himself.
5. O&G 01-0260884: More Texas Oil Commission called hearing on the request of More Texas Oil (584487) to give More Texas Oil Opportunity to show cause why it is not legally responsible for cleanup operations required for compliance with Statewide Rules 8 and 91 regarding the Khalsa (11412) Lease, Saspamco (81150001) Field, Wilson County, Texas, and why the Commission should not proceed with state-funded cleanup of lease, and recoup all costs, expenses, and penalties related to the cleanup from More Texas Oil and/ and/or sale or other disposition of surface equipment and hydrocarbons on the lease. The Commission unanimously approved the order as presented.

MOTION FOR REHEARING

6. O&G 10-0259183: Crest Resources, Inc. to consider assignment of acreage for allowable purposes on its Davis Well No. 361, Stiles Ranch, South (Morrow, Lo) Field, Wheeler County, Texas. Chairman Carrillo and Commissioner Williams voted to deny the motion for rehearing. Commissioner Jones recused herself.

7. O&G 0251216: Chesapeake Operating, Inc. to consider an exception to Statewide Rule 37 for the Ramey Lease, Well No. 1h, Newark, East (Barnett Shale) (65280200) Field, Tarrant County, Texas. Commissioner Jones Chairman Carrillo and Commissioner Williams voted to deny the motion for rehearing. Commissioner Jones voted no.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

8. O&G 02-0260555: Tejones Operating Corporation enforcement action regarding (841338) Operator, Stanley Unit (07485) Lease, Well Nos. 1 and 1b, Patton (Austin Chalk) (69707200) Field, Wilson County, Texas. Violations of Statewide Rule 14(b)(2).

9. O&G 02-0261003: Aurora Resources Corporation enforcement action regarding Lander, O. M. Unit (126866) Lease, Well No. 1, Heyser (7350) (40957920) Field, Victoria County, Texas. Violation of Statewide Rule 14(b)(2).

10. O&G 02-0261781: Bay Rock Operating Company enforcement action regarding Allen (09037) Lease, Well Nos. 6 and 8, Slick (Wilcox) (84075498) Field, Goliad County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

11. O&G 02-0260212: Kenne Exploration, Inc. enforcement action regarding Stevens, Dorthy E. (101193) Lease, Well No. 5, Lavaca River (1700) (52365600) Field, Lavaca County, Texas. Violation of Statewide Rules 14(b)(2); 9(11)(B) and (12).

12. O&G 7B-0261311: Bell, Johnny Inc. enforcement action regarding Bell -164-(02833) Lease, Well No. 164, Wimberly (Hope Unit, Lower) (97893600) Field, Jones County, Texas. Violation of Statewide Rules 14(b)(2); 46(j).

13. O&G 7B-0261962:Curado Energy Resources Inc. enforcement action regarding Comeback (27330) Lease, Well No. 1, Throckmorton County Regular (89812001) Field, Throckmorton County, Texas. Violation of Statewide Rule 46(a).

14. LP-Gas Docket No. 2052: Mangum Oil & Gas Company, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at Murray & Massie Butane Co., 1001 Omega Street, East Hwy. 82, Henrietta, Clay County, Texas.

15. Damage Prevention Docket No. 001370: All Star Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at Hwy 105, Beaumont, Jefferson County, Texas.

16. Damage Prevention Docket No. 002923: City of Dallas enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1910 Mecca Street, Dallas, Dallas County, Texas.

MINUTES – JUNE 30, 2009

17. Damage Prevention Docket No. 002946: City of Dallas enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 5006 West Mockingbird (Oriole), Dallas, Dallas County, Texas.

18. Damage Prevention Docket No. 002986: City of Dallas DWU/Distribution enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 400 West 9th (Bishop), Dallas, Dallas County, Texas.

19. Damage Prevention Docket No. 003176: Archer Western Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 9800 Airport Blvd (Terminal), San Antonio, Bexar County, Texas.

20. Damage Prevention Docket No. 003452: City of Dallas enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 7143 Fisher Road, Dallas, Dallas County, Texas.

21. Damage Prevention Docket No. 003569: Archer Western Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 9800 Airport Blvd. (Loop 410), San Antonio, Bexar County, Texas.

22. Damage Prevention Docket No. 003613: Archer Western Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 9800 Airport Blvd. (Terminal Drive), San Antonio/San Antonio Airport, Bexar County, Texas.

23. Damage Prevention Docket No. 003815: Tiseo Paving Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 8300 John Carpenter Freeway (Empire Central) Dallas, Dallas County, Texas.

24. Damage Prevention Docket No. 003947: Fishel Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 3109 East Randal Mill (109th), Arlington, Tarrant County, Texas.

25. Damage Prevention Docket No. 003966: ACM Contractors, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 1516 Houston Avenue, Houston, Harris County, Texas.

26. Damage Prevention Docket No. 003970: ACM Contractors, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 604 Peden Street, Houston, Harris County, Texas.

27. Damage Prevention Docket No. 003978: City of Dallas/Dallas Water Utilities enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2900 Lemmon Avenue (Noble), Houston, Harris County, Texas.

28. Damage Prevention Docket No. 004041: SYB Construction Co., Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a) and 18.11(b), at 719 English Street (Ellwood), Irving, Dallas County, Texas.

MINUTES – JUNE 30, 2009

29. Damage Prevention Docket No. 004045: Cook Concrete, LP enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 751 Slaughter Lane (South 1st Street), Austin, Travis County, Texas.
30. Damage Prevention Docket No. 004059: City of Mansfield enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2800 Logan Drive (Primerose Trail), Mansfield, Tarrant County, Texas.
31. Damage Prevention Docket No. 004110: City of Lockhart enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 931 Maple Street (Medina), Lockhart, Caldwell County, Texas.
32. Damage Prevention Docket No. 004134: Muniz Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 1907 Dennis (Stafford), Irving, Dallas County, Texas.
33. Damage Prevention Docket No. 004137: Pike Electric, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at Bulverde (Smithson Valley), San Antonio, Bexar County, Texas.
34. Damage Prevention Docket No. 004141: Henkels & McCoy Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 1200 1st Street, Floresville, Wilson County, Texas.
35. Damage Prevention Docket No. 004144: S.H.U.C., Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 713 Atlanta Street, Fort Worth, Tarrant County, Texas.
36. Damage Prevention Docket No. 004158: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1136 Ashland (Pioneer), Mesquite, Dallas County, Texas.
37. Damage Prevention Docket No. 004161: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 800 Blk. Antonio and 3000 Foster, San Angelo, Tom Green County, Texas.
38. Damage Prevention Docket No. 004162: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 800 North 3rd (Short), Longview, Gregg County, Texas.
39. Damage Prevention Docket No. 004163: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 225 Stephens Pkwy (Jefferson Street), Grand Prairie, Dallas County, Texas.
40. Damage Prevention Docket No. 004164: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1514 East Avenue B (South 32nd Street), Temple/Hospital Hts., Bell County, Texas.

MINUTES – JUNE 30, 2009

41. Damage Prevention Docket No. 004165: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2600 West 12th Street (Chalmers), Dallas, Dallas County, Texas.
42. Damage Prevention Docket No. 004166: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 400 LS Salle Drive (Walton), Richardson, Dallas County, Texas.
43. Damage Prevention Docket No. 004167: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 3537 Briarcliff Ct. North (Briarcliff Drive), Irving, Dallas County, Texas.
44. Damage Prevention Docket No. 004168: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 1901 Preston Road (Park), Plano, Collin County, Texas.
45. Damage Prevention Docket No. 004170: City of Brownwood enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at Forest Hill, Brownwood, Brown County, Texas.
46. Damage Prevention Docket No. 004173: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 503 East Fowler (Bois D'Arc), Savoy, Fannin County, Texas.
47. Damage Prevention Docket No. 004175: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 302 South Oklahoma Street (Elm), Celina, Collin County, Texas.
48. Damage Prevention Docket No. 004176: Dickerson Construction Company Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 302 South Oklahoma Street (Elm), Celina, Collin County, Texas.
49. Damage Prevention Docket No. 004177: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2305 Hancock (Woodview Avenue), Austin, Travis County, Texas.
50. Damage Prevention Docket No. 004179: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 120 South 10th Street, Highlands, Harris County, Texas.
51. Damage Prevention Docket No. 004180: Harris County WCID # 1 enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 120 South 10th Street, Highlands, Harris County, Texas.
52. Damage Prevention Docket No. 004181: City of Denton enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(a), at 2620 Denison, Denton, Denton County, Texas.
53. Damage Prevention Docket No. 004184: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Main at 5th Street, Prosper, Collin County, Texas.

MINUTES – JUNE 30, 2009

54. Damage Prevention Docket No. 004188: Metro Pole Setting enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 728 North Galloway Avenue (Municipal Way), Mesquite, Dallas County, Texas.

55. Damage Prevention Docket No. 004189: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2302 McCoy Ct. (McCoy), Carrollton, Dallas County, Texas.

56. Damage Prevention Docket No. 004190: Hencie International Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2302 McCoy Ct. (McCoy), Carrollton, Dallas County, Texas.

57. Damage Prevention Docket No. 004192: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 9225 West Road, Houston, Harris County, Texas.

58. Damage Prevention Docket No. 004194: Adam Desplinter enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1205 Mystic Village, Seabrook, Harris County, Texas.

59. Damage Prevention Docket No. 004195: D & R Signs enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1000/1039 Willowvale Drive, Seabrook, Harris County, Texas.

60. Damage Prevention Docket No. 004198: Enterprise Products Operating LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at SH 149 and PR 649, Beckville, Panola County, Texas.

61. Damage Prevention Docket No. 004203: Durable Specialties, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(a), at Coit and Beltline, Richardson, Dallas County, Texas.

62. Damage Prevention Docket No. 004208: Ace Foundation Repair enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 825 Cherry Hill Drive, Huntsville, Walker County, Texas.

63. Damage Prevention Docket No. 004209: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 202 O'Connor (Simpson Street), Yoakum, De Witt County, Texas.

64. Damage Prevention Docket No. 004210: Four T Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(e), at 202 O'Connor (Simpson Street), Yoakum, De Witt County, Texas.

65. Damage Prevention Docket No. 004211: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 306 West Vista, Garland, Dallas County, Texas.

66. Damage Prevention Docket No. 004213: City of Pecos enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 11th and Ash in the alley (11th Street), Pecos, Reeves County, Texas.

MINUTES – JUNE 30, 2009

67. Damage Prevention Docket No. 004214: Big Dog Drilling enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 104 Sunset Circle, Shady Shores, Denton County, Texas.

68. Damage Prevention Docket No. 004215: Siegels Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 43rd Street, Lubbock, Lubbock County, Texas.

69. Damage Prevention Docket No. 004216: MP Technologies LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), and 18.11(b), at Cole Creek (Windfern), Houston, Harris County, Texas.

70. Damage Prevention Docket No. 004218: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4521 Trueland Road (Mecca), Fort Worth, Tarrant County, Texas.

71. Damage Prevention Docket No. 004219: Commercial Construction Services, LLC enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 1410 West 2nd Street, Quanah, Hardeman County, Texas.

72. Damage Prevention Docket No. 004220: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 8900 Block Warren Pkwy, Frisco, Collin County, Texas.

73. Damage Prevention Docket No. 004237: Construction Service Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1404 Merriewood Drive, Friendswood, Galveston County, Texas.

74. Damage Prevention Docket No. 004243: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Mile 6 West and Mile 12 2 North (Mile 6 West), Weslaco, Hidalgo County, Texas.

75. Damage Prevention Docket No. 004244: B & F Trenching & Drainage enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Mile 6 West and Mile 12 2 North (Mile 6 West), Weslaco, Hidalgo County, Texas.

76. Damage Prevention Docket No. 004245: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 520 Alcade (Worth), Dallas, Dallas County, Texas.

77. Damage Prevention Docket No. 004246: Tri Dal, Ltd enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), and 18.11(b), at 2300 Houston School Road, Lancaster, Dallas County, Texas.

78. Damage Prevention Docket No. 004247: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1311 Aldine Mail Route, Houston, Harris County, Texas.

MINUTES – JUNE 30, 2009

79. Damage Prevention Docket No. 004248: JDR Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 22450 FM 2493, Bullard, Smith County, Texas.

80. Damage Prevention Docket No. 004249: Conrad Landscaping enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2926 Rosemary Park (Shirewood Lane), Houston, Harris County, Texas.

81. Damage Prevention Docket No. 004253: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(a), at West 2nd (North Oakwood), Breckenridge, Stephens County, Texas.

82. Damage Prevention Docket No. 004254: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Bryant and Childers, Benbrook, Tarrant County, Texas.

83. Damage Prevention Docket No. 004255: Benbrook Water Authority enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Bryant and Childers, Benbrook, Tarrant County, Texas.

84. Damage Prevention Docket No. 004256: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at Rhode Island (York), Killeen, Bell County, Texas.

85. Damage Prevention Docket No. 004257: City of Killeen enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Rhode Island (York), Killeen, Bell County, Texas.

86. Damage Prevention Docket No. 004258: Floyd Smith Concrete Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 423 North Wood (Davis), Denton, Denton County, Texas.

87. Damage Prevention Docket No. 004259: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1311 Monterrey Avenue, Laredo, Webb County, Texas.

88. Damage Prevention Docket No. 004266: Muniz Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 3424 Briarcliff Ct. South (Briarcliff Drive), Irving, Dallas County, Texas.

89. Damage Prevention Docket No. 004267: City of Kyle enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b) and 18.11(b), at 145 Lehman Road (East FM 150), Kyle, Hays County, Texas.

90. Damage Prevention Docket No. 004268: Flint Energy Services Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(g), 18.11(b), and 18.11(b), at Hwy 80 South and FCR 841, Teague/private, Freestone County, Texas.

MINUTES – JUNE 30, 2009

91. Damage Prevention Docket No. 004276: City of Irving enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1837 Garden Oaks Drive (Wilson Street), Irving, Dallas County, Texas.

92. Damage Prevention Docket No. 004279: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 3518 Rosemary (Bentley), Houston, Harris County, Texas.

93. Damage Prevention Docket No. 004280: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 1501 Gladiola (FM 1314), Conroe, Montgomery County, Texas.

94. Damage Prevention Docket No. 004281: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4000 Barcelona (San Carlos), Laredo, Webb County, Texas.

95. Damage Prevention Docket No. 004283: Stevenson Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Corner of 7th and Park 7th, O Brien, Knox County, Texas.

96. Damage Prevention Docket No. 004287: Archer Western Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 4354 Harry Hines Blvd. (Hondo Avenue), Dallas, Dallas County, Texas.

97. Damage Prevention Docket No. 004291: Utility Precast, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 3815 Orchard Street (Forest Haven), Forest Hill, Tarrant County, Texas.

98. Damage Prevention Docket No. 004293: GLG Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 4503 Westcliffe (Glenwood Drive), Mansfield, Tarrant County, Texas.

99. Damage Prevention Docket No. 004296: City of Cleburne enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 318 North Wood Street, Cleburne, Tarrant County, Texas.

100. Damage Prevention Docket No. 004297: Cole Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 415 Bryant Blvd., Bridge City, Orange County, Texas.

101. Damage Prevention Docket No. 004299: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11501 FM 2100 (Floyd), Highlands, Harris County, Texas.

102. Damage Prevention Docket No. 004300: Weimer Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 11501 FM 2100 (Floyd), Highlands, Harris County, Texas.

103. Damage Prevention Docket No. 004302: Calhar Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 412 South Malloy Bridge Road, Seagoville, Dallas County, Texas.

MINUTES – JUNE 30, 2009

104. Damage Prevention Docket No. 004303: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 23 Knipp Road, Houston, Harris County, Texas.
105. Damage Prevention Docket No. 004304: DL Elliott Enterprises enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 23 Knipp Road, Houston, Harris County, Texas.
106. Damage Prevention Docket No. 004307: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 15826 Chimney Rock, Houston, Fort Bend County, Texas.
107. Damage Prevention Docket No. 004311: City of Coleman enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1401 North Nueces (Story), Coleman, Coleman County, Texas.
108. Damage Prevention Docket No. 004312: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 104 Laredo Street (Monterrey), Laredo, Webb County, Texas.
109. Damage Prevention Docket No. 004315: Mr. Concrete Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1409 East 5th Street, Tyler, Smith County, Texas.
110. Damage Prevention Docket No. 004321: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11822 Fairpoint (Grove Glen), Houston, Harris County, Texas.
111. Damage Prevention Docket No. 004323: Coserv Gas, Ltd enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at FM 544 at McCreary, Murphy, Collin County, Texas.
112. Damage Prevention Docket No. 004324: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 252 McCarty (Portwall), Houston, Harris County, Texas.
113. Damage Prevention Docket No. 004326: Coserv Gas, Ltd enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2821 Elderado, Frisco, Denton County, Texas.
114. Damage Prevention Docket No. 004327: City of Howe enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.10(b), 18.11(b), and 18.11(b), at 709 Hanning (Hwy 75), Howe, Grayson County, Texas.
115. Damage Prevention Docket No. 004328: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1211 North Blair, Cleveland, Liberty County, Texas.
116. Damage Prevention Docket No. 004331: Kart Construction & Equipment Co., Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 6400 Blk. Riviera (Reale), Irving, Dallas County, Texas.

MINUTES – JUNE 30, 2009

117. Damage Prevention Docket No. 004334: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 0 Gulfbank (Gulfbank/Steamline), Houston, Harris County, Texas.

118. Damage Prevention Docket No. 004339: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.8(a) and 18.11(b), at 0 SE 1st Avenue (SE 8th Street), Mineral Wells/Kidwell Addition B NE corner of intersection, Palo Pinto County, Texas.

119. Damage Prevention Docket No. 004342: Tas Concrete Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 479 McKinney Parkway, McKinney, Collin County, Texas.

120. Damage Prevention Docket No. 004343: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 26119 Cypresswood, Spring, Harris County, Texas.

121. Damage Prevention Docket No. 004347: Lowell Thomas Fence Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2650 Premier (Sylvania), Fort Worth, Tarrant County, Texas.

122. Damage Prevention Docket No. 004350: A & H Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 10101 Woodloch Forest Drive, Spring, Harris County, Texas.

123. Damage Prevention Docket No. 004353: B & L Pole Line Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 113 Soward (North Elm), Weatherford, Parker County, Texas.

124. Damage Prevention Docket No. 004360: South Coast Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 1800 Wellman Road, Montgomery County, Texas.

125. Damage Prevention Docket No. 004361: Ser Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 5000 Ambassador Way, Houston, Harris County, Texas.

126. Damage Prevention Docket No. 004363: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2911 Stone Way Drive (Hollow Brook Drive), Houston, Harris County, Texas.

127. Damage Prevention Docket No. 004364: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1204 1st E, Houston, Harris County, Texas.

128. Damage Prevention Docket No. 004367: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2907 Stone Way Drive (Hollow Brook Drive), Houston, Harris County, Texas.

MINUTES – JUNE 30, 2009

129. Damage Prevention Docket No. 004370: S & K Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 190 East Stacy Road Bldg 2, Allen, Collin County, Texas.
130. Damage Prevention Docket No. 004372: Greystar Contractors enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1407 Sugar Crossing Drive, Sugarland, Fort Bend County, Texas.
131. Damage Prevention Docket No. 004373: Gerber Drilling enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2775 Hwy 86, Nazareth/East Nazareth Trust Groupline, Castro County, Texas.
132. Damage Prevention Docket No. 004379: City of Belton enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 115 Montrose (North Main), Belton, Bell County, Texas.
133. Damage Prevention Docket No. 004381: Ortegas Lawn Service enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 3010 Ashton Park (Brett Drive), Pearland, Brazoria County, Texas.
134. Damage Prevention Docket No. 004382: Candy Sanitation enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 15004 Shadywood Drive (Pinewood Drive), Tyler, Smith County, Texas.
135. Damage Prevention Docket No. 004383: Alldredge Gardens Landscaping enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1900 West Wadley, Midland, Midland County, Texas.
136. Damage Prevention Docket No. 004396: Ross Metal Works enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 51 North Lamerie Way (Grand Regency Circle), The Woodlands, Montgomery County, Texas.
137. Damage Prevention Docket No. 004411: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Erskine Avenue and Chicago (Clinton Avenue), Lubbock, Lubbock County, Texas.
138. Damage Prevention Docket No. 004412: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Walnut, Lubbock, Lubbock County, Texas.
139. Damage Prevention Docket No. 004417: Location Builders, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at RR 853, Mertzon/Richey Ranch, Irion County, Texas.
140. Damage Prevention Docket No. 004418: Coastal Bend Foundation Repair enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 403 Mariner Drive (Sundance Drive), Victoria, Victoria County, Texas.

MINUTES – JUNE 30, 2009

141. Damage Prevention Docket No. 004423: Pitts Construction, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 200 Blk of Camp Craft Road (200 Blk Eanes School Road), West Lake Hills, Travis County, Texas.

142. Damage Prevention Docket No. 004427: Humberto Torres enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1310 Hopkins Park Drive, Barker, Harris County, Texas.

143. Damage Prevention Docket No. 004428: K&W Construction enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 9706 Gaza (Cavman Lane), El Paso, El Paso County, Texas.

144. Damage Prevention Docket No. 004429: Destructors Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at Esco Drive and Freeman Drive, Fort Worth, Tarrant County, Texas.

145. Damage Prevention Docket No. 004430: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 22409 Holly Branch (Dowdell Road), Tomball, Harris County, Texas.

146. Damage Prevention Docket No. 004434: CMH Imports enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 2811 Manito Circle (Cinco Blvd. near South Mason Road), Katy, Harris County, Texas.

147. Damage Prevention Docket No. 004436: Severn Trent Services enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 1225 North Fry Road, Houston, Harris County, Texas.

148. Damage Prevention Docket No. 004440: Foremost Paving, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(g), 18.11(b), and 18.11(b), at 7208 West Expressway 83 (Abraham), Palmview, Hidalgo County, Texas.

149. Damage Prevention Docket No. 004447: Fox Service Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 5205 Pine Place (Palo Blanco Lane), Austin, Travis County, Texas.

150. Damage Prevention Docket No. 004453: Houston Stafford Electric enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 20900 FM 1093 (Westpark Tollway), Richmond, Fort Bend County, Texas.

151. Damage Prevention Docket No. 004456: City of Vernon enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a) and 18.11(b), at 2931 Sunset Circle, Vernon, Wilbarger County, Texas.

152. Damage Prevention Docket No. 004457: Mike Albert, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 0 Parliament (Christopher), Frisco, Collin County, Texas.

MINUTES – JUNE 30, 2009

153. Damage Prevention Docket No. 004463: Exum Plumbing enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 2107 Kings Drive, Toco, Lamar County, Texas.

154. Damage Prevention Docket No. 004465: City of Brownwood enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(e) and 18.11(b), at 6th Street (Avenue D), Brownwood, Brown County, Texas.

155. Damage Prevention Docket No. 004467: Atmos Energy, West Texas Division enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1506 Bowie, Amarillo, Potter County, Texas.

156. Damage Prevention Docket No. 004471: Fox Electric, Ltd enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.3(a), at 11652 Penick Way (Del Largo), Frisco, Denton County, Texas.

157. Damage Prevention Docket No. 004487: Austex Fence & Deck, Inc. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 11009 Tornasol Lane (Via Verde Drive), Austin, Travis County, Texas.

158. Damage Prevention Docket No. 004490: Dixon Paving enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at Nolan Ridge (10th), Nolanville, Bell County, Texas.

159. Damage Prevention Docket No. 004497: Universal Natural Gas, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at Westwood North (Lotus Lane), Magnolia/Westwood North, Montgomery County, Texas.

160. Damage Prevention Docket No. 004503: Gra-Tex Utilities, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(b), at 2226 Vega Street, Grand Prairie, Dallas County, Texas.

161. Damage Prevention Docket No. 004506: City of Burkburnett enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.11(b) and 18.11(b), at 317 East 3rd (Avenue D), Burkburnett, Wichita County, Texas.

162. Damage Prevention Docket No. 004526: Hebert Irrigation Service enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.4(b), 18.11(b), and 18.11(b), at 8314 Cheshire Vale (Hunters Creek Village), Harris County, Texas.

163. Damage Prevention Docket No. 004560: Scrivner Paint Co. enforcement action for violation of Underground Pipeline Damage Rules 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 3702 Haleys Way (Laurels Ridge), Round Rock, Williamson County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

164. O&G 06-0261759: Encore Operating, L.P. to amend the gas field rules for the Stockman (Travis Peak) Field, Shelby County, Texas.

MINUTES – JUNE 30, 2009

165. O&G 10-0261546: Natural Gas Anadarko Company to amend the field rules for the Pan Petro (Cleveland) Field, Ochiltree County, Texas.

166. O&G 10-0261760: Wheeler Energy, LLC to consider a new field designation for the Byron Mason Lease, Well No. 1085r, and to consider adoption of temporary field rules for the field, to be known as the Whitey (Morrow, Middle) Field, Lipscomb County, Texas.

167. O&G 8A-0261376: Noble Energy Inc. to consider a net gas-oil ratio rule and to designate the field as an associated prorated field for all gas wells completed therein, Newsom (Yates) Field, Gaines County, Texas.

168. O&G 03-0261526: Sandalwood Exploration, L.P. to consider an MER for the Bellville ISD Lease, Well No. 1, Raccoon Bend (Uwx Cons. Fba) (74106845) Field, Austin County, Texas.

169. O&G 04-0261247: Exxon Mobil Corporation to consider a new field designation for the King Ranch Madero Lease, Well No. 28, to be known as the Madero, West (L) Field, Kleberg County, Texas.

170. O&G 8A-0261249: Occidental Permian Ltd. to amend requirements relating to allowables for associated prorated gas wells in the Wasson Field and to change the requirement for semi-annual G-10 testing to annual testing, Yoakum and Gaines Counties, Texas.

171. O&G 08-0261977: Quantum Resources Management, LLC to consider a net GOR for the Mitchell "D" (35805) Lease, G P M (8200) (33547900) Field, Winkler County, Texas.

172. O&G 01-0261978: R & S Oil Production Co. to supersede the Final Order signed on March 25, 2003, in Oil and Gas Docket No. 01-0232366 requiring that the McEver, C.D. -B- (07193) Lease, Well Nos. 2, 3, 4, and 10, Kens (Serpentine) Field, Guadalupe County, Texas, be plugged enabling R & S Oil Production Co. to become operator of record.

173. O&G 04-0261810: EOG Resources, Inc. for the recommendation of a tight gas formation for the Frio Formation White Point, East (Consolidated) (96979012) Field, San Patricio County, Texas.

174. O&G 02-0261950: Chesapeake Operating, Inc. for the recommendation of a tight gas formation for the Wilcox Formation Helen Gohlke (Wilcox, Lo.) (40231410) Field, Victoria County, Texas.

175. O&G 04-0261949: Capital Star Oil & Gas, Inc. for the recommendation of a tight gas formation for the Vicksburg Formation Tabasco (Consolidated) (88103100) Field, Hidalgo County, Texas.

176. O&G 03-0261819: Expro Engineering, Inc. for the recommendation of a tight gas formation for the Frio Formation Duncan Slough (Frio Cons.) (26506050) Field, Matagorda County, Texas.

MINUTES – JUNE 30, 2009

177. O&G 02-0261945: Kaler Energy Corp. for the recommendation of a tight gas formation for the Wilcox Formation Goebel (9600) (35520765) Field, Live Oak County, Texas.

178. O&G 01-0261811: Hughes, Dan A. Company, L.P. for the recommendation of a tight gas formation for the Canyon Formation Altizer (Canyon Lower) (02075500) Field, Val Verde County, Texas.

179. O&G 10-0261952: Apache Corporation for the recommendation of a tight gas formation for the Atoka Granite Wash Formation Mills Ranch (Atoka Granite Wash) (61691178) Field, Wheeler County, Texas.

180. O&G 04-0261947: Fidelity Explor. & Prod. Co. for the recommendation of a tight gas formation for the Vicksburg Formation Tabasco (Consolidated) (88103100) Field, Hidalgo County, Texas.

181. O&G 02-0261948: Texcal Energy (GP) LLC for the recommendation of a tight gas formation for the Middle Wilcox Formation Cottonwood Creek, E. (Middle Wx.) (21045350) Field, Goliad County, Texas.

182. O&G 03-0261946: Texcal Energy (Gp) LLC for the recommendation of a tight gas formation for the Wilcox Formation Bonus, South (Wilcox, Lower) (10516200) Field, Bonus (Wilcox, Lower 12550) (10509380) Field, Wharton County, Texas.

183. O&G 10-0261815: Devon Energy Production Co, L.P. for the recommendation of a tight gas formation for the Morrow Formation Allison Parks (Morrow, Up.) (01810600) Field, Hemphill County, Texas.

184. O&G 06-0261809: Southwestern Energy Prod. Co. for the recommendation of a tight gas formation for the James Lime Angie (James Lime) (02870300) Field, San Augustine and Shelby Counties, Texas.

185. O&G 01-0242640: Swift Energy Company for the recommendation of a tight gas formation for the Olmos Formation A.W.P. (Olmos) (00256500) Field, McMullen County, Texas.

186. O&G 2-94629: Pioneer Natural Res. USA, Inc. for the recommendation of the Edwards Formation in the Pawnee (Edwards) Field as a tight gas formation, Bee and Live Oak Counties, Texas.

187. O&G 08-0261624: Energen Resources Corporation to establish an entity for density for the North Westbrook Unit (20831) Lease, Westbrook (96563001) Field, Westbrook (Clear Fork, Upper) (96563500) Field, Mitchell County, Texas.

188. O&G 04-0261683: Railroad Commission District 04 Commission called review of the temporary field rules for the Las Hermanitas (Wilcox Cons.) (52144800) Field, Duval County, Texas.

189. O&G 8A-0262054: Kinder Morgan Production Co. LLC for authority pursuant to Statewide Rule 50 to approve or certify an EOR Project for the Sacroc Unit (#03137) Lease, Kelly-Snyder (#48583 001) Field, Scurry County, Texas.

MINUTES – JUNE 30, 2009

190. O&G 8A-0257890: Walsh Petroleum, Inc. for authority pursuant to Statewide Rule 50 to approve or certify an EOR Project for the St. Romain (#68308); Arrington (#68290) Lease, Brahaney, East (San Andres) (#11311 500) Field, Yoakum County, Texas.

191. O&G 02-0261374: T - C Oil Company to consider temporary field rules and an MER allowable for the Anaqua (3100) Field, Refugio County, Texas.

MASTER DEFAULT ORDERS

The Commission unanimously approved the following default orders:

192. O&G 02-0259877: Dove Petroleum Inc enforcement action regarding Kainer (08278) Lease, Well No. 2, Labus (Austin) (51138333) Field, Karnes County, Texas. Violation of Statewide Rules 14(b)(2); 3(2) and (3); 8(d)(1); 22(b).

193. O&G 04-0260300: Tristar Oil & Gas enforcement action regarding Wiederkehr, D. C. (103356) Lease, Well No. 1, East 76 (Wilcox) (27310500) Field, Duval County, Texas. Violation of Statewide Rule 73(i) and Texas Natural Resources Code Sec. 91.143.

194. O&G 03-0261074: Powder River Basin Gas Corp. enforcement action regarding Kirby Lumber "A" (19842) Lease, Well No. 1, Segno, West (82148001) Field, Polk County, Texas. Violation of Statewide Rules 14(b)(2); 46(i) and (j).

OFFICE OF GENERAL COUNSEL-RULES

PROPOSAL

195. Repeal of all rules in 16 Tex. Admin. Code, Chapter 11, relating to Surface Mining and Reclamation Division, and adoption of new rules in a newly titled Chapter 11, relating to Uranium Exploration and Surface Mining (SMRD 01-09). The Commission unanimously approved revisions to the rules and directed staff to go forward with the proposal. This item will be brought back for further consideration at a later date.

196. Amendment of 16 Tex. Admin. Code §15.115, relating to availability of funds consumer rebate programs. The Commission unanimously approved publishing the proposal in the *Texas Register* for a 30-day comment period.

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

197. Discussion of and possible action on Fiscal Year 2010-2011 Legislative Appropriation Request and any other pending legislation affecting the Railroad Commission of Texas. The Commission received a status update regarding legislation.

OIL AND GAS DIVISION

198. Presentation of the Fiscal Year 2009 Third Quarter Oil Field Cleanup Program quarterly report. The Commission approved and accepted the report.

COMMISSIONERS

Commissioner Jones

199. Letter from the Commissioners to the Texas Congressional delegation regarding the effects on the Texas economy of the climate change legislation pending in Congress. The Commission unanimously approved and signed the letter.

PUBLIC INPUT

200. 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 10:36 am.