

## NOTICE OF MEETING

### RAILROAD COMMISSION OF TEXAS

**On March 16, 2020, in accordance with section 418.016 of the Texas Government Code, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location. Therefore, pursuant to the Governor's action and Texas Government Code, Chapter 551, the following matters will be taken up for discussion and/or decision by the Railroad Commission of Texas via virtual conference, on Tuesday, May 5, 2020, commencing at 9:30 a.m.**

***Public Access to Meeting.*** Due to the Governor's suspension, the public will not be able to attend the open meeting in person. Instead, the public may view the meeting live on the Railroad Commission's website at <https://rrc.texas.gov/general-counsel/open-meetings/> by clicking on the "Webcast" link or by going directly to [http://www.adminmonitor.com/tx/rrc/open\\_meeting/](http://www.adminmonitor.com/tx/rrc/open_meeting/). If you would like to view the meeting but are not able to access the Commission's website, please call the following number for instructions on how to listen to the meeting by telephone: 512-463-7865. To ensure you receive instructions in time, please call before 8:30 a.m. on May 5th.

***Register to Address the Commission on an Agenda Item.*** If you would like to register to address the Commission on an agenda item numbered below, please call 512-463-7865 or email [RRCconference@rrc.texas.gov](mailto:RRCconference@rrc.texas.gov). Whether registering by phone or email, please include the following:

- (1) the agenda item number;
- (2) your name and affiliation;
- (3) your address;
- (4) your phone number;
- (5) whom you represent (self or company/client); and
- (6) whether you are available for questions from the Commissioners on a specific item on the agenda or are requesting to address the Commission during the Public Input item.

You must register **no later than noon (12 p.m.) on May 4th**. Late registration could result in loss of the opportunity to participate on your item. If you do not wish to address the Commission but would like a question or comment read aloud during the Public Input agenda item, you may email your question or comment to [RRCconference@rrc.texas.gov](mailto:RRCconference@rrc.texas.gov). To ensure your question or comment is received, please submit your email before noon (12 p.m.) on May 4th.

***Auxiliary Aids or Services for Persons with a Disability.*** If you would like access to the videoconference meeting and you require auxiliary aids or services, please notify the Commission as far in advance as possible, **but no later than Friday, May 1st**, so that appropriate arrangements can be made. Requests may be made by telephone at 512-463-6981 or TDD No. 512-463-7284; or by e-mail to [ADA@rrc.texas.gov](mailto:ADA@rrc.texas.gov).

## HEARINGS DIVISION

### SURFACE MINING AND RECLAMATION

1. SMRD C20-0010-SC-50-F: Application by Luminant Mining Company LLC for release of Phase I reclamation obligations for 969.7 acres, Permit No. 50C, Kosse Mine, Limestone and Robertson Counties, Texas.
2. SMRD C20-0002-SC-11-F: Application by San Miguel Electric Cooperative, Inc. for release of Phase I reclamation obligations for 217.0 acres, Permit No. 11G, San Miguel Lignite Mine, Atascosa and McMullen Counties, Texas.

### OIL AND GAS

3. O&G 06-0321223: Complaint by Dwayne McQueen, Trustee of the Terry Lynn Smith Trust and Kingdom of God Resources E&P Company LLC that Zarvona Energy LLC (Operator No. 950523) does not have a good faith claim to operate the Wheat Minerals Trust Well No. 1, (Gas ID No. 207709) Brookeland (Austin Chalk, 8800) Field, Tyler County, Texas.
4. O&G 06-0321407: Complaint by Dwayne McQueen, Trustee of the Terry Lynn Smith Trust that Anadarko E&P Onshore LLC (Operator No. 020528) does not have a good faith claim to operate the Wheat Mineral Trust Well No. 2 (Gas ID No. 212598), Brookeland (Austin Chalk, 8800) Field, Tyler County, Texas.
5. O&G 20-0323829: Application of C E Energy LLC (Operator No. 140697) for unrestricted renewal of Its P-5 and to contest the staff determination that its P-5 cannot be renewed because it has not complied with the inactive well requirements of 16 TAC §3.15.
6. O&G 08-0320870: Application of NGL Water Solutions Permian, LLC (Operator No. 609265) pursuant to 16 TAC §3.9 for a commercial permit to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas for the Central Reeves (46177) Lease, Well No. 3SW, Quito, West (Cherry Canyon) Field, Reeves County, Texas.
7. O&G 08-0320871: Application of NGL Water Solutions Permian, LLC (Operator No. 609265) pursuant to 16 TAC §3.9 for a commercial permit to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas for the Central Reeves (46177) Lease, Well No. 4SW, Quito, West (Cherry Canyon) Field, Reeves County, Texas.
8. O&G 08-0320872: Application of NGL Water Solutions Permian, LLC (Operator No. 609265) pursuant to 16 TAC §3.9 for a commercial permit to dispose of oil and gas waste by injection into a porous formation not productive of oil or gas for the Central Reeves (46177) Lease, Well No. 5SW, Quito, West (Cherry Canyon) Field, Reeves County, Texas.
9. O&G 20-0325155: In Re: P-5 Organization Report of NHRG Inc (Operator No. 598344); Motion for Rehearing.

10. O&G 20-0325157: In Re: P-5 Organization Report of Property Development Group, Inc. (Operator No. 681459); Motion for Rehearing.
11. O&G 20-0325165: In Re: P-5 Organization Report of US. Fuels, Inc. (Operator No. 879264); Motion for Rehearing.

**OIL AND GAS CONSENT AGENDA** (30 items; numbers 12 - 41)

12. OG-20-00002402: Application of Hilcorp Energy Company (Operator No. 386310) to consider amending the field rules for the Tom O'Connor (5800) Field, Refugio County, Texas; District 02.
13. OG-19-00001032: Application of WPX Energy Permian, LLC (Operator No. 942623) for an exception to 16 TAC §3.32 for the CBR 33-28-56-1 CFP, Phantom (Wolfcamp) Field, Loving County, Texas, District 08.
14. OG-19-00001033: Application of WPX Energy Permian, LLC (Operator No. 942623) for an exception to 16 TAC §3.32 for the Pecos 39 CFP, Phantom (Wolfcamp) Field, Loving County, Texas, District 08.
15. OG-19-00001035: Application of WPX Energy Permian, LLC (Operator No. 942623) for an exception to 16 TAC §3.32 for the Maisie State 10 (Gas ID No. 283232) Lease, Well No. 2H, Phantom (Wolfcamp) Field, Reeves County, Texas, District 08.
16. OG-19-00001091: Application of Tall City Operating III LLC (Operator No. 835518) for an exception to 16 TAC §3.32 for Oliver 13-24B Lease, Well No. 2H, Phantom (Wolfcamp) Field, Reeves County, Texas, District 08.
17. OG-19-00001392: Application of Tall City Operating III LLC (Operator No. 835518) for an exception to 16 TAC §3.32 for Founders Johnson State Lease, Well No. 1H, Phantom (Wolfcamp) Field, Reeves County, Texas, District 08.
18. OG-19-00001393: Application of Tall City Operating III LLC (Operator No. 835518) for an exception to 16 TAC §3.32 for Oliver 13-24 Lease, Well No. 1H, Phantom (Wolfcamp) Field, Reeves County, Texas, District 08.
19. O&G 08-0317786: Application of Pioneer Natural Resources USA, Inc. (Operator No. 665748) for an exception to 16 TAC §3.32 for Various Well Batteries, Spraberry (Trend Area) Field, Martin and Midland Counties, Texas.
20. OG-19-00002101: Complaint filed by Randall Christian that Acirema Corporation (Operator No. 003577) does not have a good faith claim to operate the Christian, B. C. (Fair) (06573) Lease, All Wells, East Texas Field, Gregg County, Texas; District 6E.
21. OG-19-00002102: Complaint filed by Randall Christian that Acirema Corporation (Operator No. 003577) does not have a good faith claim to operate the Christian -A- (06737) Lease, All Wells, East Texas Field, Gregg County, Texas; District 6E.

22. O&G 20-0325144: In Re: P-5 Organization Report of DPMP Energy LLC (Operator No. 227740); Motion for Rehearing.
23. O&G 8A-0326019: OXY USA WTP LP for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the Willard Unit (#19308), Wasson (95397 001) Field, Yoakum County, Texas.
24. O&G 7C-0325808: SM Energy Company for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the Kira (#15818) Lease, Spraberry (Trend Area) (85279 200) Field, Upton County, Texas.
25. O&G 8A-0324270: Kinder Morgan Production Co. LLC for authority pursuant to 16 TAC §3.50 to approve or certify an EOR project for the SACROC Unit, Kelly-Snyder (48583 001) Field, Scurry County, Texas.
26. O&G 01-0321554 SM Energy Company for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Lorenzo (Austin Chalk) (54928 500) Field, Webb County, Texas.
27. O&G 01-0326101 SM Energy Company for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Lorenzo (Austin Chalk) (54928 500) Field, Webb County, Texas.
28. O&G 04-0324009 SM Energy Company for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Chupadero Creek (Pearsall) (18150 500) Field, Webb County, Texas.
29. O&G 02-0324833 Unit Petroleum Company for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Fifteen Mile Creek (Wilcox) (30802 400) Field, Goliad County, Texas.
30. O&G 08-0324510 Charger Shale Oil Operating, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Ford, West (Wolfcamp) (31913 800) Field, Culberson County, Texas.
31. O&G 08-0324511 Charger Shale Oil Operating, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Ford, West (Wolfcamp) (31913 800) Field, Culberson County, Texas.
32. O&G 08-0325719 APR Operating, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Ford, West (Wolfcamp) (31913 800) Field, Culberson County, Texas.
33. O&G 08-0325479 APR Operating, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Ford, West (Wolfcamp) (31913 800) Field, Culberson County, Texas.

34. O&G 08-0320620 Zarvona Energy, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Emma (Barnett Shale) (28899 040) Field and the Emma (Mississippian) (28899 581) Field, Andrews County, Texas.
35. O&G 08-0321553: Chevron U.S.A., Inc. for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Wolfcamp Formation, Ford, West (Wolfcamp) (31913 800) Field, Culberson County, Texas.
36. O&G. 10-0322373: LE Norman Operating, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Cottage Grove Formation, Mills Ranch (Granite Wash Cons.) (61691 235) Field, Wheeler County, Texas.
37. O&G 10-0322379: LE Norman Operating, LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Cottage Grove Formation, Mills Ranch (Granite Wash Cons.) (61691235) Field, Wheeler County, Texas.
38. O&G 10-0324285 Templar Operating LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Douglas Formation, Hemphill (Douglas) (40311 100) Field, Hemphill County, Texas.
39. O&G 10-0325482 Templar Operating LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Douglas Formation, Hemphill (Douglas) (40311 100) Field, Hemphill County, Texas.
40. O&G 10-0325483 Templar Operating LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Douglas Formation, Hemphill (Douglas) (40311 100) Field, Hemphill County, Texas.
41. O&G 10-0325484: Templar Operating LLC for the recommendation of a tight gas formation pursuant to 16 TAC §3.101 for the Douglas Formation, Hemphill (Douglas) (40311 100) Field, Hemphill County, Texas.

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

#### **MASTER DEFAULT ORDERS** (21 items; numbers 42 - 62)

42. O&G 04-0317833: Enforcement action against Whitesands Operating, L.L.C. (Operator No. 919650) for Violation of Statewide Rules on the Shoemake, E. C., et al Lease, Well No. 1 (RRC ID No. 011962), McAllen-Pharr (Consolidated) Field, Hidalgo County, Texas. Violation of 16 TAC §§3.8(b) and 3.8(d)(1).

43. O&G 00001299: Enforcement action against Zaza Energy, LLC (Operator No. 950545) for Violation of Statewide Rules on the Stingray Lease, Well No. A 1RE (RRC ID No. 03-273567), Gibbs Bros. (Buda) Field, and True Grit (03-26439) Lease, Well No. 1, Fort Trinidad, East (Buda) Field, Walker County, Texas. Violation of 16 TAC §§3.3(1), 3.3(2), 3.3(3), and 3.14(b)(2).
44. O&G 00001300: Enforcement action against Zaza Energy, LLC (Operator No. 950545) for Violation of Statewide Rules on the Josey Wales (05-04076) Lease, Well No. 1, Aguila Vado (Eagleford) Field, Walker County, Texas. Violation of 16 TAC §§3.3(1) and 3.14(b)(2).
45. O&G 00001302: Enforcement action against Zaza Energy, LLC (Operator No. 950545) for Violation of Statewide Rules on the Commodore (03-26427) Lease, Well No. A 1, Gibbs Bros. (Buda) Field, Wales, Josey (03-26497) Lease, Well No. 1 HR, Fort. Trinidad, East (Buda) Field, and Gibbs Brothers Lease, Well No. 1H (RRC ID No. 03-262753), Wildcat Field, Walker County, Texas. Violation of 16 TAC §§3.3(1), 3.3(2), 3.3(3), and 3.14(b)(2).
46. O&G 00001401: Enforcement action against Everett, William Gary, Sole Proprietor, Baja Production (Operator No. 044650) for Violation of Statewide Rules on the Alvord-Clower Unit Lease, Well No. 1 (RRC ID No. 09-101102), Alvord (Atoka Conglomerate) Field, Wise County, Texas. Violation of 16 TAC §§3.8(d)(1), 3.14(b)(2), 3.17(a), and 3.21(i).
47. O&G 00001490: Enforcement action against Edge Oil and Gas, LLC (Operator No. 243206) for Violation of Statewide Rules on the Canon-Whatley (8A-19186) Lease, Well No. 1, Jo-Mill (Fusselman) Field, Dawson County, Texas. Violation of 16 TAC §3.14(b)(2).
48. O&G 00001760: Enforcement action against KNT Enterprises, LLC (Operator No. 473440) for Violation of Statewide Rules on the Qualls, Lewis (06-15568) Lease, Well No. 4, Huntington Field, Angelina County, Texas. Violation of 16 TAC §3.14(b)(2).
49. O&G 00001880: Enforcement action against Edge Oil and Gas, LLC (Operator No. 243206) for Violation of Statewide Rules on the Logsdon (7B-23228) Lease, Well Nos. 1 and 2, Hickman Haven (Tannehill) Field, Jones County, Texas. Violation of 16 TAC §§3.3(2), 3.3(3), 3.8(d)1), and 3.14(b)(2).
50. O&G 00001901: Enforcement action against Camoil, Inc (Operator No. 127449) for Violation of Statewide Rules on the Knight Lease, Well No. 1 (RRC ID No. 02-154194), Provident City (4000, East) Field, Wharton County, Texas. Violation of 16 TAC §3.14(b)(2).
51. O&G 00001980: Enforcement action against Ashtola Exploration Company, Inc. (Operator No. 035060) for Violation of Statewide Rules on the Lee "1306" (7B-29956) Lease, Well No. 1, Jerald Cecil (Caddo) Field, Throckmorton County, Texas. Violation of 16 TAC §3.14(b)(2).
52. Pipeline Safety 180010: Enforcement action against Ashtola Exploration Company, Inc. (Operator No. 035060) for Violation of Statewide Rules on Permit No. 08421, Maverick County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).

53. Pipeline Safety 180083: Enforcement action against Omega Energy, LLC (Operator No. 622657) for Violation of Statewide Rules on Permit No. 01933, Limestone County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
54. Pipeline Safety 180091: Enforcement action against Haley, Patrick R., Sole Proprietor, Petro Haley (Operator No. 660062) for Violation of Statewide Rules on Permit No. 06174, Hutchinson County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
55. Pipeline Safety 180092: Enforcement action against Petrogen, Incorporated (Operator No. 660277) for Violation of Statewide Rules on Permit No. 07363, Jim Wells County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
56. Pipeline Safety 180102: Enforcement action against Radius Operating, LLC (Operator No. 687835) for Violation of Statewide Rules on Permit No. 04970, Jasper and Angelina Counties, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
57. Pipeline Safety 180104: Enforcement action against Regency Energy, Inc. (Operator No. 698761) for Violation of Statewide Rules on Permit No. 03243, Atascosa, Bexar, and Medina Counties, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
58. Pipeline Safety 180105: Enforcement action against Rice, James D., Sole Proprietor, Rice Drilling Company (Operator No. 706685) for Violation of Statewide Rules on Permit No. 01928, Coleman County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
59. Pipeline Safety 180112: Enforcement action against Sage Creek Energy Partners, LLC (Operator No. 743219) for Violation of Statewide Rules on Permit No. 08796, Anderson County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
60. Pipeline Safety 180123: Enforcement action against Skybridge Energy LLC (Operator No. 786419) for Violation of Statewide Rules on Permit No. 03387, Pecos County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
61. Pipeline Safety 180128: Enforcement action against Springfield Oil Services, Inc. (Operator No. 810580) for Violation of Statewide Rules on Permit No. 05448, Clay County, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).
62. Pipeline Safety 180132: Enforcement action against Sun River Operating Inc. (Operator No. 829434) for Violation of Statewide Rules on Permit Nos. 08255 and 08256, Houston and Angelina Counties, Texas. Violation of 16 TAC §§3.70(1) and 3.70(l).

**AGREED ENFORCEMENT ORDERS** (125 items; numbers 63 - 187)

63. O&G 01-0320346: CEI Operating LLC (Operator No. 140718) enforcement action regarding R.V.S. Oil Unit (12889) Lease, Well No. 1, Pilgrim (Austin Chalk) Field, Gonzales County, Texas. Violation of 16 TAC §3.14(b)(2).

64. O&G 01-0312683: Cibolo Energy Operating, Inc. (Operator No. 153393) enforcement action regarding Yoast (15030) Lease, Well Nos. 2, 3, 4, 5, 7, 9W, 10W, and 11, Yoast Field, Bastrop County, Texas. Violation of 16 TAC §§3.3(2), 3.8(d)(1), 3.14(b)(2), 3.16(b), and 3.73(i).
65. O&G 01-0314976: CEI Operating LLC (Operator No. 140718) enforcement action regarding Jim Davis Unit (12642) Lease, Well No. 1, Pilgrim (Austin Chalk) Field, Gonzales County, Texas. Violation of 16 TAC §§3.14(b)(2) and 3.21(i).
66. O&G 01-0320323: Cibolo Energy Operating, Inc. (Operator No. 153393) enforcement action regarding Carrico (05538) Lease, Well Nos. 1H, 3, and 4H, Pearsall (Austin Chalk) Field, Frio County, Texas. Violation of 16 TAC §§3.13(a)(6)(A) and 3.14(b)(2).
67. O&G 7B-0318274: Jadel Energy LLC (Operator No. 429541) enforcement action regarding Stephens (23390) Lease, Well No. 1, Brown County Regular Field, Brown County, Texas. Violation of 16 TAC §§3.3(1), 3.3(2), and 3.14(b)(2).
68. O&G 7B-0322361: Wrage Energy Services, LLC (Operator No. 942628) enforcement action regarding Leonard (31812) Lease, Well No. 5E, Valera, NW (Gardner) Field, Coleman County, Texas. Violation of 16 TAC §§3.3(2), 3.8(d)(1), and 3.17(a).
69. O&G 08-0316924: 7S Oil & Gas, LLC (Operator No. 954992) enforcement action regarding Olix -A- (26020) Lease, Well Nos. 1, 2, 3, 4, 5, 6, 18, 25, and 27, Payton Field, Pecos County, Texas. Violation of 16 TAC §§3.8(d)(1), 3.13(a)(6)(A), and 3.14(b)(2).
70. O&G 00001222: TAM2 Squared Energy Services, LLC (Operator No. 835624) enforcement action regarding Powers, V.A. & A.W. (7B-11346) Lease, Well No. 2, Eska (Ellen) Field, Shackelford County, Texas. Violation of 16 TAC §§3.8(d)(1) and 3.9(9)(B).
71. O&G 00001294: Viceroy Petroleum LP (Operator No. 885041) enforcement action regarding Cities Services Fee Lease, Well No. 1951 (Drilling Permit No. 854473), Blue Ridge Field, Fort Bend County, Texas. Violation of 16 TAC §3.32(d)(2).
72. LP-Gas 00002845: Amerigas Propane, LP (License No. 09670) enforcement action regarding UPS Supply Chain Solutions, 417 Union Pacific Blvd., Laredo, Webb County, Texas. Violation of 16 TAC §9.143(a).
73. LP-Gas 00002847: Amerigas Propane, LP (License No. 09670) enforcement action regarding Alfredo Casso, 14101 Transportation Ave., Laredo, Webb County, Texas. Violation of 16 TAC §9.401.
74. LP-Gas 00002848: Amerigas Propane, LP (License No. 09670) enforcement action regarding Home Depot #518, 601 North Creek Dr, Sherman, Grayson County, Texas. Violation of 16 TAC §9.401.
75. Damage Prevention 021688: Venus Construction enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 1302 Central Ave., Denton, Denton County, Texas.



76. Damage Prevention 042101: Venus Construction enforcement action for violation of 16 TAC §18.3(a), at Lake Moss (Lakewood Land Ln.), Little Elm, Denton County, Texas.
77. Damage Prevention 052343: Templar Electric, LLC enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at 814 Prairie Brook Ct., Houston, Harris County, Texas.
78. Damage Prevention 061990: MP Nexlevel, LLC enforcement action for violation of 16 TAC §18.3(e), at 7979 Antoine Dr. (W. Gulf Band Rd.), Houston, Harris County, Texas.
79. Damage Prevention 063046: Construction Service enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at Two Creeks (Parten Ranch Pkwy.), Austin, Travis County, Texas.
80. Damage Prevention 064179: City of La Marque enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at 2006 12th Ave., La Marque, Galveston County, Texas.
81. Damage Prevention 064207: Linetec Services enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at 1422 FM 2854, Conroe, Montgomery County, Texas.
82. Damage Prevention 064344: Primoris T&D enforcement action for violation of 16 TAC §18.4(a), at 540 Aqua Dr. (Northlake Dr.), Dallas, Dallas County, Texas.
83. Damage Prevention 064351: City of Ferris enforcement action for violation of 16 TAC §18.10(b), at 113 S. Main (W. Fifth St.), Ferris, Ellis County, Texas.
84. Damage Prevention 064478: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at Green Plaza (Plaza Verde), Houston, Harris County, Texas.
85. Damage Prevention 064480: Visionary Sales Environments enforcement action for two violations of 16 TAC §§18.11(b), at 612 Lake Cove Dr. (Sparrow Dr.), Little Elm, Denton County, Texas.
86. Damage Prevention 064501: City of Mart enforcement action for violation of 16 TAC §18.11(b), at 605 E. Hill St. (S. Criswell St.), Mart, McLennan County, Texas.
87. Damage Prevention 064692: Texstar Enterprises, Inc. enforcement action for two violations of 16 TAC §§18.11(b) and 18.4(b), at 8176 N. Mopac Expy. (Steck Ave.), Austin, Travis County, Texas.
88. Damage Prevention 064750: BWM Development enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at 1403 N. Loop 250 (Deuville), Midland, Midland County, Texas.
89. Damage Prevention 064790: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at Gummert Rd. (Copinsay Dr.), Houston, Harris County, Texas.
90. Damage Prevention 064859: Qro Mex enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 220 Regina (S. Hackberry), San Antonio, Bexar County, Texas.

91. Damage Prevention 064907: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 1413 Brazos (Laredo), San Antonio, Bexar County, Texas.
92. Damage Prevention 064910: Consolidated Communications enforcement action for violation of 16 TAC §§18.11(b) and 18.11(c), at 10334 Parrots Feather Ct., Conroe, Montgomery County, Texas.
93. Damage Prevention 064971: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 15531 Spring Summit (Stahl), San Antonio, Bexar County, Texas.
94. Damage Prevention 065007: Sebastian Construction Group enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 10300 Strait Ln. (Dorset Rd.), Dallas, Dallas County, Texas.
95. Damage Prevention 065055: City of Corpus Christi enforcement action for violation of 16 TAC §18.11(b), at 442 Southern (S. Alameda St.), Corpus Christi, Nueces County, Texas.
96. Damage Prevention 065074: PM Construction enforcement action for violation of 16 TAC §18.4(a), at 5510 Holly St. (S. Renwick Dr.), Houston, Harris County, Texas.
97. Damage Prevention 065132: City of Seguin enforcement action for violation of 16 TAC §18.3(a), at 3027 N. Austin St. (Jefferson Ave.), Seguin, Guadalupe County, Texas.
98. Damage Prevention 065144: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 9403 Walnut Brook Ct. (Village Terrace), Houston, Harris County, Texas.
99. Damage Prevention 065150: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 6200 Lonesome Bayou Ln., Houston, Harris County, Texas.
100. Damage Prevention 065159: CPS Energy enforcement action for violation of 16 TAC §18.8(a), at 1426 E. Sandalwood (Teak), San Antonio, Bexar County, Texas.
101. Damage Prevention 065167: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 8611 Village Terrace (Laurel Case Ct.), Houston, Harris County, Texas.
102. Damage Prevention 065180: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 6 Serenity Ln. (Glenway St.), Nash, Bowie County, Texas.
103. Damage Prevention 065181: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 1700 Blk. Wagon Gap Dr., Houston, Harris County, Texas.
104. Damage Prevention 065185: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 20142 Fallentimber Ct., Spring, Harris County, Texas.
105. Damage Prevention 065191: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 2320 Hagerman Rd. (Gunsmith Rd.), Conroe, Montgomery County, Texas.

106. Damage Prevention 065196: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 2704 FM 1398 (Robison Rd.), Texarkana, Bowie County, Texas.
107. Damage Prevention 065201: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 8145 Hwy. 6 #150 (Pavilion Pt.), Houston, Harris County, Texas.
108. Damage Prevention 065211: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 2201 Hwy. 271 (McKinley St.), Gladewater, Upshur County, Texas.
109. Damage Prevention 065215: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 2402 Wichita St. (Emancipation Ave.), Houston, Harris County, Texas.
110. Damage Prevention 065216: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 804 Ave. K, South Houston, Harris County, Texas.
111. Damage Prevention 065238: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 2300 W.N.W. Loop 323 (Savannah Dr.), Tyler, Smith County, Texas.
112. Damage Prevention 065239: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 6627 San Dario (W. Village Blvd.), Laredo, Webb County, Texas.
113. Damage Prevention 065241: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 6207 Canada Dr. (Space Center Blvd.), Pasadena, Harris County, Texas.
114. Damage Prevention 065242: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 305 Finwick Dr. (Comanche Circle), Montgomery, Montgomery County, Texas.
115. Damage Prevention 065244: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 901 W. Pasadena Blvd. (Texas Ave.), Deer Park, Harris County, Texas.
116. Damage Prevention 065245: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 17823 Longenbaugh Rd. (Barker Cypress Rd.), Cypress, Harris County, Texas.
117. Damage Prevention 065254: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 3339 Fitzgerald Dr., Montgomery, Montgomery County, Texas.
118. Damage Prevention 065261: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 14918 La Quinta Ln. (Thornvine Ln.), Houston, Harris County, Texas.
119. Damage Prevention 065270: One Source Enterprise, LLC enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 6144 Sophora Ln. (Verbena Ln.), Frisco, Denton County, Texas.
120. Damage Prevention 065271: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 107 W. Dogwood (N. Timberlane), Lone Star, Morris County, Texas.

121. Damage Prevention 065272: Gene Shifflet enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at 306 El Toro Ln., Webster, Harris County, Texas.
122. Damage Prevention 065274: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at Hwy. 259 (Mallard Rd.), Diana, Upshur County, Texas.
123. Damage Prevention 065278: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 176 Camelot Place Ct. (Chelsea Rd.), Conroe, Montgomery County, Texas.
124. Damage Prevention 065294: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 1301 Valentine St. (Ruthven St.), Houston, Harris County, Texas.
125. Damage Prevention 065301: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 7031 FM 1960 E. (Kings Park Way), Humble, Harris County, Texas.
126. Damage Prevention 065315: Adams Constructor enforcement action for violation of 16 TAC §§18.11(b), 18.11(b) and 18.3(e), at 3203 N. Sam Houston Pkwy. W., Houston, Harris County, Texas.
127. Damage Prevention 065317: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 364 Blk. Moon Stone Trl., Buda, Hays County, Texas.
128. Damage Prevention 065319: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 400 Blk. Sheldon Rd., Channelview, Harris County, Texas.
129. Damage Prevention 065326: City of Rockport enforcement action for violation of 16 TAC §18.8(a), at 405 Champions (St. Andrews), Rockport, Aransas County, Texas.
130. Damage Prevention 065334: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 9550 Lindsey Dr. (Threadgill Ave.), El Paso, El Paso County, Texas.
131. Damage Prevention 065339: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 606 N. Roosevelt Ave. (E. 7th St.), Nixon, Gonzales County, Texas.
132. Damage Prevention 065340: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 1012 Wichmann St. (Washington St.), Houston, Harris County, Texas.
133. Damage Prevention 065356: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 200 E. 18th St. (San Jacinto Blvd.), Austin, Travis County, Texas.
134. Damage Prevention 065363: Centerpoint Energy Entex enforcement action for violation of 16 TAC §18.8(a), at 10403 Sagebluff Dr. (Kirkville Dr.), Houston, Harris County, Texas.
135. Damage Prevention 065380: Targa Pl. Mid-Cont WestTex, LLC enforcement action for violation of 16 TAC §18.8(a), at N. Entrance Rd. (Highland Pens Rd.), Big Lake, Reagan County, Texas.

136. Damage Prevention 065382: Pro-Bore Construction enforcement action for violation of 16 TAC §18.4(a), at Belt Line Rd. (Montfort Dr.), Dallas, Dallas County, Texas.
137. Damage Prevention 065391: Mustang Plumbing enforcement action for violation of 16 TAC §18.4(b), at 773 Lead Tree (Algaroba), Buda, Hays County, Texas.
138. Damage Prevention 065394: Navitas Mdstr. Midland Basin, LLC enforcement action for violation of 16 TAC §18.8(a), at CR 1050 (FM 307), Midland, Midland County, Texas.
139. Damage Prevention 065397: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 219 W. Roberts (Potter), Gorman, Eastland County, Texas.
140. Damage Prevention 065399: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 401 N. Bradley St. (W. Lamar St.), McKinney, Collin County, Texas.
141. Damage Prevention 065401: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 712 S. Broughter (E. Foch), Eastland, Eastland County, Texas.
142. Damage Prevention 065406: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 4554 Chase Ct. (W. Polo Rd.), Grand Prairie, Dallas County, Texas.
143. Damage Prevention 065421: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 1711 San Jacinto (E. 17th St.), Austin, Travis County, Texas.
144. Damage Prevention 065422: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2211 Marburg St. (Marburg St.), Dallas, Dallas County, Texas.
145. Damage Prevention 065426: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 6334 Westchester (McFarlin), University Park, Dallas County, Texas.
146. Damage Prevention 065427: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 2302 Date Ave., Lubbock, Lubbock County, Texas.
147. Damage Prevention 065428: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 609 Martin Luther King (Barrett), Denison, Grayson County, Texas.
148. Damage Prevention 065429: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Southwell Rd. (Harry Hines Blvd.), Dallas, Dallas County, Texas.
149. Damage Prevention 065431: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 6014 Monza Dr. (Torino Reale Ave.), Temple, Bell County, Texas.
150. Damage Prevention 065432: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 905 E. Commerce (14th St.), Honey Grove, Fannin County, Texas.

151. Damage Prevention 065434: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 116 Philadelphia St. (Breckenridge Rd.), Morton Valley, Eastland County, Texas.
152. Damage Prevention 065435: Atmos Energy, West Texas Division enforcement action for violation of 16 TAC §18.8(a), at 5736 35th St. (Frankfort Ave.), Lubbock, Lubbock County, Texas.
153. Damage Prevention 065436: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 305 Fisher St. (Ave. C), Sweetwater, Nolan County, Texas.
154. Damage Prevention 065443: AnSCO & Associates, LLC enforcement action for violation of 16 TAC §18.10(b), at 11335 Cutten Rd. (Westfield Grove Pl.), Katy, Harris County, Texas.
155. Damage Prevention 065444: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at Bristol Ct. (Stafford Dr.), Heath, Rockwall County, Texas.
156. Damage Prevention 065445: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 714 S. 9th St. (W. Ave. G), Garland, Dallas County, Texas.
157. Damage Prevention 065448: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 133 East St. (North St.), Tye, Taylor County, Texas.
158. Damage Prevention 065452: Ragle, Inc. enforcement action for violation of 16 TAC §18.11(b), at 4500 Preston Rd. (Armstrong), Dallas, Dallas County, Texas.
159. Damage Prevention 065454: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3012 McFerrin Ave. (N. 30th St.), Waco, McLennan County, Texas.
160. Damage Prevention 065455: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at N. 6th (Oleander St.), Lott, Falls County, Texas.
161. Damage Prevention 065458: Mission Site Services enforcement action for violation of 16 TAC §18.11(b), at 806 Oakwood Dr. (Whitener Rd.), Euless, Tarrant County, Texas.
162. Damage Prevention 065461: Rodgers Construction enforcement action for violation of 16 TAC §§18.11(b) and 18.11(c), at 3208 Sawmill Way (Shaila Dr.), Mansfield, Ellis County, Texas.
163. Damage Prevention 065463: Integrus Electric, Ltd. enforcement action for two violations of 16 TAC §§18.11(b), 18.3(a) and 18.11(c), at Gallup Dr. (Branding Iron), Princeton, Collin County, Texas.
164. Damage Prevention 065464: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2600 Laclede St. (Routh St.), Dallas, Dallas County, Texas.
165. Damage Prevention 065466: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 602 N. Ave. N (Mary St.), Clifton, Bosque County, Texas.

166. Damage Prevention 065468: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 524 N. Denley Dr., Dallas, Dallas County, Texas.
167. Damage Prevention 065474: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 7003 Blessing Ave. (Booker Ave.), Austin, Travis County, Texas.
168. Damage Prevention 065475: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1790 N. Stonebridge Dr. (Watch Hill Dr.), McKinney, Collin County, Texas.
169. Damage Prevention 065478: Dig Tech, Inc. enforcement action for two violations of 16 TAC §§18.11(b), at 402 El Secreto St., Buda, Hays County, Texas.
170. Damage Prevention 065480: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 310 E. 3rd St. (Elm), Arlington, Tarrant County, Texas.
171. Damage Prevention 065483: O'Day Drilling Company enforcement action for violation of 16 TAC §§18.3(a) and 18.11(b), at 160 S. Belt Dr. (Park Almeda Dr.), Houston, Harris County, Texas.
172. Damage Prevention 065484: MPG Pipeline Contractors, LLC enforcement action for violation of 16 TAC §18.4(a), at CR 1906 (CR 2501), Odem, San Patricio County, Texas.
173. Damage Prevention 065485: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3113 Benton St. (S. Kirby St.), Garland, Dallas County, Texas.
174. Damage Prevention 065499: Visionary Sales Environments enforcement action for violation of 16 TAC §18.11(b), at 5312 Lochwood Circle (Dewland Dr.), McKinney, Collin County, Texas.
175. Damage Prevention 065500: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 402 W. 8th St. (Forest St.), Georgetown, Williamson County, Texas.
176. Damage Prevention 065508: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 2800 Homer St. (Vickery Blvd.), Dallas, Dallas County, Texas.
177. Damage Prevention 065514: Standard Utility Construction enforcement action for violation of 16 TAC §§18.10(b) and 18.11(b), at 2273 Lobo Ln. (Haven Ridge Rd.), Carrollton, Denton County, Texas.
178. Damage Prevention 065521: Edgardo Madrid & Associates, LLC enforcement action for two violations of 16 TAC §§18.11(b), and 18.3(a), at 909 E. 13th (Center), Odessa, Ector County, Texas.
179. Damage Prevention 065524: West Texas Gas, Inc. enforcement action for violation of 16 TAC §18.8(a), at FM 303 (Brazil), Pettit, Hockley County, Texas.

180. Damage Prevention 065530: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3212 Galloway Rd. (Wyneth Dr.), Wichita Falls, Wichita County, Texas.
181. Damage Prevention 065532: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 940 W. University (IH 35), Georgetown, Williamson County, Texas.
182. Damage Prevention 065533: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 3022 Moon Dr. (Gus Thomasson Rd.), Mesquite, Dallas County, Texas.
183. Damage Prevention 065535: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 1802 Ave. J, Anson, Jones County, Texas.
184. Damage Prevention 065536: Atmos Energy Corp., Mid-Tex Div. enforcement action for violation of 16 TAC §18.8(a), at 9027 Diplomacy Row (Profit Dr.), Dallas, Dallas County, Texas.
185. Damage Prevention 065537: Smetana & Associates enforcement action for violation of 16 TAC §18.4(a), at 1600 Connor Ave. (16th St.), Waco, McLennan County, Texas.
186. Damage Prevention 065573: Texas Gas Service Company enforcement action for violation of 16 TAC §18.8(a), at 2004 Teagle Dr. (Stock Dr.), Austin, Travis County, Texas.
187. Damage Prevention 065686: JF Construction enforcement action for violation of 16 TAC §18.11(b), at 2134 Hondo Ave. (Harry Hines), Dallas, Dallas County, Texas.

## **ADMINISTRATIVE MATTERS**

### **OVERSIGHT AND SAFETY DIVISION**

188. Adoption of amendments to Form PS-48.

### **COMMISSIONERS**

189. Consideration of issues and possible action related to the COVID-19 pandemic including but not limited to (1) potential waiver or suspension of applicable statutes, rules, final orders, or other regulatory requirements; and (2) analysis of potential relief or other economic development initiatives.
190. In Re: Motion for Commission Called Hearing on the Verified Complaint of Pioneer Natural Resources USA Inc. and Parsley Energy Inc. to Determine Reasonable Market Demand for Oil in the State of Texas.



Commissioner Sitton

Proposed Order relating to Item 190. The proposed order is attached as Appendix A to this open meeting notice. Anyone interested in providing comments on the proposed order may do so by emailing [RRCconference@rrc.texas.gov](mailto:RRCconference@rrc.texas.gov) before Monday, May 4, 2020.

The Commissioners may enter into an executive session on either Item 189 or Item 190.

**PUBLIC INPUT**

191. 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.

**EXECUTIVE SESSION**

192. 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.

## APPENDIX A

This draft order, or an order substantially similar, may be discussed and voted on by the Commission at its May 5th, 2020 Commissioners' Conference. Anyone interested in providing comments on this draft order may do so by emailing [rrconference@rrc.texas.gov](mailto:rrconference@rrc.texas.gov) before Monday, May 4, 2020.

### **RAILROAD COMMISSION OF TEXAS HEARINGS DIVISION**

#### **OIL & GAS DOCKET NO. OG-20-00003167**

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**IN RE: MOTION FOR COMMISSION CALLED HEARING ON THE VERIFIED COMPLAINT OF PIONEER NATURAL RESOURCES U.S.A. INC. AND PARSLEY ENERGY INC. TO DETERMINE REASONABLE MARKET DEMAND FOR OIL IN THE STATE OF TEXAS**

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#### **Order Establishing the Reasonable Market Demand for Oil Production In Texas**

Notice of an open meeting to consider the captioned matter was duly posted pursuant to Texas Gov't Code Chapter 551. In calling this meeting, the Railroad Commission of Texas (the "Commission") took note of the Governor's Order issued March 16, 2020 that suspended various provisions of the Open Meetings Act.

#### **Findings of Fact**

1. On March 16, 2020, in accordance with Texas Government Code § 418.016, the Governor of Texas, Greg Abbott, suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location.
2. On March 30, 2020, Pioneer Natural Resources U.S.A. Inc. and Parsley Energy Inc. filed a verified complaint and motion ("Motion") requesting that the Commission call a hearing to determine reasonable market demand for oil production in the State of Texas, as authorized by Texas Natural Resources Code § 85.049.
3. The Commission issued a notice that the Motion would be taken up for discussion and/or decision by the Commission at an open meeting via virtual conference on April 14, 2020, commencing at 9:30 a.m. Such notice provided that the public would be able to participate in the meeting through an advance registration process that was described in such notice, and that members of the public could

also view the hearing on the Commission's website and on [www.adminmonitor.com](http://www.adminmonitor.com).

4. The Notice noted in Section 3 above further provided that the Commission would receive comments on the Motion and required that all comments and other testimony be filed by April 8, 2020. The written comments that were received on or prior to the open meeting on April 14, 2020 were posted on the Commission's website. Over 888 individuals provided written comments.
5. Individuals who provided written comments and also expressed interest in appearing before the Commissioners during the open meeting were identified in a list posted on the Commission's website on April 13, 2020. Nearly all of those 55 individuals presented live comments during the open meeting on April 14, 2020.
6. The Commission issued a notice that the Motion would again be taken up for discussion and/or decision by the Commission at an open meeting via virtual conference on April 21, 2020, commencing at 9:30 a.m. Such notice provided that the public would be able to participate in the meeting through an advance registration process that was described in such notice, and that members of the public could also view the hearing on the Commission's website and on [www.adminmonitor.com](http://www.adminmonitor.com).
7. The Commission issued a notice that the Motion would again be taken up for discussion and/or decision by the Commission at an open meeting via virtual conference on May 5, 2020, commencing at 9:30 a.m. Such notice provided that the public would be able to participate in the meeting through an advance registration process that was described in such notice, and that members of the public could also view the hearing on the Commission's website and on [www.adminmonitor.com](http://www.adminmonitor.com).
8. The Commission takes official notice (pursuant to 16 Texas Administrative Code §1.62) that since February 2020, a global pandemic of COVID-19 has swept the world. The pandemic has resulted in a collapse in demand for oil production from the State of Texas.
9. The Commission takes official notice that beginning in March, 2020 Saudi Arabia and Russia have substantially increased the supply of oil they are producing and selling in the global marketplace.
10. The Commission takes official notice that the combination of the impacts of COVID-19 on oil demand and the increase in global supply of oil have resulted in a considerable oversupply of oil which far exceeds current demand.
11. The Commission takes official notice that the amount of available global and domestic onshore oil storage capacity (unused) is quickly diminishing and that global onshore oil storage capacity is projected to be filled by mid-May. The Commission takes official notice that once oil storage capacity is filled, the remaining surplus of supply will overwhelm the handling, processing and storage

capacities of the industry's other key logistical nodes (pipelines, vessels, terminals, processing units and storage facilities), which will cause producers to shut in oil production in ways that could damage reservoirs.

12. The Commission finds that waste is taking place or is reasonably imminent because the production of oil in the State of Texas is currently (or very soon will be) in excess of market facilities and reasonable market demand, and the Texas Legislature directs that the Commission shall act in such a situation. Texas Natural Resources Code §§ 85.046(a)(10), 85.051.
13. The Commission finds that the production of oil in the State of Texas is likely to remain in excess of the market facilities and reasonable market demand for some undetermined period of time into the future.
14. The Commission finds that the Order noted below would impose a materially disproportionate administrative burden, and have a materially disproportionate economic impact, on operators with aggregate production of less than 1,000 barrels of oil per day and that the aggregate reduction in Oil production achieved from making those smaller operators subject to the Order is not significant compared to the reduction in Oil production achieved by making larger producers subject to the Order.

### **Conclusions of Law**

1. The above-described open meetings occurred as noticed and were conducted in accordance with applicable law.
2. The Commission has jurisdiction over this matter pursuant to Texas Natural Resources Code § 85.049, et seq.
3. The Commission has determined that waste is taking place or is reasonably imminent, and that the Texas Legislature requires the Commission to act in such a situation. The Commission, therefore, determined that an order must be adopted to correct, prevent, or lessen the waste and optimize the production of oil.
4. The Commission having considered the motion filed by Pioneer Natural Resources U.S.A. Inc. and Parsley Energy Inc. on March 30, 2020 and the governing law, has determined that the motion is **GRANTED** and the Commission hereby makes the Order set forth below.

### **Order**

Therefore, it is ORDERED by the Commission as follows (the "**Order**"):

1. Commencing with the Initial Proration Month and ending on the last day of the Last Proration Month, each Applicable Operator shall restrict the aggregate volume of Oil produced by such Applicable Operator from Oil Wells during each Proration Month so

that the aggregate total volume of Oil produced from all Oil Wells Operated by such Applicable Operator during each Proration Month, in the aggregate, does not exceed the Proration Volume applicable to such Applicable Operator for the applicable Proration Month (such restriction requirements referred to in this paragraph shall be referred to as the “**Prorationing Requirements**”).

2. This Order shall temporarily supersede all Oil allowable formulas set forth by Special Field Rules or Statewide Rules and shall have precedence and control over all prior orders and rules of the Commission in conflict herewith, if any, only to the extent of such conflict.
3. A penalty for non-compliance with this Order by any Applicable Operator shall be that such Applicable Operator will be fined in the amount equal to \$1,000.00 for each barrel of Oil produced during a given Proration Month by the Applicable Operator from Oil Wells Operated by such Applicable Operator which is in excess of such Applicable Operator’s Proration Volume for such Proration Month. The Commission may reduce or eliminate this penalty upon a showing of a “good faith” effort to operate within the limits of this Order.
4. Any Operator may request a hearing with the Commission to determine if this Order shall not apply to individual wells or leases.
5. This Order shall be effective immediately and shall last until the last day of the Last Proration Month. Further, the Commission shall determine, at a hearing to be held in each calendar month during which this Order is in effect, whether it is necessary to keep this Order in effect and, if so, whether the Market Demand Factor should be adjusted or other adjustments to this Order are necessary.
6. For purposes of this Order, the following terms will have the meanings ascribed below:

“**Active Oil Well**” means an Oil Well that is in Active Operation.

“**Active Operation**” shall have the meaning ascribed to such term pursuant to 16 TEX. ADMIN. CODE §3.15(a)(1).

“**Applicable Operator**” means each Operator other than an Excluded Operator.

“**Benchmark Oil Production Period**” means the period commencing at 7:00 am, Central Time, on October 1, 2019, through 7:00 am, Central Time on January 1, 2020.

“**Benchmark Oil Production Volume**” means, with respect to each Applicable Operator, the greater of (i) such Applicable Operator’s October 2019 Oil Production Volume,

(ii) such Applicable Operator's November 2019 Oil Production Volume or (iii) such Applicable Operator's December 2019 Oil Production Volume.

**"Complementary Proration Measures"** means the responsible Governmental Authorities of any state or combination of states of the United States (other than Texas), foreign provinces or countries have enacted Laws (conditional or otherwise) on or after the Enactment Date that collectively, based on estimates of the applicable Governmental Authorities, will reduce or continually reduce oil production in the jurisdictions of the participating Governmental Authorities by an aggregate amount of oil production equal to at least 4 million barrels of oil per day from the average barrel per day oil production levels in the jurisdictions of the participating Governmental Authorities during the Benchmark Oil Production Period (in addition to the 9.7 million barrels of oil per day reduction previously announced by the OPEC+ Countries prior to the Enactment Date).

**"December 2019 Oil Production Volume"** means with respect to each Applicable Operator, the aggregate volume (calculated in barrels) of Oil produced from Active Oil Wells (other than Exempt Wells) that are Operated by such Applicable Operator during the period commencing at 7:00 am, Central Time, on December 1, 2019, through 7:00 am, Central Time on January 1, 2020, as reported by such Applicable Operator to the Railroad Commission, divided by 31 (the number of calendar days during such period).

**"Enactment Date"** means the date this Order was made, being May 5, 2020.

**"Excluded Operator"** means, each Operator (a) that during the calendar month of January, 2020 Operated one or more Active Oil Wells and (b) that had an average daily total volume (calculated in barrels) of Oil produced by all Active Oil Wells Operated by such Operator, in the aggregate, during the calendar month of January, 2020, as reported by such Operator to the Commission, that was less than one thousand (1,000) barrels per day.

**"Exempt Wells"** means any well exempted from the Commission's prorationing authority under 16 TEX. ADMIN. CODE Chapter 3 (including, without limitation, 16 TEX. ADMIN. CODE §3.42) or the Texas Natural Resources Code (including, without limitation, Texas Natural Resources Code §§ 85.048, 85.124).

**"Governmental Authority"** or **"Governmental Authorities"** means any national, state, county or municipal government and/or government of any political subdivision, and departments, courts, commissions, boards, bureaus, ministries, agencies, or other instrumentalities of any of them that has jurisdiction over the volume of production of crude oil within the area over which it has such jurisdiction.

**"Initial Proration Month"** means (a) if the Complementary Proration Measures are enacted before the 7th day of a given calendar month, then the calendar month following the calendar month in which the Complementary Proration Measures are enacted and (b) if the Complementary Proration Measures are enacted on or after the 7th day of a given calendar

month, then the second calendar month following the calendar month in which the Complementary Proration Measures are enacted.

**“Last Proration Month”** means the earlier of (i) the first calendar month following the Initial Proration Month during which the Complementary Proration Measures are no longer in effect and (ii) the calendar month during which the Commission finds that global demand for crude oil exceeds 85 million barrels of oil per day.

**“Law”** or **“Laws”** each mean any applicable statute, law, rule, regulation, ordinance, order, code, ruling, writ, injunction, decree or other official act of or by any Governmental Authority, whether individually or in combination with one another.

**“Market Demand Factor”** means, for any Proration Month, the percentage of anticipated production of Oil in the State during such Proration Month, as determined by the Commission from time to time, necessary to prevent waste of Oil within the State during such Proration Month. The Market Demand Factor for the Proration Months covered by this Order shall be eighty percent (80%) until further determination by the Commission.

**“November 2019 Oil Production Volume”** means with respect to each Applicable Operator, the aggregate volume (calculated in barrels) of Oil produced from Active Oil Wells (other than Exempt Wells) that are Operated by such Applicable Operator during the period commencing at 7:00 am, Central Time, on November 1, 2019, through 7:00 am, Central Time on December 1, 2019, as reported by such Applicable Operator to the Railroad Commission, divided by 30 (the number of calendar days during such period).

**“October 2019 Oil Production Volume”** means with respect to each Applicable Operator, the aggregate volume (calculated in barrels) of Oil produced from Active Oil Wells (other than Exempt Wells) that are Operated by such Applicable Operator during the period commencing at 7:00 am, Central Time, on October 1, 2019, through 7:00 am, Central Time on November 1, 2019, as reported by such Applicable Operator to the Railroad Commission, divided by 31 (the number of calendar days during such period).

**“Oil”** shall have the meaning ascribed to such term pursuant to TEX. NAT. RES. CODE § 85.001(b) as further modified such that the term “Oil” shall not be construed to mean any liquid hydrocarbon mixture or portion thereof which is not in the liquid phase in the reservoir, removed from the reservoir in such liquid phase, and obtained at the surface as such.

**“Oil Well”** means, with respect to the applicable time period stated in this Order, any well that is classified as an oil well on Form W-2 (Oil Well Potential Test, Completion, or Recompletion Report, and Log) at any time during such period.

**“OPEC+ Countries”** means the following: Algeria, Angola, Azerbaijan, Bahrain, Brunei, Congo, Equatorial Guinea, Gabon, Iran, Iraq, Kazakhstan, Kuwait, Libya, Malaysia, Mexico, Nigeria, Oman, Russia, Saudi Arabia, South Sudan, Sudan, United Arab Emirates, and Venezuela.

**“Operate”** means performing operations with respect to an Oil Well that are within the jurisdiction of the Commission as contemplated in 16 TEX. ADMIN. CODE §3.1(a)(1) (and the derivatives of such term, including the terms **“Operates”**, **“Operating”** and **“Operated”**, shall have the correlative meaning).

**“Operator”** means each person or entity subject to 16 TEX. ADMIN. CODE §3.1(a)(1) Operating one or more Active Oil Wells, excluding Exempt Wells, during the applicable calendar month in question.

**“Proration Month”** means each calendar month, commencing with the Initial Proration Month and ending with the Last Proration Month.

**“Proration Volume”** means, with respect to each Applicable Operator for each Proration Month, the product of (a) the Benchmark Oil Production Volume for such Applicable Operator multiplied by (b) the number of calendar days in such Proration Month multiplied by (c) the Market Demand Factor for such Proration Month.

**“State”** means the State of Texas.

**“waste”** shall have the meaning ascribed to such term pursuant to TEX. NAT. RES. CODE § 85.046.

7. This Order shall be effective immediately and shall last until the last day of the Last Proration Month. Further, the Commission shall determine, at a hearing to be held in each calendar month during which this Order is in effect, whether it is necessary to keep this Order in effect and, if so, whether the Market Demand Factor should be adjusted or other adjustments to this Order are necessary.

Signed on May 5, 2020.

**RAILROAD COMMISSION OF TEXAS**

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**CHAIRMAN WAYNE CHRISTIAN**

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**COMMISSIONER CHRISTI CRADDICK**



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**COMMISSIONER RYAN SITTON**

**ATTEST:**

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**SECRETARY**