

**MINUTES
RAILROAD COMMISSION OF TEXAS
FORMAL COMMISSION ACTIONS**

May 10, 2017

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 [Wednesday, May 10, 2017 commencing at 9:30 a.m.](#) [Chairman Christi Craddick, Commissioner Ryan Sitton and Commissioner Wayne Christian](#) were present. [Chairman Craddick](#) presided.

HEARINGS DIVISION

GAS SERVICES

1. GUD No. 10622: Statement of intent filed by LDC, LLC to change rates in the environs of the City of Montgomery, Texas; 150-day Suspension Order. The Commission unanimously approved the Examiner's recommendation.

OIL AND GAS

2. O&G 20-0303412: In Re: P-5 Organization Report of Innovative Energy Services (Operator No. 424737). Motion for Rehearing. The Commission unanimously approved the Examiner's recommendation.

3. O&G 04-0290190: Application of J. Moss Investments pursuant to 16 TAC §3.8 for a permit to maintain and operate a commercial land treatment facility, J. Moss Land Treatment Facility, Permit Nos. LT-0168 and P010932, Zapata County, Texas. The Commission unanimously approved the Examiner's recommendation.

OIL AND GAS CONSENT AGENDA (12 items; numbers 4 - 15)

The Commission unanimously approved the following applications:

4. O&G 08-0303601: Application of Elevation Resources LLC to consider amending the field rules for the Andrews, South (Devonian) Field, Andrews County, Texas.

5. O&G 01-0302995: Application of Carrizo (Eagle Ford), LLC for an exception to 16 TAC §3.32 for various leases, various wells, Eagleville (Eagle Ford-1), Hawkville (Eagleford Shale), and Indio Tanks (Pearsall) Fields, La Salle, Atascosa, Frio and McMullen Counties, Texas.

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6. O&G 7B-0304573: In Re: P-4 good faith claim review and transfer of record operator for the Wright (29504) Lease, Anson, North (King) Field, Jones County, Texas, from Cedar Ridge Energy, Inc. (Operator No. 140622) to Bluff Creek Petroleum, LLC (Operator No. 076859).
7. O&G 03-0303351: Single Signature P-4 filing of Inland Ocean, Inc. (Op. No. 424607) for the Wilbeck (208229) Lease, Well No. 3, Pickett Ridge (Frio) Field, Wharton County, Texas, to change operator from United Texas Petroleum, Inc. (Op. No. 877688).
8. O&G 09-0304236: Transfer of Record Operator for the Barron (RRC Gas ID No. 231729) Lease, Well No. 3, Newark, East (Barnett Shale) Field, Palo Pinto County, Texas, From ColoTex Operating, LLC to Athena Resources, Inc.
9. O&G 7B-0304238: Transfer of Record Operator for the Barron (RRC Gas ID No. 210271) Lease, Well No. 2, Big Ben (Big Saline A-1) Field, Palo Pinto County, Texas, From ColoTex Operating, LLC to Athena Resources, Inc.
10. O&G 7B-0304239: Transfer of Record Operator for the Barron (RRC Gas ID No. 217014) Lease, Well No. 9, Strawn, NW. (Marble Falls) Field, Palo Pinto County, Texas, From ColoTex Operating, LLC to Athena Resources, Inc.
11. O&G 7B-0304241: Transfer of Record Operator for the Barron (RRC Gas ID No. 213662) Lease, Well No. 6, Big Ben (Big Saline A-1) Field, Palo Pinto County, Texas, From ColoTex Operating, LLC to Athena Resources, Inc.
12. O&G 7B-0304242: Transfer of Record Operator for the Barron (RRC Gas ID No. 213070) Lease, Well No. 5, Big Ben (Big Saline A-1) Field, Palo Pinto County, Texas, From ColoTex Operating, LLC to Athena Resources, Inc.
13. O&G 03-0304015: Complaint by Jennifer S. Calloway That Progenies Operating LLC (Op. No.681161) Does Not Have a Good Faith Claim to Operate the K.S. Unit (18813) Lease, Giddings (Austin Chalk-3) Field, Fayette County, Texas.
14. O&G 20-0303903: In Re: P-5 Organization Report of Rhonda Operating Company (Operator No. 706300); Motion for Rehearing.
15. O&G 01-0301470: Enforcement action against Jenex Petroleum Corporation (Operator No. 431135) for violations of Statewide Rules on the Burns, Jane -B- (00802) Lease, Well No. 19, Kyote Field, and the Allerkamp, Earnest E. (01365) Lease, Pearsall (Navarro Sand) Field, Frio County, Texas; Violations of 16 TAC §§3.8(d)(1) and 3.20(a)(1). Motion for Rehearing.

RULE 15 INACTIVE WELL ITEMS (29 items; numbers 16 - 44)

The Commission unanimously approved the following inactive well items, with the exception of item number 16, 32, and 34 which came into compliance.

16. O&G 20-0304686: In Re: P-5 Organization Report of Approach Operating LLC (Operator No. 028625).

This item was passed. It came into compliance.

17. O&G 20-0304687: In Re: P-5 Organization Report of Atkinson, Jim (Operator No. 036080).

18. O&G 20-0304689: In Re: P-5 Organization Report of Briggs & Croker Oil, LLC (Operator No. 092594).

19. O&G 20-0304690: In Re: P-5 Organization Report of Canyon Creek Energy Texas, LLC (Operator No. 129944).

20. O&G 20-0304691: In Re: P-5 Organization Report of Chestnut Explor. and Prod., Inc. (Operator No. 147847).

21. O&G 20-0304692: In Re: P-5 Organization Report of Dallas Petroleum Group, LLC (Operator No. 197688).

22. O&G 20-0304693: In Re: P-5 Organization Report of Diamond M Drlg & Eexpl Co. (Operator No. 216913).

23. O&G 20-0304694: In Re: P-5 Organization Report of Esco Oil Operating Company LLC (Operator No. 254263).

24. O&G 20-0304695: In Re: P-5 Organization Report of Gilliam Partners, LP. (Operator No. 306115).

25. O&G 20-0304696: In Re: P-5 Organization Report of Golden, Marty Joe (Operator No. 312774).

26. O&G 20-0304697: In Re: P-5 Organization Report of Hendon WM E. Jr. Rev Lvng Trust (Operator No. 378270).

27. O&G 20-0304698: In Re: P-5 Organization Report of Hughes, Bill Drilling, Inc. (Operator No. 411697).

28. O&G 20-0304699: In Re: P-5 Organization Report of Mingus Oil & Gas (Operator No. 569683).

29. O&G 20-0304700: In Re: P-5 Organization Report of NBI Services, Inc. (Operator No. 601352).

30. O&G 20-0304702: In Re: P-5 Organization Report of Nortex Production Co., LLC (Operator No. 613562).

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31. O&G 20-0304703: In Re: P-5 Organization Report of Pergerson, Energy, L.L.C. (Operator No. 653595).

32. O&G 20-0304704: In Re: P-5 Organization Report of Pinnacle SWD Texas LLC (Operator No. 665691).
This item was passed. It came into compliance.

33. O&G 20-0304705: In Re: P-5 Organization Report of Prensorus Energy, LLC (Operator No. 676080).

34. O&G 20-0304706: In Re: P-5 Organization Report of Shale Water Disposal LLC (Operator No. 768693).
This item was passed. It came into compliance.

35. O&G 20-0304707: In Re: P-5 Organization Report of Sonerra Resources Corporation (Operator No. 801643).

36. O&G 20-0304708: In Re: P-5 Organization Report of Southstone Energy, LLC (Operator No. 806004).

37. O&G 20-0304709: In Re: P-5 Organization Report of Startup, Inc. (Operator No. 816033).

38. O&G 20-0304710: In Re: P-5 Organization Report of Texas Sands Resources, LLC (Operator No. 847981).

39. O&G 20-0304711: In Re: P-5 Organization Report of Tockco Petroleum Corporation (Operator No. 872285).

40. O&G 20-0304712: In Re: P-5 Organization Report of Twin Oaks Construction Company (Operator No. 875022).

41. O&G 20-0304713: In Re: P-5 Organization Report of Walsh Resources, Inc. (Operator No. 894500).

42. O&G 20-0304714: In Re: P-5 Organization Report of Westbrook Oil & Gas Co. Inc. (Operator No. 911135).

43. O&G 20-0304715: In Re: P-5 Organization Report of WO Operating Company (Operator No. 935428).

44. O&G 20-0304716: In Re: P-5 Organization Report of Wylie, Fred, Jr. (Operator No. 945475).

MASTER DEFAULT ITEMS (17 items; numbers 45 - 61)

The Commission unanimously approved the following orders:

45. O&G 7B-0301564: Enforcement action against Crude Production Company (Operator No. 191588) for violation of Statewide Rule on the Wagley, H.E. (00389) Lease, Callahan County Regular Field, Callahan County, Texas; Violation of 16 TAC §3.14(d)(12).
46. O&G 7B-0301685: Enforcement action against Hunter Energy, Inc. (Operator No. 418929) for violations of Statewide Rules on the Riebe, Angelina (RRC Gas ID No. 143126) Lease, Well No. 2 A, Johnston Gap (Marble Falls) Field, Palo Pinto County, Texas; Riebe, Angelina (RRC Gas ID No. 144530) Lease, Well No. 1, Johnston Gap (Marble Falls) Field, Palo Pinto County, Texas; and Riebe, Angelina (RRC Gas ID No. 218842) Lease, Well No. 3 A, Johnston Gap (Marble Falls) Field, Palo Pinto County, Texas; Violations of 16 TAC §§3.3(1), and 3.8(d)(1).
47. O&G 7B-0303248: Enforcement action against Hunter Energy, Inc. (Operator No. 418929) for violations of Statewide Rules on the Riebe, Angelina (RRC Gas ID No. 218842) Lease, Well No. 3 A, Johnston Gap (Marble Falls) Field, Palo Pinto County, Texas; Violations of 16 TAC §§3.3(2), 3.8(d)(1), and 3.14(b)(2).
48. O&G 09-0303094: Enforcement action against Sam McIlroy DBA S. S. Oil Company (Operator No. 741209) for violations of Statewide Rules on the Foster -F- (05123) Lease, Well Nos. 10 and 12, Wichita County Regular Field, Wichita County, Texas; Violations of 16 TAC §§3.3(1), 3.3(2), 3.3(3), 3.13(a)(6)(A), and 3.14(b)(2).
49. O&G 03-0303535: Enforcement action against Charles Miller, Sole Proprietorship (Operator No. 567830) for violations of Statewide Rules on the Joost Lease, Well No. 2 (Drilling Permit No. 748788), Wildcat Field, Fayette County, Texas; Violation of 16 TAC §§3.3(1), 3.5, 3.14(b)(2), and 3.16(b).
50. O&G 05-0276758: Enforcement action against Andrew Allen Jergins dba Jergins Oil Company, Sole Proprietorship (Operator No. 432066) for violations of Statewide Rules on the Banner A (02754) Lease, Well Nos. 24A, 26A, 27A, A32, B22, B23, B24, C1 and C2, Corsicana (Shallow) Field, Navarro County, Texas; Violation of 16 TAC §3.14(b)(2).
51. O&G 06-0272251: Enforcement action against KADS Oil Inc. (Operator No. 450062) for violations of Statewide Rules on the Rodgers-Hill Unit (03477) Lease, Well No. 1, New Diana (Woodbine) Field, Upshur County, Texas: Violation of 16 TAC §§3.3(2), 3.14(b)(2), and 3.8(d)(1).
52. O&G 06-0272252: Enforcement action against Conquest Energy, Inc. (Operator No. 172237) for violations of Statewide Rules on the Arco No. 2 (RRC Gas ID No. 078719) Lease, Well No. 2, Stockman (Travis Peak) Field, Shelby County, Texas; Violation of 16 TAC §3.14(b)(2).

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53. O&G 06-0275870: Enforcement action against Conquest Energy, Inc. (Operator No. 172237) for violations of Statewide Rules on Arco No. 1 (RRC Gas ID No. 074228) Lease, Well No. 1, Stockman (Travis Peak) Field, Shelby County, Texas; Violation of 16 TAC §§3.14(b)(2), 3.8(d)(1) and 3.14(b)(3).

54. O&G 06-0278462: Enforcement action against US Energy Holdings, LLC (Operator No. 879267) for violations of Statewide Rules on E.S.S.C. (10226) Lease, Well Nos. 2, 3 and 5, Cayuga Field, Henderson County, Texas; Violation of 16 TAC §§3.14(b)(2) and 3.46(j).

55. O&G 7B-0277535: Enforcement action against Dwight Northcutt and Carolyn Kelly dba D.N.I. (Operator No. 221589) for violations of Statewide Rules on H.A. Shaw (00994) Lease, Well Nos. 2, 3 and 5, Coleman County Regular Field, Coleman County, Texas; Violation of 16 TAC §§3.14(b)(2), 3.8(d)(1), 3.14(b)(3), and 3.73(i) and Tex. Nat. Res. Code §91.706.

56. O&G 7B-0282869: Enforcement action against Dwight Northcutt and Carolyn Kelly dba D.N.I., (Operator No. 221589) for violations of Statewide Rules on J.W. Phillips (RRC Gas ID No. 142428) Lease, Well No. 2, J.W. Phillips Lease (Lease No. 142429), Well No. 3, and J.W. Phillips (11893) Lease, Well No. 4, J.S. Lewis (Marble Falls) Field, Brown County, Texas; Violation of 16 TAC §3.14(b)(2).

57. O&G 7B-0284002: Enforcement action against Dwight Northcutt and Carolyn Kelly dba D.N.I., (Operator No. 221589) for violations of Statewide Rules on the Amalene Isaacks (16731) Lease, Well Nos. 1, 2 and A, J.S. Lewis (Marble Falls) Field, Brown County, Texas; Violation of 16 TAC §§3.5(a), 3.14(b)(2), and 3.16(b).

58. O&G 7B-0294230: Enforcement action against Dwight Northcutt and Carolyn Kelly dba D.N.I. (Operator No. 221589) for violations of Statewide Rules on the Reeves "A" Lease, Well No. 3, Brown County Regular Field, Brown County, Texas; Violation of 16 TAC §§3.14(b)(2) and 3.16(b).

59. GUD Docket No. 10462: Enforcement action against Wildwood Management Group (Company ID No. 1280) for violation of Pipeline Safety Regulations at the Lafayette Place Condominiums (System ID No. 461105), San Antonio, Bexar County, Texas; Violation of 16 TAC §8.1(b)(1) and 49 C.F.R. §192.1015(a).

60. DP 12794: Enforcement action against MMM Foundation Repair for violation of Commission Rules for Underground Pipeline Damage Prevention at 507 Avenue F South, Houston, Harris County, Texas; Violations of 16 TAC §18.1(a); Vacated Order.

61. DP 19154: Enforcement action against MMM Foundation Repair for violation of Commission Rules for Underground Pipeline Damage Prevention at 507 Avenue F South, Houston, Harris County, Texas; Violations of 16 TAC §18.11(b).

OFFICE OF GENERAL COUNSEL

AGREED ENFORCEMENT ORDERS (39 items; numbers 62 - 179)

The Commission unanimously approved the following agreed orders:

62. O&G 03-0303817: McDonnold Operating, Inc. (Operator No. 548163) enforcement action regarding Carter, W. T. -C- Lease, Well No. 1 (RRC No. 112838), Michener Field, Tyler County, Texas. Violation of Tex. Nat. Res. Code §91.143.

63. GUD 10482: Trinity Village (Company ID No. 870356) enforcement action regarding Pipeline Safety Rules in Brazoria County, Texas. Violation of 16 TAC §§8.225(c), 8.205(2), 8.220(b), 8.201(c)(1) and 8.51(b) and 49 CFR 192.739(a), 49 CFR 192.625(f)(1), 49 CFR 192.807(a)(2), 49 CFR 192.809(a) and 49 CFR 192.1015(a).

64. Damage Prevention 017703: Dixie Drilling Company enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at Friendswood Link Rd., Friendswood, Galveston County, Texas.

65. Damage Prevention 021512: L & L Landscape enforcement action for violation of 16 TAC §§18.3(a), 18.11(a) and 18.11(b), at 6519 Rodrigo St., Houston, Harris County, Texas.

66. Damage Prevention 022667: Sadler Boring, LLC enforcement action for violation of 16 TAC §§18.3(e), 18.11(b) and 18.11(b), at 801 W. Stockton St. (Fitzgerald), Falfurrias, Brooks County, Texas.

67. Damage Prevention 022677: Gonzales Commercial Electric enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 16818 Huebner (N. Loop 1604 W.), San Antonio, Bexar County, Texas.

68. Damage Prevention 029530: Fernando Concrete enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 125 Alexis Dr., Longview, Gregg County, Texas.

69. Damage Prevention 030107: City of Dallas enforcement action for violation of 16 TAC §18.11(b), at 2515 Fernwood Ave. (E. Elmore Ave.), Dallas, Dallas County, Texas.

70. Damage Prevention 043961: Gageco, Inc. enforcement action for violation of 16 TAC §§18.11(b), 18.3(a) and 18.11(b), at 126 Evergreen Oak Dr. (Oak Briar Ln.), Conroe, Montgomery County, Texas.

71. Damage Prevention 048523: Alce Construction enforcement action for violation of 16 TAC §18.11(b), at 8516 Mines Rd., Laredo, Webb County, Texas.

72. Damage Prevention 048826: SV Underground Cable enforcement action for violation of 16 TAC §18.11(b), at 3345 Broadway Blvd. (Colonel Dr.), Garland, Dallas County, Texas.

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73. Damage Prevention 049034: RGV Communications enforcement action for violation of 16 TAC §18.11(b), at 8314 Oxbourne (Bluff Bend), San Antonio, Bexar County, Texas.

74. Damage Prevention 049080: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 8310 Thorn Cliff (Bluff Bend), San Antonio, Bexar County, Texas.

75. Damage Prevention 049612: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at Casa Del Sol Blvd. (Hwy. 359), Laredo, Webb County, Texas.

76. Damage Prevention 049664: Trophy Construction Services, LLC enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 1511 S.W. Wilshire (N.W. John Jones), Burleson, Johnson County, Texas.

77. Damage Prevention 049680: San Antonio Constructors enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 226 Belfast (Everest), San Antonio, Bexar County, Texas.

78. Damage Prevention 049827: Garden Design Studio enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 4201 Churchill Downs Dr. (Long Champ Dr.), Austin, Travis County, Texas.

79. Damage Prevention 049875: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 2900 Ruiz St. (N. 27th St.), San Antonio, Bexar County, Texas.

80. Damage Prevention 049899: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 2678 Lockhill Selma (Whisper Path), San Antonio, Bexar County, Texas.

81. Damage Prevention 049935: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 6006 Wood Pass (Sunset Crest), San Antonio, Bexar County, Texas.

82. Damage Prevention 049941: San Antonio Water System enforcement action for violation of 16 TAC §18.10(b), at 2013 Belknap (W. Ridgewood Ct.), San Antonio, Bexar County, Texas.

83. Damage Prevention 049947: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 9007 Island View St. (Ocean Port), San Antonio, Bexar County, Texas.

84. Damage Prevention 049994: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at W. Bolivar St. (S. Archie St.), Vidor, Orange County, Texas.

85. Damage Prevention 050007: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1501 Lakeview Ct. (Lakecrest), Granbury, Hood County, Texas.

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86. Damage Prevention 050034: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 724 Linden Ave. (S. Zarzamora St.), San Antonio, Bexar County, Texas.

87. Damage Prevention 050038: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 401 Lombard Dr. (Donald Goodrich), San Antonio, Bexar County, Texas.

88. Damage Prevention 050072: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 4687 Lockhill Selma (University Oak), San Antonio, Bexar County, Texas.

89. Damage Prevention 050080: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 25810 Dakota Chief (Yukon Straight), San Antonio, Bexar County, Texas.

90. Damage Prevention 050081: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at Clear Lake City Blvd. (Enchanted Isle Dr.), Houston, Harris County, Texas.

91. Damage Prevention 050087: Conatser Construction enforcement action for violation of 16 TAC §18.10(b), at 2113 W. Morphy St. (Jerome St.), Fort Worth, Tarrant County, Texas.

92. Damage Prevention 050103: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 26210 Canyon Golf Rd. (Walden Oak), San Antonio, Bexar County, Texas.

93. Damage Prevention 050142: Torres Clean-up enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 1064 Harbor Retreat St. (Burney Rd.), Southlake, Tarrant County, Texas.

94. Damage Prevention 050152: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 6043 Wood Pass (Wood Harbor), San Antonio, Bexar County, Texas.

95. Damage Prevention 050153: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at UTSA Blvd. (James Bauerle Rd.), San Antonio, Bexar County, Texas.

96. Damage Prevention 050193: Professional Utility Services enforcement action for violation of 16 TAC §18.11(b), at 16300 Bourrelet Way, Crosby, Harris County, Texas.

97. Damage Prevention 050242: SDC Underground Utility enforcement action for violation of 16 TAC §18.4(g), at 12900 Briar Forest Dr., Houston, Harris County, Texas.

98. Damage Prevention 050270: Lightning Construction enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 1108 Mustang Trl., Kingwood, Harris County, Texas.

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99. Damage Prevention 050277: D.L. Meacham, LP enforcement action for violation of 16 TAC §18.3(a), at W. Ventana Pkwy. (Lagano), Katy, Harris County, Texas.

100. Damage Prevention 050290: Professional Utility Services enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 16000 Audie Lee Ct., Crosby, Harris County, Texas.

101. Damage Prevention 050330: MK Constructors enforcement action for violation of 16 TAC §18.11(b), at CR 307 (CR 1050), Greenwood, Midland County, Texas.

102. Damage Prevention 050336: Ashcraft/European Bakery enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 208 Murphy Rd., Stafford, Fort Bend County, Texas.

103. Damage Prevention 050342: City of Amarillo enforcement action for violation of 16 TAC §18.11(b), at 2108 Pioneer (Osage), Amarillo, Randall County, Texas.

104. Damage Prevention 050347: City of Dallas enforcement action for violation of 16 TAC §18.8(a), at 300 N. Denley (Garrison), Dallas, Dallas County, Texas.

105. Damage Prevention 050422: City of Baytown enforcement action for violation of 16 TAC §18.11(b), at 100 Woods Ave. (Bayway Dr.), Baytown, Harris County, Texas.

106. Damage Prevention 050423: City of Palestine enforcement action for violation of 16 TAC §18.10(b), at Brierwood Dr. (Cardinal Dr.), Palestine, Anderson County, Texas.

107. Damage Prevention 050430: Grant Mackay Company, Inc. enforcement action for violation of 16 TAC §§18.11(b), 18.3(e) and 18.10(b), at 11911 Chimney Rock Rd. (Dryad Dr.), Houston, Harris County, Texas.

108. Damage Prevention 050479: City of Baytown enforcement action for violation of 16 TAC §18.11(b), at 5310 Bayway Dr. (Peterson), Baytown, Harris County, Texas.

109. Damage Prevention 050494: Barson Utilities enforcement action for violation of 16 TAC §§18.11(b) and 18.3(e), at 12124 Madeleine Cir. (Willow Ln.), Dallas, Dallas County, Texas.

110. Damage Prevention 050510: Bore Pro, LLC enforcement action for violation of 16 TAC §18.11(b), at 709 S. Seguin Rd., Converse, Bexar County, Texas.

111. Damage Prevention 050582: SiEnergy, LP enforcement action for violation of 16 TAC §18.8(a), at 18219 Sandy Beach Ct. (Grapevine Shore), Cypress, Harris County, Texas.

112. Damage Prevention 050608: Olshan Foundation Repair enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 533 Chippendale Dr. (Dove Hill Cir.), Heath, Rockwall County, Texas.

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113. Damage Prevention 050662: PRW Plumbing & Associates, LLC enforcement action for violation of 16 TAC §§18.11(b), 18.4(b) and 18.10(b), at 744 Esperanza Pl., Tyler, Smith County, Texas.

114. Damage Prevention 050704: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2201 W. Dagget Ave. (15th Ave.), Fort Worth, Tarrant County, Texas.

115. Damage Prevention 050708: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 604 Wollford Way (Warberry Trl.), Fort Worth, Tarrant County, Texas.

116. Damage Prevention 050718: Electrical Services of Texas, Inc. enforcement action for violation of 16 TAC §§18.11(b), 18.3(a) and 18.11(b), at 16915 Tomball Pkwy., Houston, Harris County, Texas.

117. Damage Prevention 050727: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2490 Ambler Ave. (Westmoreland), Abilene, Taylor County, Texas.

118. Damage Prevention 050729: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Dalton St. (N. Riverside Dr.), Fort Worth, Tarrant County, Texas.

119. Damage Prevention 050736: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2711 Daybreak Dr. (Harbinger Ln.), Camp Dallas, Denton County, Texas.

120. Damage Prevention 050744: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2627 Daybreak Dr. (Harbinger Ln.), Camp Dallas, Denton County, Texas.

121. Damage Prevention 050753: Gold Key Construction enforcement action for violation of 16 TAC §§18.11(b), 18.3(a) and 18.11(b), at 1920 N. Sam Houston Pkwy. E., Houston, Harris County, Texas.

122. Damage Prevention 050757: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 4397 State St. (Pioneer), Abilene, Taylor County, Texas.

123. Damage Prevention 050763: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 847 13th St. N.W. (Campbell), Paris, Lamar County, Texas.

124. Damage Prevention 050766: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1913 Amberwood Ct. (Woodbridge), Sulphur Springs, Hopkins County, Texas.

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125. Damage Prevention 050772: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2906 S. Bagdad Rd. (BlueLine Dr.), Leander, Williamson County, Texas.

126. Damage Prevention 050775: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 400 Blk. S. Ayers (E. Lancaster Ave.), Fort Worth, Tarrant County, Texas.

127. Damage Prevention 050780: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 16326 Bontura St. (Monteigne Ln.), Cypress, Harris County, Texas.

128. Damage Prevention 050788: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1605 Carruth Ln. (Live Oak Ln.), Southlake, Tarrant County, Texas.

129. Damage Prevention 050789: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2210 W. Hwy. 21 (Carvers St.), Bryan, Brazos County, Texas.

130. Damage Prevention 050797: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 318 Coach Lamp St. (Old Creek Rd.), Houston, Harris County, Texas.

131. Damage Prevention 050801: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Locust St. (Ashcroft St.), Sulphur Springs, Hopkins County, Texas.

132. Damage Prevention 050803: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 13618 Woodchester Dr. (Bramblebury Dr.), Sugar Land, Fort Bend County, Texas.

133. Damage Prevention 050809: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 504 Lilly Ln., Bullard, Smith County, Texas.

134. Damage Prevention 050811: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at W. Clarendon (S. Madison), Dallas, Dallas County, Texas.

135. Damage Prevention 050812: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2512 W. Hickory St. (Bonnie Brae), Denton, Denton County, Texas.

136. Damage Prevention 050815: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 600 S. Clay St. Apt. H4 (W. Lampasas), Ennis, Ellis County, Texas.

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137. Damage Prevention 050822: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 822 Division Loop (Hood Rd.), Mineral Wells, Palo Pinto County, Texas.

138. Damage Prevention 050824: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 312 Willow Creek Rd. (Lake View), Palmer, Ellis County, Texas.

139. Damage Prevention 050826: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 1206 N. Main St., Pleasanton, Atascosa County, Texas.

140. Damage Prevention 050828: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 5803 Sachse Rd. (Woodbridge Dr.), Sachse, Dallas County, Texas.

141. Damage Prevention 050830: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3537 Hutch Dr. (Endeavor Way), Plano, Collin County, Texas.

142. Damage Prevention 050831: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1910 Drexel Dr. (Westminister), Richardson, Dallas County, Texas.

143. Damage Prevention 050832: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 206 N.E. 5th St. (E. Church St.), Grand Prairie, Dallas County, Texas.

144. Damage Prevention 050841: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 15300 Corona Del Mar Dr., Houston, Harris County, Texas.

145. Damage Prevention 050843: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3505 Chaffin Dr. (Deborah Dr.), Richland Hills, Tarrant County, Texas.

146. Damage Prevention 050846: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 26830 IH 45, Spring, Montgomery County, Texas.

147. Damage Prevention 050847: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 7000 Colberg Ct. (Colberg Dr.), Austin, Travis County, Texas.

148. Damage Prevention 050849: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 807 Victoria Ln. (E. Dove Rd.), Southlake, Tarrant County, Texas.

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149. Damage Prevention 050880: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1450 Eastchase Pkwy. (Meadowbrook Blvd.), Fort Worth, Tarrant County, Texas.

150. Damage Prevention 050883: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3950 E. Lancaster Ave. (Clairemont Ave.), Fort Worth, Tarrant County, Texas.

151. Damage Prevention 050890: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 1313 Franklin (W. 5th), Weatherford, Parker County, Texas.

152. Damage Prevention 050894: Romance Services enforcement action for violation of 16 TAC §18.3(e), at 919 W. Pioneer Pkwy. (S. Cooper St.), Arlington, Tarrant County, Texas.

153. Damage Prevention 050912: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at S. Love St. (Front St.), Oakwood, Leon County, Texas.

154. Damage Prevention 050933: BRH Garver Construction, LP enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 9105 Memorial Dr., Houston, Harris County, Texas.

155. Damage Prevention 050956: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 906 Watson St. (Oak Ridge Dr.), Fairfield, Freestone County, Texas.

156. Damage Prevention 050960: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 703 E. 5th St. (N. Craig Rd.), Prosper, Collin County, Texas.

157. Damage Prevention 050976: Guerrero Excavation, Inc. enforcement action for violation of 16 TAC §§18.3(e) and 18.11(b), at 13104 Indigo Creek Ln., Pearland, Brazoria County, Texas.

158. Damage Prevention 050987: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 9705 Tall Tree Ln. (Tolima Dr.), Austin, Travis County, Texas.

159. Damage Prevention 051014: City of Nacogdoches enforcement action for violation of 16 TAC §18.11(b), at 316 E. Main St., Nacogdoches, Nacogdoches County, Texas.

160. Damage Prevention 051042: CoServ Gas, Ltd. enforcement action for violation of 16 TAC §18.8(a), at 2 Fox Hollow Run (Shady Shores), Shady Shores, Denton County, Texas.

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161. Damage Prevention 051043: Gibson's Landscape Contractors, Inc. enforcement action for violation of 16 TAC §§18.11(b) and 18.3(a), at 430 Hollow (Memorial Dr.), Houston, Harris County, Texas.
162. Damage Prevention 051059: Backwater Fence enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 10100 Katy Fwy. (Gessner), Houston, Harris County, Texas.
163. Damage Prevention 051088: MJE enforcement action for violation of 16 TAC §§18.10(b), at 15800 Chase Hill Blvd. (Babcock), San Antonio, Bexar County, Texas.
164. Damage Prevention 051102: City of Palestine enforcement action for violation of 16 TAC §18.10(b), at 1517 N. Jackson St. (Harrison St.), Palestine, Anderson County, Texas.
165. Damage Prevention 051108: City of Abilene/Water Dist. & Sewage Collection enforcement action for violation of 16 TAC §18.10(b), at 3173 S. 21 (Ballinger St.), Abilene, Taylor County, Texas.
166. Damage Prevention 051122: Kirk Concrete Dba Beam Concrete Construction enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 4650 W. University (Gee), Prosper, Denton County, Texas.
167. Damage Prevention 051135: City of Ft. Worth - Water Dept. enforcement action for violation of 16 TAC §18.10(b), at 3236 Alta Mere Dr. (Elizabeth Ln. W.), Fort Worth, Tarrant County, Texas.
168. Damage Prevention 051136: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 1007 Daphne Ct. (Garden Villa Ln.), Austin, Travis County, Texas.
169. Damage Prevention 051140: Rodriguez Construction Group, LLC enforcement action for violation of 16 TAC §18.11(b), at 2300 Blk. Bermuda Dunes Dr. (Springhill Dr.), Missouri City, Fort Bend County, Texas.
170. Damage Prevention 051172: Benchmark Plumbing enforcement action for violation of 16 TAC §18.11(b), at 20214 Bella Glade (Bella Mist), San Antonio, Bexar County, Texas.
171. Damage Prevention 051182: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 1435 Lometa Dr. (15th), Plainview, Hale County, Texas.
172. Damage Prevention 051194: Johnson Communications enforcement action for violation of 16 TAC §§18.11(b), 18.4(b) and 18.11(b), at 302 Murray Ln. (S. Waterview), Richardson, Dallas County, Texas.

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173. Damage Prevention 051234: CoServ Gas, Ltd. enforcement action for violation of 16 TAC §18.8(a), at 5100 Swisher Rd. (W. Shady Shores Rd.), Denton, Denton County, Texas.

174. Damage Prevention 051244: Texas Pride Utilities enforcement action for violation of 16 TAC §18.10(b), at 4900 Blk. Hanley Ln., Houston, Harris County, Texas.

175. Damage Prevention 051263: City of Garland Water Utilities enforcement action for violation of 16 TAC §18.10(b), at 209 Daugherty E. (First St.), Garland, Dallas County, Texas.

176. Damage Prevention 051320: Darnell Construction, LLC enforcement action for violation of 16 TAC §§18.4(b) and 18.11(b), at 1304 Martin Luther King Blvd. (13th), San Angelo, Tom Green County, Texas.

177. Damage Prevention 051336: Taylor Concrete enforcement action for violation of 16 TAC §§18.11(b), 18.3(a) and 18.11(b), at Hwy. 69 S. (CR 146), Tyler, Smith County, Texas.

178. Damage Prevention 051345: Balsas Directional Drilling, LLC enforcement action for violation of 16 TAC §18.11(b), at 900 S. Main St., Lumberton, Hardin County, Texas.

179. Damage Prevention 051349: Canary Construction enforcement action for violation of 16 TAC §18.10(b), at 209 W. Main St. (Collins St.), Grand Prairie, Dallas County, Texas.

ADMINISTRATIVE MATTERS

EXECUTIVE OFFICE

180. Issues regarding operations in the Barnett, Eagle Ford, and other shale trends. No update was received.

181. Issues related to the management and operation of the agency, and personnel matters. No update was received.

OFFICE OF GENERAL COUNSEL

182. Pending and/or contemplated litigation, rulemakings, and other actions initiated by or involving the U.S. Environmental Protection Agency, U.S. Department of Interior, U.S. Department of Transportation, and other federal agencies that may impact the State of Texas, including, but not limited to, the energy, pipeline, and natural resource industries. No update was received.

EXECUTIVE SESSION

183. The Commission may enter in to closed Executive Session for discussion and consideration of items posted on this agenda notice which involve: (a) pending or contemplated litigation matters or settlement offers requiring consultation with or advice from the Commission's attorney, pursuant to Texas Government Code §551.071(1); (b) a matter in which the duty of the Commission's attorney to the Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, pursuant to Texas Government Code §551.071(2); (c) a negotiated contract for a prospective gift or donation to the State or to the Commission, pursuant to Texas Government Code §551.073; (d) personnel matters, including the appointment, employment, or dismissal of a public officer or employee, pursuant to Texas Government Code §551.074; (e) security matters related to the deployment of, or specific occasions for the implementation of, security personnel or devices, pursuant to Texas Government Code §551.076; or (f) other matters as permitted pursuant to Chapter 551 of the Texas Government Code. The Commission may reconvene following Executive Session for discussion of items considered in closed session and to take any final actions or vote on such matters in accordance with Texas Government Code §551.102.

This item was passed.

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.

The Commission adjourned @ 9:40 a.m.