

Opinion issued September 15, 2009



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-09-00663-CV

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**IN RE BAY GAS STORAGE COMPANY, LTD., Relator**

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**Original Proceeding on Petition for Writ of Mandamus**

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**MEMORANDUM OPINION**<sup>1</sup>

By petition for writ of mandamus, relator, Bay Gas Storage Company, Ltd. (“Bay Gas”), seeks mandamus relief compelling the trial court to vacate its order denying Bay Gas’s plea to the jurisdiction. Bay Gas also seeks mandamus relief compelling the trial court to sign an order dismissing or abating the underlying

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<sup>1</sup> The underlying case is *Florida Gas Transmission Company, LLC v. Bay Gas Storage Company, Ltd and Energysouth Midstream, Inc.*, Cause No. 2008-62104, in the 190th Judicial District Court of Harris County, Texas, the Hon. Patricia Kerrigan, presiding.

proceeding.

We **deny** the petition for writ of mandamus. All outstanding motions are overruled as moot. We lift the stay entered by this Court on August 5, 2009.

**Per Curiam**

Panel consists of Justices Keyes, Hanks, and Bland.