

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

**April 24, 2018**

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, April 24, 2018 commencing at 9:36 a.m.](#) [Chairman Christi Craddick, Commissioner Ryan Sitton and Commissioner Wayne Christian were present.](#) [Chairman Craddick presided.](#)

**Service Awards were presented.**

**HEARINGS DIVISION**

**GAS SERVICES**

1. GUD No. 10646: Application of Trans-Pecos Pipeline, LLC pursuant to NGPA §311 for review of the reasonableness of a transportation rate.

The Commission unanimously approved the Examiner's recommendation.

2. GUD No. 10647: Application of Comanche Trail Pipeline, LLC pursuant to NGPA §311 for review of the reasonableness of a transportation rate.

he Commission unanimously approved the Examiner's recommendation.

3. GUD No. 10665: Application of Alpine High Pipeline, LLC pursuant to NGPA §311 for review of the reasonableness of a transportation rate.

The Commission unanimously approved the Examiner's recommendation.

**SURFACE MINING AND RECLAMATION**

4. Docket No. C16-0001-SC-46-F: Application by Luminant Mining Company LLC for release of Phases I, II, and III reclamation obligations for various acreages within its surface coal mining operations for Permit No. 46C, Oak Hill Mine, Rusk County, Texas.

The Commission unanimously approved the Examiner's recommendation.

5. Docket No. C14-0020-SC-00-A: Application by San Miguel Electric Cooperative, Inc. for a new surface mining and reclamation permit for the F, G, and H Area Lignite Mine, McMullen County, Texas.

The Commission unanimously approved to adopt the Examiner's recommendation, but that we substitute the Examiner's permit provision #4 with our Surface Mining Staff permit provisions to #4 which is set out with permit exceptions.

6. Docket No. C18-0002-SC-00-D: Application by San Miguel Electric Cooperative, Inc. for acceptance of self-bond with third-party guarantee for reclamation of Permit No. 60, F, G and H Area Lignite Mine, McMullen County, Texas.

The Commission unanimously approved the Examiner's recommendation.

**OIL AND GAS**

7. O&G 08-0309365: Complaint of BHP Billiton against Rio Oil and Gas (Permian) II, LLC regarding the Brown 44-2 Lease, Well No. 1H, Ford, West (Wolfcamp) Field, Reeves County, Texas.

The Commission unanimously approved the Examiner's recommendation.

8. O&G 6E-0304617: Enforcement action against Pine Creek Operating LLC (Operator No. 665645) for violations of statewide rules on the Jones, W.E. (06124) Lease, Well Nos. 4 and 7, East Texas Field, Gregg County, Texas; Violations of 16 TAC §§3.14(b)(2) and 3.21(i).

The Commission unanimously approved the Examiner's recommendation.

9. O&G 03-0304145: Complaint of Leexus Oil LLC that Creative Oil & Gas Operating LLC (187005), does not have a good faith claim to operate the Lonie Mae #1-H (14106) Lease, Well No. 1H, and the Zona, Mary Unit (12987) Lease, Giddings (Austin Chalk-3) Field, Lee County, Texas; Motion for Rehearing.

The Commission unanimously approved the Examiner's recommendation.

10. O&G 03-0304144: Complaint of Leexus Oil LLC that Creative Oil & Gas Operating LLC (187005), does not have a good faith claim to operate the Ansell Lehman (23183) Lease, Well No. 1H, and the Atlanta Hatfield (14599) Lease, Well No. 1H, Giddings (Austin Chalk-3) Field, Lee County, Texas; Motion for Rehearing.

The Commission unanimously approved the Examiner's recommendation.

11. O&G 20-0308554: In Re: P-5 Organization Report of Caskids Operating Company (Operator No. 139584); Motion for Rehearing.

The Commission unanimously approved the Examiner's recommendation.

**OIL AND GAS CONSENT AGENDA**

The Commission unanimously approved the following applications:

12. O&G 08-0308621: Application of Blackbeard Operating, LLC to consider adopting permanent field rules for the Monahans, North (Clearfork) Field, Winkler County, Texas.

13. O&G 08-0308622: Application of Blackbeard Operating, LLC to consider amending field rules for the Armer (6350) Field, Crane County, Texas.

14. O&G 08-0306090: Application of Shell Western E&P to amend the field rules for the Two Georges (Bone Spring) Field, Culberson, Loving, Reeves, Ward and Winkler Counties, Texas; Order Nunc Pro Tunc.

15. O&G 02-0307472: Application of Hilcorp Energy Company to adopt field rules for the Refugio-Fox (5800) Field, Refugio County, Texas.

16. O&G 08-0307139: Application of Blackbeard Operating, LLC, to consider a maximum efficient rate (MER) allowable, increased net gas-oil ratio, and cancellation of all overproduction for the Landlubber Lease (48393), Armer (6350) Field, Crane County, Texas.

17. O&G 06-0308937: Application of XTO Energy Inc. for an exception to 16 TAC §3.32 for the Lloyd, C.E. (14562) Lease, Minden (Travis Peak Cons.) Field, Rusk County, Texas.

18. O&G 06-0308942: Application of XTO Energy Inc. for an exception to 16 TAC §3.32 for the Lloyd, C.E. -A- (13199) Lease, Henderson (Rusk Co. Pettit) Field, Rusk County, Texas.

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19. O&G 01-0308430: Application of SN Operating, LLC for an exception to 16 TAC §3.32 for the Valyn Clara A1H-A3H/B1H-B3H Lease, Briscoe Ranch (Eagle Ford) Field, Zavala County, Texas.
20. O&G 10-0308619: Application of Continental Trend Resources, Inc. for an exception to 16 TAC §3.32 for the Holt State (09334) Lease, Well No. 183H, Hartley, West (Canyon) Field, Hartley County, Texas.
21. O&G 01-0308345: Application of J.P. Oil Company, Inc. for an exception to 16 TAC §3.32 for the Horn Field (Edwards Lime) Unit, Charlotte (Horn) Field, Atascosa County, Texas.
22. O&G 8A-0308620: Application of Apache Corporation for an exception to 16 TAC §3.32 to flare gas from the Fuller Master Meter 278, Sharon Ridge (Clear Fork) Field and Sharon Ridge (1700) Field, Scurry County, Texas.
23. O&G 8A-0308615: Application of Steward Energy II, LLC for an exception to 16 TAC §3.32 for the Greasy Bend 584 (70376) Lease and the Even Flow 584 Lease, Drilling Permit Nos. 827732 and 826789, Platang (San Andres) Field, Yoakum County, Texas.
24. O&G 8A-0308700: Application of Steward Energy II, LLC for an exception to 16 TAC §3.32 for the Under the Bridge 452 Lease, Well No. 3H (DP No. 828367) and the Under the Bridge 452 A Lease, Well No. 4H (DP No. 828446), Platang (San Andres) Field, Yoakum County, Texas.
25. O&G 8A-0308435: Application of OXY USA, Inc. pursuant to 16 TAC §§3.36 and 3.46 to inject fluid, including recycled CO<sub>2</sub> that contains H<sub>2</sub>S and methane, into a porous formation productive of oil or gas, West Sundown Unit (70442), Well Nos. 44, 51, 61, 71, 90, 109, 112, 133, 136, 149, 152, 168, 171, 188 and 192, Slaughter Field, Hockley County, Texas.
26. O&G 8A-0308437: Application of OXY USA, Inc. pursuant to 16 TAC §§3.36 and 3.46 to inject fluid, including recycled CO<sub>2</sub> that contains H<sub>2</sub>S and methane, into a porous formation productive of oil or gas, West Sundown Unit (70442) Well Nos. 8, 10, 14, 18, 21, 23, 25, 31, 38, 41, 48, 55, 58, 65, 68, 75, 94, 115, 117 and 156, Slaughter Field, Hockley County, Texas.
27. O&G 8A-0307897: Application of Santa Fe Midstream Permian LLC to consider a sour gas pipeline pursuant to 16 TAC §3.106 for the Double Down Gas Gathering System, Permian Basin Field Area, Yoakum County, Texas.
28. O&G 03-0309258: Single Signature P-4 filing of American Patriot Operating Corp. (Operator No. 018883) for the Busch, H. (16030) Lease, Well Nos. 1B, 2B, 9B and 10B, Goose Creek Field, Harris County, Texas, to change the operator from OTeX Resources LLC (Operator No. 628135) to American Patriot Operating Corp.
29. O&G 03-0309259: Single Signature P-4 filing of American Patriot Operating Corp. (Operator No. 018883) for the Busch, H. et al -A- (01754) Lease, Well No. 3, Goose Creek Field, Harris County, Texas, to change the operator from OTeX Resources LLC (Operator No. 628135) to American Patriot Operating Corp.
30. O&G 03-0309001: Single Signature P-4 filing of Gaither Petroleum Corporation (Operator No. 292850) for the Prather-Drillers Fee (01776) Lease, Well Nos. 14 and 18, Goose Creek Field, Harris County, Texas, to change the operator from Siempre Energy Operating, LLC (Operator No. 780191) to Gaither Petroleum Corporation.

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31. O&G 03-0309008: Single Signature P-4 filing of Gaither Petroleum Corporation (Operator No. 292850) for the Briggs (01772) Lease, Well No. 16, Goose Creek Field, Harris County, Texas, to change the operator from Siempre Energy Operating, LLC (Operator No. 780191) to Gaither Petroleum Corporation.
32. O&G 03-0309009: Single Signature P-4 filing of Gaither Petroleum Corporation (Operator No. 292850) for the Tabb Fee (01779) Lease, Well No. 14, Goose Creek Field, Harris County, Texas, to change the operator from Siempre Energy Operating, LLC (Operator No. 780191) to Gaither Petroleum Corporation.
33. O&G 09-0309162: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Howard "A" (24978) Lease, V.W. Hutson (Hoxbar Sand) Field, Montague County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
34. O&G 09-0309163: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Lauderback C (25105) Lease, Montague County Regular Field, Montague County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
35. O&G 09-0309164: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Maddox, J.W. -B- 40 Acres (04226) Lease, Montague County Regular Field, Montague County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
36. O&G 09-0309165: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Harris, Tom et al "A" (28442) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
37. O&G 09-0309166: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Harris, T.H. et al (28340) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
38. O&G 09-0309167: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Harris, Tom et al (27978) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
39. O&G 09-0309168: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Grote, F.R. Estate (25429) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
40. O&G 09-0309169: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Dennis, A.J. -A- (02136) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
41. O&G 09-0309170: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Meador, S.D. -B- (02097) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
42. O&G 09-0309171: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Meador, S.D. -C- (02038) Lease, Cooke County Regular Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
43. O&G 09-0309172: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Goff (26154) Lease, Bulcher (Strawn) Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.

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44. O&G 09-0309174: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Bowers, Joe (02267) Lease, Bulcher (Strawn) Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
45. O&G 09-0309175: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Goff, G.D. (18666) Lease, Biffle (2560) Field, Cooke County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
46. O&G 09-0309176: Single Signature P-4 filing of Breeze Oil, LLC (Operator No. 090706) for the Lauderback (18484) Lease, Montague County Regular Field, Montague County, Texas, to change the operator from Breeze, James R. (Operator No. 090715) to Breeze Oil, LLC.
47. O&G 01-0308639: Single Signature P-4 Filing of Crossroads Mineral Production, L.L.C. (Op. No. 190711) for the Pfeil (14077) Lease, Khan (Austin Chalk) Field, Wilson County, Texas, to change the operator from CEI Operating LLC (Op. No. 140718) to Crossroads Mineral Production, L.L.C.
48. O&G. 7B-0309654: Single Signature P-4 Filing of Robuck Petroleum LLC (Operator No. 722177) for the Daws (30085) Lease, Well No. 1, McKeichan (Caddo) Field, Throckmorton County, Texas, to change the operator from Powell-McCarroll Partnership (Operator No. 674803) to Robuck Petroleum LLC.
49. O&G 6E-0307062: Complaint by Melrose Investments, LLC et al. that Flint Pipeline Company (Operator No. 273921) does not have a good faith claim to operate the Savannah Butts (06441) Lease, East Texas Field, Rusk County, Texas.
50. O&G 6E-0307214: Complaint by Melrose Investments, LLC et al. that Flint Pipeline Company (Operator No. 273921) does not have a good faith claim to operate the Mary Brady Kennedy (06443) Lease, East Texas Field, Rusk County, Texas.
51. O&G 6E-0307215: Complaint by Melrose Investments, LLC et al. that Embassy Well Service (Operator No. 250943) does not have a good faith claim to operate the Webb Kennedy (06442) Lease, East Texas Field, Rusk County, Texas.
52. O&G 09-0309485: Complaint of Debra Atnip that Pro. Energy I Resource, LLC (Operator No. 679296) does not have a good faith claim to operate the Waggoner -Vicki- (12241), Lease, Wilbarger County Regular Field, Wichita County, Texas.
53. O&G 03-0309758: Complaint of Roger Tindall that Siana Oil & Gas (Operator No. 779259) does not have a good faith claim to operate the Carpenter, Alma (20351) Lease, Well No. 16, Nome (S-1) Field, Jefferson County, Texas.
54. O&G 03-0309757: Complaint of Roger Tindall that Siana Oil & Gas (Operator No. 779259) does not have a good faith claim to operate the Carpenter, Alma (03197) Lease, Well No. 14A, Nome (X Sand) Field, Jefferson County, Texas.
55. O&G 03-0309756: Complaint of Roger Tindall that Siana Oil & Gas (Operator No. 779259) does not have a good faith claim to operate the Carpenter, Alma (18770) Lease, Well No. 16, Nome Field, Jefferson County, Texas.
56. O&G 7B-0309487: Complaint of Billy Don and Nolo Gene Davis that Harrell, Bob Trucking (Operator No. 359015) does not have a good faith claim to operate the Victoria (29809) Lease, Well No. 2, Group, S. (Ellenburger) Field, Nolan County, Texas.

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57. O&G 20-0309695: In Re: P-5 Organization Report of Royal Texas Resources Co. (Operator No. 732111); Motion for Rehearing.

58. O&G 20-0309697: In Re: P-5 Organization Report of Shiloh Operating Company (Operator No. 777303); Motion for Rehearing.

59. O&G 20-0309694: In Re: P-5 Organization Report of Palo Pinto Bond Company, LLC (Operator No. 637403); Motion for Rehearing.

60. O&G 20-0309702: In Re: P-5 Organization Report of United Energy Operating, LLC (Operator No. 877206); Motion for Rehearing.

61. O&G 8A-0310094: Kinder Morgan Production Co. LLC for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the Sacroc Unit (#03137), Kelly-Snyder (48583 001) Field, Scurry County, Texas.

62. O&G 8A-0310363: Kinder Morgan Production Co. LLC for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the Sacroc Unit (#03137), Kelly-Snyder (48583 001) Field, Scurry County, Texas.

### **MASTER DEFAULT ORDERS**

The Commission unanimously approved the following default orders:

63. O&G 10-0307564: Enforcement action against North Texas Llano Operating Corporation (Operator No. 614199) for violations of statewide rules on the State of Texas -AE- (08454) Lease, Well Nos. 64, 65D, 70, 71, 80, 81, 82, 83, 84, 85, 86, 87, 88, 94, 95, 96, 97, 98, and 99, Panhandle Hutchinson County Field, Hutchinson County, Texas; Violations of 16 TAC §§3.3(1), 3.3(2), 3.3(3), 3.13(a)(6)(A), 3.14(b)(2), and Tex. Nat. Res. Code §91.143(a)(1).

64. O&G 7B-0308536: Enforcement action against Sequoia Natural Gas, Inc. (Operator No. 767543) for violations of statewide rules on the Booth, J.W. (25560) Lease, Well Nos. 2, and 3, Booth (Caddo) Field, Callahan County, Texas; Violations of 16 TAC §§3.3(1), 3.3(2), and 3.14(b)(2).

65. O&G 7B-0307952: Enforcement action against Sequoia Natural Gas, Inc. (Operator No. 767543) for violations of statewide rules on the Holloway (30132) Lease, Well No. 1, Truby, N. (Strawn) Field, Jones County, Texas; Violations of 16 TAC §§3.3(1), 3.3(2), and 3.14(b)(2).

66. O&G 04-0309284: Enforcement action against CM TX Production, LLC (Operator No. 161403) for violations of statewide rules on the Garza-Rivas Unit (RRC Gas ID No. 073238) Lease, Well No. 0104, Rincon, North (Stray 3300) Field, Starr County, Texas; Violations of 16 TAC §§3.3(2), and 3.14(b)(2).

67. O&G 7B-0309096: Enforcement action against Paint Rock Operating, LLC (Operator No. 634974) for violation of a statewide rule on the Brooks (28957) Lease, Well No. 1, Mulberry Canyon (Cisco) Field, Nolan County, Texas; Violation of 16 TAC §3.14(b)(2).

68. O&G 7B-0308539: Enforcement action against Cawell Energy, LLC (Operator No. 140537) for violation of a statewide rule on the Reunion (28812) Lease, Well No. 1, Corsica (Caddo) Field, Stonewall County, Texas; Violation of 16 TAC §3.14(b)(2).

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69. O&G 03-0308322: Enforcement action against Rap Operating, L.L.C. (Operator No. 693654) for violations of a statewide rule on the Goolsbee (RRC Gas ID No. 250050) Lease, Well No. 2, Hamman, East (11,150) Field, Matagorda County, Texas; and Talafuse Gas Unit (RRC Gas ID No. 257003) Lease, Well No. 4, Hamman, East (Fb A) Field, Matagorda County, Texas; Violation of 16 TAC §3.14(b)(2).

70. O&G 7C-0308859: Enforcement action against Lorretta Schkade dba Schkade Exploration (Operator No. 752950) for violations of statewide rules on the Winterbotham (03682) Lease, Well Nos. 1, 3, 4, 5W, 7, 8, 9, and 10, Dove Creek (San Angelo) Field, Irion County, Texas; Violations of 16 TAC §§3.8(d)(1), 3.13(a)(6)(A), 3.14(b)(2), and 3.17(A).

### OFFICE OF GENERAL COUNSEL

#### AGREED ENFORCEMENT ORDERS

The Commission unanimously approved the following agreed orders:

71. O&G 7B-0282521: Reval Exploration LLC (Operator No. 703607) enforcement action regarding Stockstill Lease, Well No. 1 (RRC ID No. 159133), and Chamber Lease, Well No. 1 (RRC ID No. 174163), John R. Jacobs (Bend Congl.) Field, Erath County, Texas. Violation of 16 TAC §§3.3(1), 3.3(3), 3.8(d)(4)(H)(i)(III), and 3.14(b)(2).

72. O&G 7B-0284892: Reval Exploration LLC (Operator No. 703607) enforcement action regarding Rexroat Lease, Well No. 1A (RRC ID No. 157321), J.R. Jacobs (Big Saline) Field, Palo Pinto County, Texas. Violation of 16 TAC §§3.2, 3.3(2), and 3.14(b)(2).

73. O&G 7B-0294222: Reval Exploration LLC (Operator No. 703607) enforcement action regarding TCU Lease, Well No. 2 (RRC ID No. 169421), John R. Jacobs (Bend Congl.) Field, and Heizer (28724) Lease, Well No. 1, Erath County Regular Field, Erath County, Texas. Violation of 16 TAC §§3.3(2), 3.3(3), 3.8(d)(4)(H)(i)(III), 3.9(12), 3.13(a)(6)(A), and 3.14(b)(2).

74. O&G 7B-0297591: Reval Exploration LLC (Operator No. 703607) enforcement action regarding Gibson Lease, Well No. 1L (RRC ID No. 163110), and Gibson Lease, Well No. 1U (RRC ID No. 163006), Big Wally (Basal Congl.) Field, Erath Field, Texas. Violation of 16 TAC §§3.3(1), 3.8(d)(4)(H)(i)(III), and 3.14(b)(2).

75. O&G 08-0307804: Flamingo Operating, LLC (Operator No. 271635) enforcement action regarding Neal -14- (23465) Lease, Well Nos. 1D, 2, 3, 4, 5, 6, 7, and 8, MPF (Yates) Field, Pecos County, Texas. Violation of 16 TAC §3.8(d)(1).

76. O&G 09-0303781: Polk Operating, LLC (Operator No. 669326) enforcement action regarding Polk Kashmir SWD (30643) Lease, Well No. 2, Montague County Regular Field, Montague County, Texas. Violation of 16 TAC §3.8(d)(2).

77. Damage Prevention 034402: Tejas Commercial Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 5300 River Oaks Blvd. (Roberts Cut Off Rd.), River Oaks, Tarrant County, Texas.

78. Damage Prevention 034426: Colonial Fence Company enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 2008 Pebble Ln., Friendswood, Galveston County, Texas.

79. Damage Prevention 037485: DWM Plumbing enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 1602 Finfeather Rd. #31 (Palasota Dr.), Bryan, Brazos County, Texas.

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80. Damage Prevention 045300: Sadler Boring, LLC enforcement action for violation of 16 TAC §18.11(b), at 4000 Legacy Dr. (Lebanon Rd.), Frisco, Collin County, Texas.
81. Damage Prevention 046257: Murphy Pipeline Contractors enforcement action for violation of 16 TAC §§18.3(e), 18.10(b) and 18.11(b), at 1501 Winderemere Dr. (Hanover Dr.), Arlington, Tarrant County, Texas.
82. Damage Prevention 046777: Murphy Pipeline Contractors enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 3112 Selfridge Dr. (Selfridge Dr.), Arlington, Tarrant County, Texas.
83. Damage Prevention 053180: Austin Constructors, LLC enforcement action for violation of 16 TAC §§18.3(e) and 18.11(b), at 6460 Babcock Rd. (Spring Time), San Antonio, Bexar County, Texas.
84. Damage Prevention 053345: Rivera Construction enforcement action for violation of 16 TAC §18.10(b), at 5540 Dietrich Rd. (Ackerman Rd.), San Antonio, Bexar County, Texas.
85. Damage Prevention 053539: Harper Brothers Construction, LLC enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at Post Oak Blvd. (Hollyhurst Ln.), Houston, Harris County, Texas.
86. Damage Prevention 053584: IES Residential Electric Company enforcement action for violation of 16 TAC §18.11(b), at 1700 Edgeview Dr. (Champion), Wylie, Collin County, Texas.
87. Damage Prevention 053896: Apeck Construction, Inc. enforcement action for violation of 16 TAC §§18.10(b), 18.11(b) and 18.11(b), at 1813 Madera Dr. (Kendall Ln.), Waco, McLennan County, Texas.
88. Damage Prevention 053909: Allied Underground enforcement action for violation of 16 TAC §18.3(e), at Ludington Dr., Houston, Harris County, Texas.
89. Damage Prevention 053968: Housley Communications enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 207 Jemison St. (Hallie St.), San Antonio, Bexar County, Texas.
90. Damage Prevention 053999: IOC Company, LLC enforcement action for violation of 16 TAC §18.3(e), at Treasure Blvd., Pharr, Hidalgo County, Texas.
91. Damage Prevention 054135: Rivera Construction enforcement action for violation of 16 TAC §18.10(b), at 4421 48th St. (Quaker Ave.), Lubbock, Lubbock County, Texas.
92. Damage Prevention 054215: Tree Express enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 625 Burlington Rd. (Stratford Ave.), San Angelo, Tom Green County, Texas.
93. Damage Prevention 054223: Hernandez Backhoe & Plumbing Services enforcement action for violation of 16 TAC §§18.4(a) and 18.11(b), at 1937 Kessler Heights (Kessler Woods Trl.), Dallas, Dallas County, Texas.
94. Damage Prevention 054333: Excavation & Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 1014 McArthur Dr. (Ave. D), Port Neches, Jefferson County, Texas.



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95. Damage Prevention 054401: Jagoe Public enforcement action for violation of 16 TAC §§18.4(g) and 18.11(b), at 4913 Colleyville Blvd. (Glade Rd.), Colleyville, Tarrant County, Texas.

96. Damage Prevention 054415: Twin Eagle Gardendale PL, LLC enforcement action for violation of 16 TAC §18.8(a), at Ledwig (FM 469), Cotulla, La Salle County, Texas.

97. Damage Prevention 054456: James Construction enforcement action for violation of 16 TAC §§18.10(b), 18.11(b) and 18.11(b), at 425 E. Walnut St. (Earle), Waco, McLennan County, Texas.

98. Damage Prevention 054478: Gardner Telecommunications enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 1025 Ave. G (111th St.), Arlington, Tarrant County, Texas.

99. Damage Prevention 054496: Intown Homes enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 7400 Annette Cv. (Sendero Hills Pkwy.), Austin, Travis County, Texas.

100. Damage Prevention 054557: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 6451 Onyx Dr. N. (Charles St.), North Richland Hills, Tarrant County, Texas.

101. Damage Prevention 054558: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Linda Ln. (Dartmouth Dr.), Plano, Denton County, Texas.

102. Damage Prevention 054574: MC Services, LLC enforcement action for violation of 16 TAC §§18.11(b), 18.11(b) and 18.3(a), at 10111 Louetta Rd., Houston, Harris County, Texas.

103. Damage Prevention 054575: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 5709 Broadway Ave. (Denton Hwy.), Haltom City, Tarrant County, Texas.

104. Damage Prevention 054578: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3428 Asbury St. (Hillcrest Ave.), Dallas, Dallas County, Texas.

105. Damage Prevention 054579: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Bonham St. (11th St. N.W.), Paris, Lamar County, Texas.

106. Damage Prevention 054580: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2405 Spruce Ct. (Amador Trl.), Colleyville, Tarrant County, Texas.

107. Damage Prevention 054582: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 4301 Springhurst (Merriman Dr.), Plano, Collin County, Texas.

108. Damage Prevention 054584: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 110 Nursery Ln. (White Settlement Rd.), Fort Worth, Tarrant County, Texas.

109. Damage Prevention 054590: Concho Trenching enforcement action for violation of 16 TAC §18.10(b), at 18 Brooks Ranch Rd. (Waggoner Ranch Rd.), Odessa, Ector County, Texas.

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110. Damage Prevention 054593: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 4200 Mitchell Blvd. (Glen Garden Dr. S.), Fort Worth, Tarrant County, Texas.

111. Damage Prevention 054594: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 6121 Lantana Dr. (High Woods Trl.), Fort Worth, Tarrant County, Texas.

112. Damage Prevention 054597: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3849 Arundel Ave. (Encanto Dr.), Fort Worth, Tarrant County, Texas.

113. Damage Prevention 054599: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 413 8th St. (Main St.), Comfort, Kendall County, Texas.

114. Damage Prevention 054601: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2009 Valencia Dr. (Granada Trl.), Westlake, Tarrant County, Texas.

115. Damage Prevention 054602: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 10800 Stone Canyon Rd. (Dove Brook Cir.), Dallas, Dallas County, Texas.

116. Damage Prevention 054603: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Legion (Beech St.), Kerrville, Kerr County, Texas.

117. Damage Prevention 054607: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 15009 Belclaire Ave. (Christel Sun), Fort Worth, Tarrant County, Texas.

118. Damage Prevention 054610: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1450 Stone Trail Ln. (Waterstone), Cross Roads, Denton County, Texas.

119. Damage Prevention 054613: Jagoe Public enforcement action for violation of 16 TAC §18.10(b), at 212 Pecan St. (Travis), Roanoke, Denton County, Texas.

120. Damage Prevention 054619: American Bore Trench enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 1511 Ravens Manor Ct., Spring, Harris County, Texas.

121. Damage Prevention 054625: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1003 W. Hwy. 82 (W. Hwy. 82), Whitesboro, Grayson County, Texas.

122. Damage Prevention 054628: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Bizzel (University Dr.), College Station, Brazos County, Texas.

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123. Damage Prevention 054632: A & M Construction enforcement action for violation of 16 TAC §18.4(a), at 422 N. Mill St. (College), Lewisville, Denton County, Texas.

124. Damage Prevention 054636: City of Corpus Christi Gas Dept. enforcement action for violation of 16 TAC §18.8(a), at 5709 Ventura (El Monte), Corpus Christi, Nueces County, Texas.

125. Damage Prevention 054641: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3930 Miller Park Dr. (Marquis), Garland, Dallas County, Texas.

126. Damage Prevention 054647: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1217 W. Tucker Blvd. (S. Davis Dr.), Arlington, Tarrant County, Texas.

127. Damage Prevention 054648: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1201 W. Tucker Blvd. (Davis), Arlington, Tarrant County, Texas.

128. Damage Prevention 054652: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 504 Stratton (Woodford Dr.), Keller, Tarrant County, Texas.

129. Damage Prevention 054653: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 5455 Druid Ln. (E. Greenway), Dallas, Dallas County, Texas.

130. Damage Prevention 054655: City of Greenville enforcement action for violation of 16 TAC §18.4(a), at 532 Leatherwood Ln. (Highland Oaks Dr.), Greenville, Hunt County, Texas.

131. Damage Prevention 054656: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1105 Highland Dr. (Martin Luther Dr.), Arlington, Tarrant County, Texas.

132. Damage Prevention 054676: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 5512 Fernander Dr. (Bourine St.), Fort Worth, Tarrant County, Texas.

133. Damage Prevention 054679: Legacy Plumbing, LLC enforcement action for violation of 16 TAC §§18.11(b) and 18.10(b), at 2802 N. Main St., Liberty, Liberty County, Texas.

134. Damage Prevention 054688: S-T Communications enforcement action for violation of 16 TAC §18.11(b), at 1314 Three Forks Dr., Katy, Harris County, Texas.

135. Damage Prevention 054690: Hero's Landscape Service enforcement action for violation of 16 TAC §§18.11(b), 18.11(b) and 18.4(b), at 1616 Malibu Bay Ct. (Catolina Dr.), Granbury, Hood County, Texas.

136. Damage Prevention 054692: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at North Ridge (Wooded Acres), Waco, McLennan County, Texas.

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137. Damage Prevention 054696: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 5325 FAA Blvd. (Valley View), Irving, Dallas County, Texas.

138. Damage Prevention 054697: Texas State Utilities, Inc. enforcement action for violation of 16 TAC §18.4(b), at 10008 Long Branch Dr. (Levelland), McKinney, Collin County, Texas.

139. Damage Prevention 054708: City of Rockwall enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 1942 S. Lakeshore Dr. (Lakeview Dr.), Rockwall, Rockwall County, Texas.

140. Damage Prevention 054714: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3800 Blk. Martin St. (Trentman), Fort Worth, Tarrant County, Texas.

141. Damage Prevention 054715: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at FM 3363 (FM 3363), Olden, Eastland County, Texas.

142. Damage Prevention 054734: City of Arlington enforcement action for violation of 16 TAC §§18.11(b) and 18.11(b), at 2334 Stone Bridge (Arbor Oaks), Arlington, Tarrant County, Texas.

143. Damage Prevention 054814: JF Construction, Inc. enforcement action for violation of 16 TAC §18.11(b), at 401 Perryman Rd., Lindale, Smith County, Texas.

144. Damage Prevention 054815: T Construction enforcement action for violation of 16 TAC §18.4(a), at 16439 Dunmoor Dr. (Royalfield Dr.), Houston, Harris County, Texas.

145. Damage Prevention 054819: Wildstone Construction, LLC enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at FM 2127, Postoak, Jack County, Texas.

146. Damage Prevention 054830: Tucker Construction enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 225 Discovery Dr. (University Dr.), College Station, Brazos County, Texas.

147. Damage Prevention 054837: City of Mt. Pleasant enforcement action for violation of 16 TAC §§18.4(a) and 18.11(b), at 107 Diane Ln., Mount Pleasant, Titus County, Texas.

148. Damage Prevention 054848: Borepro Utility Construction enforcement action for violation of 16 TAC §18.4(a), at 510 Guadalupe St. (E. Grove St.), San Marcos, Hays County, Texas.

149. Damage Prevention 054849: Borepro Utility Construction enforcement action for violation of 16 TAC §§18.4(a), 18.11(b) and 18.11(b), at 19275 IH 35 N., Schertz, Guadalupe County, Texas.

150. Damage Prevention 054851: Hernandez Backhoe & Plumbing Services enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 1114 Duluth St. (Crossman), Dallas, Dallas County, Texas.

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151. Damage Prevention 054874: Willbros T&D Services enforcement action for violation of 16 TAC §18.10(b), at 4030 Gossett (Rhea), Wichita Falls, Wichita County, Texas.

152. Damage Prevention 054876: Future Telecom enforcement action for violation of 16 TAC §18.10(b), at 1230 N. Winnetka Ave. (Colorado Blvd.), Dallas, Dallas County, Texas.

153. Damage Prevention 054900: Morris P. Hebert, Inc. enforcement action for violation of 16 TAC §§18.11(b), 18.11(b) and 18.3(a), at FM 1788 (FM 1787), Midland, Midland County, Texas.

154. Damage Prevention 054901: Hunter's Sprinklers enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 16900 Tomcat Dr. (Jackal), Brushy Creek, Williamson County, Texas.

155. Damage Prevention 054907: Landart America enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 401 Perico Pl. (Madero Dr.), Austin, Travis County, Texas.

156. Damage Prevention 054922: Omega Contracting, Inc. enforcement action for violation of 16 TAC §18.3(e), at 2100 Thedford Dr. (Teagarden Rd.), Dallas, Dallas County, Texas.

157. Damage Prevention 054940: City of Highland Village enforcement action for violation of 16 TAC §18.4(a), at 928 Lochmoore (Dundee Rd.), Highland Village, Denton County, Texas.

158. Damage Prevention 054942: Tommy Harral Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.4(c), at 1435 N. Loop 1604 W. (Blanco Rd.), San Antonio, Bexar County, Texas.

159. Damage Prevention 054957: Ecko Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.3(a), at 135 Canterbury Hill (New Braunfels), Terrell Hills, Bexar County, Texas.

160. Damage Prevention 054958: T Construction enforcement action for violation of 16 TAC §18.4(a), at 135 Latin Ave. (Maytag), Kenedy, Karnes County, Texas.

161. Damage Prevention 054959: Bluegrass Maintenance, Inc. enforcement action for violation of 16 TAC §18.4(a), at 23000 E. Ventana Pkwy., Katy, Fort Bend County, Texas.

162. Damage Prevention 054984: Engineered Solutions, Inc. enforcement action for violation of 16 TAC §18.4(b), at 273 N. San Felipe Ave. (Ruiz), San Antonio, Bexar County, Texas.

163. Damage Prevention 054991: Tejas Cable Construction enforcement action for violation of 16 TAC §18.10(b), at 2805 Chapel View (Woodmere Dr.), Corpus Christi, Nueces County, Texas.

164. Damage Prevention 054996: Hicks Lightning Protection enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 216 W. Travis (IH 35), San Antonio, Bexar County, Texas.

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165. Damage Prevention 054997: Christianson Plumbing enforcement action for violation of 16 TAC §§18.3(a), 18.11(b) and 18.11(b), at 870 Maroon St., New Braunfels, Comal County, Texas.

166. Damage Prevention 055026: Engineered Solutions, Inc. enforcement action for violation of 16 TAC §18.4(a), at 7408 Gallery Ridge (Kenbridge), San Antonio, Bexar County, Texas.

167. Damage Prevention 055028: JM Smith Construction. Inc. enforcement action for violation of 16 TAC §18.4(a), at 7 White Fawn Dr. (Eagle Rock Cir.), The Woodlands, Montgomery County, Texas.

168. Damage Prevention 055031: Walston Springs Water Supply Corp. enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 102 Seminole Dr. (Bridges St.), Palestine, Anderson County, Texas.

169. Damage Prevention 055037: Grey Forest Utilities enforcement action for violation of 16 TAC §18.11(b), at La Villita Way (Alamo Pkwy.), San Antonio, Bexar County, Texas.

### **ADMINISTRATIVE MATTERS**

#### **EXECUTIVE OFFICE**

170. Executive Director Report: issues related to the management and operation of the agency, and personnel matters.  
The Commission received an update from Executive Director Wei Wang.

#### **OFFICE OF GENERAL COUNSEL**

171. 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.

172. Comments on the Environmental Protection Agency's proposed repeal of the Carbon Pollution Emission Guidelines for Existing EGUs (the "Clean Power Plan").  
The Commission unanimously approved staff's recommendation.

173. Approval of certain agency contracts pursuant to the Commission's Delegation of Authority.  
The Commission unanimously approved staff's recommendation.

174. Quarterly report on the Commission's centralization of agency procurement and contracts management in compliance with Senate Bill 20, 84th Legislature, 2015.  
The Commission received an update from Assistant General Counsel Vanessa Burgess.

**RULE PROPOSAL/ADOPTION**

175. Proposal: Amendment of §3.52 and §3.53, relating to Oil Well Allowable Production and Annual Well Tests and Well Status Reports Required, respectively.

The Commission unanimously approved staff's recommendation.

176. Adoption: Amendment and repeal of various rules in 16 Texas Administrative Code Chapter 7.

The Commission unanimously approved staff's recommendation.

**OVERSIGHT AND SAFETY DIVISION**

177. Proposed Railroad Commission comments on the Federal Energy Regulatory Commission proposed rule regarding interstate and intrastate natural gas pipelines; rate changes relating to federal income tax rate (Docket No. RM18-11-000).

The Commission unanimously approved staff's recommendation.

**PUBLIC INPUT**

178. 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 passed on this item.

**EXECUTIVE SESSION**

179. 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.

*The Commission adjourned @ 10:21 a.m.*

Commission Secretary