

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

**RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS
JULY 14, 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 July 14, 2009, commencing at 9:30 a.m. Chairman Victor G. Carrillo, Commissioner Elizabeth A. Jones and Commissioner Michael L. Williams were present. Chairman Carrillo presided.

OFFICE OF GENERAL COUNSEL-HEARINGS SECTION

GAS SERVICES PROTESTED

1. GUD No. 9869 (consolidated): Petition for de novo review of the denial of the Statement of Intent filed by Atmos Energy Corp., Mid-Tex Division, by the City of Dallas; Statement of Intent filed by Atmos Energy Corp., Mid-Tex Division to increase gas utility rates in the unincorporated areas served by the Mid-Tex Division. The Commission unanimously approved an interim order as presented by the examiner.

GAS SERVICES UNPROTESTED

2. GUD No. 9837: Statement of Intent filed by LDC, LLC, to change the rates in the unincorporated areas in the vicinity of Montgomery, Texas. This item was unanimously approved

3. GUD No. 9871: Application of Texas Gas Service Company test year 2007 gas reliability infrastructure program interim rate adjustment for unincorporated areas of the Rio Grande Valley service area. The Commission unanimously approved the application.

OIL AND GAS PROTESTED

4. 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 revised order.

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5. O&G 7B-0259713: Greenhaw, Morris R., commercial application for a permit to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas, Gilbert Lease, Well No. 1sw, Palo Pinto County Regular Field, Palo Pinto County, Texas. The Commission unanimously approved the application.

6. O&G 04-0246870: Saenz, E. G., enforcement action regarding Perez, R. and Tovar, E. (11872) Lease, Well No. 1 Wildcat (00008001) Field, Jim Wells County, Texas. Violation of Texas Natural Resources Code, Section 89.085. The Commission unanimously approved the enforcement order.

AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

7. O&G 7B-0261310: Cumming Company, Inc. enforcement action regarding Heath Elizabeth "60" (067489) Lease, Well No. 3, Palo Pinto SW (3900 Congl) (68704500) Field, Palo Pinto County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

8. O&G 7B-0261029: Rockwood Resources Inc. enforcement action regarding Bertrand, O.C. (099135) Lease, Well No. 2, Glen Cove (Serratt) (35273720) Field, Bertrand, O. C. "A" (120867) Lease, Well No. 3, Glen Cove, S. (Palo Pinto) (35277700) Field, Coleman County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

9. O&G 09-0260960: Kramer Saltwater, Inc. enforcement action regarding Blount (105593) Lease, Well No. 1, Young County Regular (99480001) Field, Young County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

10. O&G 05-0260530: Rife Oil Properties, Inc. enforcement action regarding Mirus, North (00292) Lease, Well No. 9i, Corsicana (Shallow) (20823500) Field, Navarro County, Texas. Violation of Statewide Rule 14(b)(1).

11. O&G 03-0253811: Sideline Oil & Gas, L.P. enforcement action regarding Goldston, W. L. Fee (05584) Lease, Well Nos. 1, 2, and 3, Hastings, East (39598001) Field, Brazoria County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

12. O&G 01-0261417: USA Superior Energy LLC enforcement action regarding McCorvey (11959) Lease, Well No. 2, Buchanan (12849001) Field, Caldwell County, Texas. Violation of Statewide Rule 8(d)(1).

13. O&G 02-0253151: Fredco enforcement action regarding Welder, P. H. -C- (091867) Lease, Well No. 17, Heyser (5400 #2) (40957616) Field, Calhoun County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

14. O&G 06-0257193: C&S Service & Supply Company, LLC enforcement action regarding (120782) Operator, WHP Permit No. 1135, Panola County, Texas. Violation of Statewide Rule 8(f)(1)(C)(vi).

15. O&G 7B-0256329: Swaim, Charles enforcement action regarding Trotter (073998) Lease, Well No. 1, McIntosh (Big Saline) (59542200) Field, Hood County, Texas. Violation of Statewide Rules 14(b)(2); 3(1) and (2); 8(d)(1).

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16. O&G 02-0261006: Rawhide Operating, Inc. enforcement action regarding Spiller, Claudie (059694) Lease, Well No. 3, Long Mott, South (Frio, Lower) (54686333) Field, Calhoun County, Texas. Violation of Statewide Rule 14(b)(2).
17. O&G 7B-0260934: Mingus Oil & Gas enforcement action regarding Wilbar (075692) Lease, Well No. 4, Palo Pinto Co. Reg. (Gas) (68707333) Field, Stuart "B" (078965) Lease, Well No. 2, Brad, Sw. (Big Saline Congl.) (11197500) Field, Wilbar (079412) Lease, Well No. 5, Wilbar (1600) (97324500) Field, Palo Pino Co. Reg. (Gas) Field. Violation of Statewide Rule 14(b)(2) and (3).
18. O&G 01-0261418: Express Oil Co. Enforcement action regarding Castellaw-Hundley Lease, Well No. 1, (0660049) Permit, Pearsall (Austin Chalk) (69981125) Field, Dimmit County, Texas. Violation of Statewide Rule 16(b).
19. O&G 03-0261390: Gaither Petroleum Corporation enforcement action regarding (292850) Operator, Crow & Jacobs (165514) Lease, Well No. 9, Hankamer (38693001) Field, Liberty County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
20. O&G 02-0261985: XTO Energy Inc. enforcement action regarding Sartwelle "A" (184680) Lease, Well No. 2, Borchers (2100) (10634240) Field, Lavaca County, Texas. Violation of Statewide Rules 14(b)(2); 46(a).
21. O&G 7B-0261324: Mission Energy Inc. enforcement action regarding Sparkman "B" (061410) Lease, Well No. 2, Sparkman (Marble Falls) (84927500) Field, Comanche County, Texas. Violation of Statewide Rule 14(b)(2) and (3).
22. O&G 01-0261008: JPW Energy, L.L.C. enforcement action regarding Pruitt, E.J. D2 (13964) Lease, Well No. 2, Crown, E. (Navarro) (22011500) Field, Atascosa County, Texas. Violation of Statewide Rule 14(b)(2).
23. O&G 7B-0261118: Scott Operating, Inc. enforcement action regarding Andrews, Lilly "E" (19320) Lease, Well No. 1, Holden (Palo Pinto) (42104500) Field, Shackelford County, Texas. Violation of Statewide Rule 14(b)(2).
24. LP-Gas Docket No. 1820: G.L. City-Wide, Inc., d/b/a City Wide Air Conditioning and Heating enforcement action for violation of Texas Natural Resources Code, Section 113.081(a)(3), at 1335 Bayou, San Antonio, Bexar County, Texas.
25. LP-Gas Docket No. 2025: Hydro Gas Co., Inc., d/b/a Wimberley Hydro Gas enforcement action for violation of LP-Gas Safety Rule §9.135, at 350 Onion Creek Ranch Road, Driftwood, Hays County, Texas.
26. LP-Gas Docket No. 2030: United Fuel and Energy Corp. enforcement action for violation of LP-Gas Safety Rule §9.135, at 3 Mi. Highway 55 North, Rocksprings, Edwards County, Texas.
27. LP-Gas Docket No. 2033: Aransas Propane Company, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at 9707 FM 1074, Taft, San Patricio County, Texas.

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28. LP-Gas Docket No. 2044: Amistad Propane, Inc. enforcement action for violation of LP-Gas Safety Rule §9.135, at 11490 Highway 90 West, Del Rio, Val Verde County, Texas.

29. GUD Docket No. 9814: Atmos Energy Corp., Mid-Tex Division enforcement action for violation of Pipeline Safety Regulations 49 CFR §192.613(a) and §192.703(c), at Atmos Energy-Eastland Unit, Cisco and Eastland Systems, Eastland County, Texas.

30. GUD Docket No. 9831: Houston Pipe Line Company, LP enforcement action for violation of Pipeline Safety Regulations 49 CFR §192.603(b), at 711 Louisiana Street, Ste. 900, Houston, Harris County, Texas.

31. Damage Prevention Docket No. 002599: City of Watauga enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 6040 Barry (Mackneal), Watauga, Tarrant County, Texas.

32. Damage Prevention Docket No. 002842: City of Haltom City enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 2100 Dayton Street (Santa Rosa), Haltom City, Tarrant County, Texas.

33. Damage Prevention Docket No. 003258: Skyline Excavation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 320 South Denton, Justin, Denton County, Texas.

34. Damage Prevention Docket No. 003388: Brownsville Public Utilities Board enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 138 Acacia Drive (Hibiscus), Brownsville/Los Ebanos, Cameron County, Texas.

35. Damage Prevention Docket No. 003403: Stately Homes enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 936 West 22nd, Houston, Harris County, Texas.

36. Damage Prevention Docket No. 003412: Ruby Leelouis enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 10410 Country Club, Dallas, Dallas County, Texas.

37. Damage Prevention Docket No. 003614: Joshua Yang Drainage System/Intownhomes, Ltd enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 3249 Maxroy, Houston, Harris County, Texas.

38. Damage Prevention Docket No. 003704: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Bailey Avenue (West 6th Street), Fort Worth, Tarrant County, Texas.

39. Damage Prevention Docket No. 003822: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1000 East Continental (Sarah Park), Southlake, Tarrant County, Texas.

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40. Damage Prevention Docket No. 003840: R K Wheaton Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 8513 Panatella Drive, Houston, Harris County, Texas.
41. Damage Prevention Docket No. 003899: EMJ Corporation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 6910 FM 78 (Woodlake Parkway), San Antonio, Bexar County, Texas.
42. Damage Prevention Docket No. 003943: Reliable Paving, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 5631 Stratum, Fort Worth, Tarrant County, Texas.
43. Damage Prevention Docket No. 003988: Romance Fence Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 5114 Lawn Arbor, Houston, Harris County, Texas.
44. Damage Prevention Docket No. 004044: Durable Specialties, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Oak Lawn (Maple Avenue), Dallas, Dallas County, Texas.
45. Damage Prevention Docket No. 004062: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(a) and 18.11(a), at 1200 North Haskell (Live Oak), Dallas/North Haskell, Dallas County, Texas.
46. Damage Prevention Docket No. 004095: City of McAllen Public Utility enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.10(b) and 18.11(b), at 2813 Gloria (29th), McAllen, Hidalgo County, Texas.
47. Damage Prevention Docket No. 004102: Guillen Landscape Contractor, LP enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 119 Willowend Drive, Houston, Harris County, Texas.
48. Damage Prevention Docket No. 004120: Abba Roofing/Fencing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 14331 Sun Harbor Drive, Houston, Harris County, Texas.
49. Damage Prevention Docket No. 004135: Yantis Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 21045 US Hwy 281 (Evans), San Antonio, Bexar County, Texas.
50. Damage Prevention Docket No. 004136: Yantis Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 21045 North US Hwy 281 (Evans), San Antonio, Bexar County, Texas.
51. Damage Prevention Docket No. 004138: City of Ft. Worth Water Dept. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 4205 Bonnie Drive (Pensacola Avenue), Fort Worth, Tarrant County, Texas.

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52. Damage Prevention Docket No. 004147: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1251 Evans Avenue, Fort Worth. Tarrant County, Texas.
53. Damage Prevention Docket No. 004148: Oscar Renda Contracting enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 308 Pedernales Street (Santa Rita Street), Austin, Travis County, Texas.
54. Damage Prevention Docket No. 004153: City of Mt. Pleasant enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 2530 Greenhill Road (Country Club Drive), Mount Pleasant, Titus County, Texas.
55. Damage Prevention Docket No. 004199: DCP Midstream enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(e) and 18.11(b), at SH 149 and PR 649, Beckville, Panola County, Texas.
56. Damage Prevention Docket No. 004232: Texas Sterling Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at Maiden (Baird), San Antonio, Bexar County, Texas.
57. Damage Prevention Docket No. 004242: City of Houston enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 10151 Stella Link, Houston, Harris County, Texas.
58. Damage Prevention Docket No. 004250: Sydco Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 6318 Pinyon Trail, The Woodlands, Montgomery County, Texas.
59. Damage Prevention Docket No. 004252: City of Olney enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.4(a), 18.11(b), and 18.11(b), at 301 North Grand, Olney, Young County, Texas.
60. Damage Prevention Docket No. 004261: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(a), at 0 Bethany (Red Oak), Allen, Collin County, Texas.
61. Damage Prevention Docket No. 004264: Driver Pipeline Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.4(a), at 6508 Turtle Point (Old Orchard), Plano, Collin County, Texas.
62. Damage Prevention Docket No. 004265: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5901 Southern Hills (Tour 18), Flower Mound, Dallas County, Texas.
63. Damage Prevention Docket No. 004269: City of Lufkin enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 304 Weber Street, Lufkin, Angelina County, Texas.
64. Damage Prevention Docket No. 004272: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 13 Sunset (Hollywood), Lampasas, Lampasas County, Texas.

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65. Damage Prevention Docket No. 004274: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2618 Macon Street (Ideal Street), Dallas, Dallas County, Texas.

66. Damage Prevention Docket No. 004275: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1837 Garden Oaks Drive (Wilson Street), Irving, Dallas County, Texas.

67. Damage Prevention Docket No. 004277: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 102 1 Street (Willow), Sanger, Denton County, Texas.

68. Damage Prevention Docket No. 004278: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 704 South Penelope (East Avenue E), Belton, Bell County, Texas.

69. Damage Prevention Docket No. 004282: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(a) and 18.11(a), at Corner of 7th and Park 7th, O Brien, Knox County, Texas.

70. Damage Prevention Docket No. 004284: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(a) and 18.11(a), at Cockrell Hill Road (Covington), Dallas/Cockrell Hill, Dallas County, Texas.

71. Damage Prevention Docket No. 004286: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4354 Harry Hines Blvd. (Hondo Avenue), Dallas, Dallas County, Texas.

72. Damage Prevention Docket No. 004292: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4503 Westcliffe (Glenwood Drive), Mansfield, Tarrant County, Texas.

73. Damage Prevention Docket No. 004294: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2900 Knollwood Drive (Prairie Creek), Plano, Collin County, Texas.

74. Damage Prevention Docket No. 004295: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 318 North Wood Street, Cleburne, Tarrant County, Texas.

75. Damage Prevention Docket No. 004298: City of Waller enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Echols, Prairie View, Waller County, Texas.

76. Damage Prevention Docket No. 004301: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 412 South Malloy Bridge Road, Seagoville, Dallas County, Texas.

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77. Damage Prevention Docket No. 004305: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2409 Meadow Creek, Carrollton, Dallas County, Texas.
78. Damage Prevention Docket No. 004306: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1614 Camara Ct. (Phillips Ct.), Grand Prairie, Dallas County, Texas.
79. Damage Prevention Docket No. 004308: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1401 North Nueces (Story), Coleman, Coleman County, Texas.
80. Damage Prevention Docket No. 004309: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 6901 Odell (Smithfield), North Richland Hills, Tarrant County, Texas.
81. Damage Prevention Docket No. 004313: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 14400 Midway (Proton), Addison, Dallas County, Texas.
82. Damage Prevention Docket No. 004316: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 305 South West Street A (Uta Blvd.), Arlington, Tarrant County, Texas.
83. Damage Prevention Docket No. 004317: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4106 Palacios Avenue (Ottawa Road), Dallas, Dallas County, Texas.
84. Damage Prevention Docket No. 004318: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1215 South Macarthur Blvd, (Shady Grove), Irving, Dallas County, Texas.
85. Damage Prevention Docket No. 004319: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 203 South Pecan (Henrey), Hamilton, Hamilton County, Texas.
86. Damage Prevention Docket No. 004322: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Antelope and Deer Trail (Deer Trail), Temple, Bell County, Texas.
87. Damage Prevention Docket No. 004329: Tri-Tek Com. Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 1211 North Blair, Cleveland, Liberty County, Texas.
88. Damage Prevention Docket No. 004330: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 6400 Block Riviera (Reale), Irving, Dallas County, Texas.
89. Damage Prevention Docket No. 004332: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2613 Graphic Place (Matterhorn), Plano, Collin County, Texas.

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90. Damage Prevention Docket No. 004335: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(a) and 18.11(a), at 600 Rochelle (Northgate), Irving, Dallas County, Texas.

91. Damage Prevention Docket No. 004336: City of Irving enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 600 Rochelle (Northgate), Irving, Dallas County, Texas.

92. Damage Prevention Docket No. 004338: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4000 Grover (Jasper), Fort Worth, Tarrant County, Texas.

93. Damage Prevention Docket No. 004340: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 5608 Oak Top Drive (Oak Valley), Colleyville, Tarrant County, Texas.

94. Damage Prevention Docket No. 004341: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 479 McKinney Parkway, McKinney, Collin County, Texas.

95. Damage Prevention Docket No. 004352: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 721 South Hampton Road (Catherine Street), Dallas, Dallas County, Texas.

96. Damage Prevention Docket No. 004354: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 517 Hillside (South Drive), Colleyville /N-A, Tarrant County, Texas.

97. Damage Prevention Docket No. 004355: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2220 Hudson Street, Fort Worth, Tarrant County, Texas.

98. Damage Prevention Docket No. 004356: Handyman & More Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 4211 Magnolia Lane, Sugar land, Fort Bend County, Texas.

99. Damage Prevention Docket No. 004357: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 13023 Copenhill (Hughes), Dallas, Dallas County, Texas.

100. Damage Prevention Docket No. 004362: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 8017 Preston Road, University Park, Dallas County, Texas.

101. Damage Prevention Docket No. 004365: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 8123 Preston Road, University Park, Dallas County, Texas.

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102. Damage Prevention Docket No. 004369: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4841 Kelso Place (Kelso Lane), Garland, Dallas County, Texas.

103. Damage Prevention Docket No. 004374: City of Rockdale enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.4(b), 18.10(b), 18.11(b), and 18.11(b), at 1901 West Cameron (Cypress), Rockdale, Bell County, Texas.

104. Damage Prevention Docket No. 004380: PM Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 16019 Diamond Ridge, Houston, Harris County, Texas.

105. Damage Prevention Docket No. 004384: Dean Beasley Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at CR 3500 (CR 6200), Idalou, Lubbock County, Texas.

106. Damage Prevention Docket No. 004387: Power Jack Foundation Repair enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 5224 Saunders Road (Loop 820 East), Fort Worth, Tarrant County, Texas.

107. Damage Prevention Docket No. 004406: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 506 North Church, McKinney, Collin County, Texas.

108. Damage Prevention Docket No. 004407: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at US Hwy 83 and Adeeba Lane, Childress, Childress County, Texas.

109. Damage Prevention Docket No. 004409: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 1037 Park Drive (Cho & Givens), Hillsboro, Hill County, Texas.

110. Damage Prevention Docket No. 004410: City of McAllen Public Utility enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a) and 18.11(b), at 3009 Orange Avenue (31st Street), McAllen, Hidalgo County, Texas.

111. Damage Prevention Docket No. 004413: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(b) and 18.11(a), at 530 East Pioneer Drive (English), Irving, Dallas County, Texas.

112. Damage Prevention Docket No. 004414: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 8416 Denton Drive, Dallas, Dallas County, Texas.

113. Damage Prevention Docket No. 004420: Unified Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a) and 18.11(b), at 9394 LBJ Freeway (Abrams), Dallas, Dallas County, Texas.

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114. Damage Prevention Docket No. 004422: Hasty Excavating Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1401 Lowell Scott Road (Hwy 59 and FM 1810), Newport, Clay County, Texas.

115. Damage Prevention Docket No. 004425: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Avenue D and 4th, Palestine, Anderson County, Texas.

116. Damage Prevention Docket No. 004426: Triple B Services L.L.P. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.4(a) and 18.11(b), at 7914 Dandy Street (Weaver), Houston, Harris County, Texas.

117. Damage Prevention Docket No. 004433: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Maryland & Ross (In the alley), Carrollton/Francis Perry Estates, Dallas County, Texas.

118. Damage Prevention Docket No. 004435: PM Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 15803 Plagens Lane, Missouri City, Fort Bend County, Texas.

119. Damage Prevention Docket No. 004437: Smetana & Associates enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.4(a) and 18.11(b), at 1412 South 39th Street (Avenue P), Temple, Bell County, Texas.

120. Damage Prevention Docket No. 004438: S A Quality Fencing, LTD enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 4507 El Bosque (La Granja), San Antonio/Alamo Ranch Unit 20 & 21, Bexar County, Texas.

121. Damage Prevention Docket No. 004439: City of Amarillo enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.10(b), at 744 Wilson, Amarillo, Potter County, Texas.

122. Damage Prevention Docket No. 004441: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(a) and 18.11(a), at Denton Drive (Lady Bird), Dallas /Joe's Creek, Dallas County, Texas.

123. Damage Prevention Docket No. 004442: Carey Communications enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a) and 18.11(b), at 1201 Green Meadow, Richardson, Dallas County, Texas.

124. Damage Prevention Docket No. 004444: Edward Leija enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1470 South Loop 35 (East South Road), Alvin, Brazoria County, Texas.

125. Damage Prevention Docket No. 004446: City of Gatesville enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at 1100 Block Golf Course Road (Straws Mill), Gatesville, Coryell County, Texas.

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126. Damage Prevention Docket No. 004449: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 700 Holmes Street (Rancho Road), Nixon, Gonzales County, Texas.

127. Damage Prevention Docket No. 004450: Amarillo Utility Contractors enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a) and 18.11(b), at 8400 Hamilton (Michaela), Amarillo, Randall County, Texas.

128. Damage Prevention Docket No. 004452: Triangle Paving enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at Marble Falls, Lumberton, Hardin County, Texas.

129. Damage Prevention Docket No. 004460: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 702 NE 23rd (Graham), Dallas, Dallas County, Texas.

130. Damage Prevention Docket No. 004461: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 4354 Walsh Lane (Allegro), Grand Prairie, Tarrant County, Texas.

131. Damage Prevention Docket No. 004462: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2107 Kings Drive, Toco, Lamar County, Texas.

132. Damage Prevention Docket No. 004464: City of Rockdale enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 2010 Granada (Cedar Elm), Wichita Falls, Wichita County, Texas.

133. Damage Prevention Docket No. 004473: Ser Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a) and 18.11(b), at 15301 Clevedon (Argentina Street), Jersey Village, Harris County, Texas.

134. Damage Prevention Docket No. 004475: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at R 3008 Kinkaid (Brockbank), Dallas, Dallas County, Texas.

135. Damage Prevention Docket No. 004478: Nevada Water Supply Corporation enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 101 West FM 6 (101 West FM 6), Nevada, Collin County, Texas.

136. Damage Prevention Docket No. 004483: DBG Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 428 Byrne Street, Houston, Harris County, Texas.

137. Damage Prevention Docket No. 004484: Romans Fence enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 14434 Merganser Drive, Houston, Harris County, Texas.

138. Damage Prevention Docket No. 004486: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11009 Tornasol Lane (Via Verde Drive), Austin, Travis County, Texas.

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139. Damage Prevention Docket No. 004488: City of Richmond enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a) and 18.11(b), at 410 Clay, Richmond, Fort Bend County, Texas.

140. Damage Prevention Docket No. 004492: Ser Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 16100 Capri Drive, Houston, Harris County, Texas.

141. Damage Prevention Docket No. 004494: Bill Worthy Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 612 Juno Lane, Denton, Denton County, Texas.

142. Damage Prevention Docket No. 004504: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at Grant S Parkway (Surrey Circle), Arlington, Tarrant County, Texas.

143. Damage Prevention Docket No. 004507: San Antonio Ornamental Iron enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 6023 Geranium (Fabiana), San Antonio, Bexar County, Texas.

144. Damage Prevention Docket No. 004514: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 2300 Ann Street, Houston, Harris County, Texas.

145. Damage Prevention Docket No. 004531: Benitez Construction Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 6421 Bridgewater Drive (Hartwick Drive), Austin, Travis County, Texas.

146. Damage Prevention Docket No. 004543: Innovative Underground enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.10(b), 18.11(b), and 18.11(b), at 5805 Southern Hills, Flower Mound, Denton County, Texas.

147. Damage Prevention Docket No. 004544: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 16707 Sky Blue Lane, Houston, Harris County, Texas.

148. Damage Prevention Docket No. 004547: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 113 North Greer Blvd., Pittsburg, Camp County, Texas.

149. Damage Prevention Docket No. 004549: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(a), at 11748 Highway 80 (CR 1902), Fruitvale, Van Zandt County, Texas.

150. Damage Prevention Docket No. 004551: Texas Gas Service Company enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.8(a) and 18.11(a), at 115 Avenue B (East Park Drive), Brownsville/Riverside Park Addition, Cameron County, Texas.

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151. Damage Prevention Docket No. 004555: Elizondo Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1509 Industrial Drive (Los Ebanos Street), Mission, Hidalgo County, Texas.

152. Damage Prevention Docket No. 004556: CenterPoint Energy Entex enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.8(b), at 23323 Whitaker Way, Harris County, Texas.

153. Damage Prevention Docket No. 004576: Quail Construction enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(e), 18.11(b), and 18.11(b), at FM 181 and FM 2371, Andrews, Andrews County, Texas.

154. Damage Prevention Docket No. 004584: Bosquez Electric & Comm., LLC enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.3(a), 18.11(b), and 18.11(b), at 1556 Culebra (Bridleback), San Antonio, Bexar County, Texas.

155. Damage Prevention Docket No. 004626: Bowles Construction Co. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 600 Dallas (Wabash), Electra, Wichita County, Texas.

156. Damage Prevention Docket No. 004631: Oscar Renda Contracting enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 515 Pedernales Street (East 6th Street), Austin, Travis County, Texas.

157. Damage Prevention Docket No. 004635: Oscar Renda Contracting enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §18.11(b), at 2606 East Cesar Chavez Street (San Saba Street), Austin, Travis County, Texas.

158. Damage Prevention Docket No. 004637: Centex Underground, Inc. enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 2505 Throckmorton (Maple), Dallas, Dallas County, Texas.

159. Damage Prevention Docket No. 004654: Oscar Renda Contracting enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 2613 East 3rd Street (San Sara Street), Austin, Travis County, Texas.

160. Damage Prevention Docket No. 004657: Milton Frank Plumbing enforcement action for violation of Underground Pipeline Damage Rule 16 TAC §§18.11(b) and 18.11(b), at 38 Rockridge Drive, The Woodlands, Montgomery County, Texas.

OIL AND GAS UNPROTESTED

CONSENT AGENDA

The Commission unanimously approved the following applications:

161. O&G 09-0261654: Cimarex Energy Co. of Colorado to consider an exception to Statewide Rule 10 to downhole commingle production in the Walnut Bend Unit 1, Well Nos. 52, 124, and 125, from the Walnut Bend (Consolidated) and Walnut Bend (Winger) Fields, Cooke County, Texas.

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162. O&G 03-0261724: Southeastern Pipe Line Company to consolidate the Bernard, East (Clodine), Bernard, East (McGalliard), Bernard, E. (7470), Bernard, East (7600), Bernard, East (7900), Bernard, East (8000) and Bernard, East (8200) Fields into the Bernard, East (7700) Field, and to establish field rules for the proposed consolidated field, Fort Bend and Wharton Counties, Texas.

163. O&G 8A-0261719: Fasken Oil and Ranch, Ltd. for authority to inject sour gas pursuant to Statewide Rule 36(c)(10), Hanford (San Andres) Unit (64742), Hanford (San Andres) Field, Gaines County, Texas.

164. O&G 06-0262071: Goodrich Petroleum Company for the recommendation of a tight gas formation for the James Lime Formation of Loco Bayou (James Lime) Field, Nacogdoches, Angelina, and Cherokee Counties, Texas.

165. O&G 06-0262068: Chevron U.S.A. Inc. for the recommendation of a tight gas formation for the Travis Peak Formation of Carthage (Travis Peak) Field, Panola County, Texas.

166. O&G 02-0262067: Burlington Resources O&G Co LP for the recommendation of a tight gas formation for the Cretaceous Formation of the Sugarkane (Cretaceous) Field, Live Oak, Karnes, and Bee Counties, Texas.

167. O&G 06-0262066: Chevron U.S.A. Inc. for the recommendation of a tight gas formation for the Travis Peak Formation of the Carthage (Travis Peak) Field, Panola County, Texas.

168. O&G 04-0262064: Killam Oil Company Ltd. for the recommendation of a tight gas formation for the Wilcox Formation of the West Tiger (Wilcox Consolidated) Field, Duval County, Texas.

169. O&G 09-0262060: EOG Resources, Inc. for the recommendation of a tight gas formation for the Barnett Shale Formation of the Newark, East (Barnett Shale) Field, Ellis County, Texas.

170. O&G 09-0262061: Chesapeake Operating Inc. for the recommendation of a tight gas formation for the Barnett Shale Formation of the Newark, East (Barnett Shale) Field, Dallas and Ellis Counties, Texas.

171. O&G 06-0262069: Goodrich Petroleum Company for the recommendation of a tight gas formation for the James Lime Formation of Loco Bayou (James Lime) Field, Nacogdoches County, Texas.

172. O&G 06-0262070: Goodrich Petroleum Company for the recommendation of a tight gas formation for the James Lime Formation of Loco Bayou (James Lime) Field, Nacogdoches and Angelina Counties, Texas.

173. O&G 08-0261625: Energen Resources Corporation to establish an entity for density for the Westbrook Southeast Unit (20847) Lease, Westbrook (96563001) Field, Mitchell County, Texas.

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174. O&G 8A-0262240: Oxy USA WTP LP for authority pursuant to Statewide Rule 50 to approve or certify an EOR Project for the Willard Unit (#19308) Lease, Wasson (#95397 001) Field, Yoakum County, Texas.

175. O&G 8A-0262242: Occidental Permian LTD. for authority pursuant to Statewide Rule 50 to approve or certify an EOR Project for the Gaines Wasson Clearfork Unit (#63524) Lease, Wasson 72 (#95431 001) Field, Yoakum County, Texas.

MASTER DEFAULT ORDERS

The Commission unanimously approved the following default orders:

176. O&G 04-0257157: Lone Star E&P, LLC enforcement action regarding Roos (068985) Lease, Well No. 16, Labbe (Pettus) (51124585) Field, Roos (08926) Lease, Well No. 17, Labbe (Govt. Wells) (51124225) Field, Duval County, Texas. Violation of Statewide Rule 5(c).

177. O&G 7B-0261210: Quail Operating, Inc. enforcement action regarding Shaffrina, Maggie et al. (15991) Lease, Well No. 1a, Callahan County Regular (14820001) Field, Callahan County, Texas. Violation of Statewide Rule 14(b)(2) and (3).

178. O&G 8A-0261746: Platinum Exploration Inc. enforcement action regarding Griffin "C" (64145) Lease, Well No. 1, Hobo (Pennsylvanian) (41816333) Field, Borden County, Texas. Violation of Statewide Rules 14(b)(2) and (3); 3(2) and (3).

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

179. Railroad Commission support of a grant application by the Bureau of Economic Geology at the University of Texas to the U.S. Department of Energy for Site Characterization of Promising Geologic Formations for CO2 Storage. This item was unanimously approved.

180. Legislation affecting the Railroad Commission of Texas in the 81st Texas Legislature, First Called Session, 2009. The Commission received a status update regarding legislation.

ADMINISTRATION DIVISION

181. Acknowledgment of acceptance of a gift of software to the Commission from IHS Incorporated to assist in Oil and Gas Technical Permitting activities. The Commission unanimously accepted the gift.

AFRED

182. Letter to Texas Commission on Environmental Quality Commissioners regarding the Propane Equipment Initiative Program. The Commission unanimously approved and signed the letter.

OIL AND GAS DIVISION

183. Approval of professional environmental engineering service contracts for Fiscal Years 2010 and 2011. The Commission unanimously approved the contracts.

PUBLIC INPUT

184. 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.

OFFICE OF GENERAL COUNSEL-HEARINGS SECTION

OIL AND GAS PROTESTED

ORAL ARGUMENT

185. 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 heard the oral arguments. Commissioner Williams recused himself and was not present. The Commission took no further action regarding this item and will consider this item at the next conference on July 21, 2009.

The conference was adjourned at 11:31 am.