

January 20, 2006

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: January 10, 2006

Case Number: RB272-10021

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate are now eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). Refunds are rounded to the nearest dollar.

In order to receive a supplemental refund check, applicants are required to verify that their name and address in our records are correct, to correct any information that is not accurate, and to verify whether the refund cannot be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

This decision approves supplemental refunds for the applicants listed in the Appendix to this decision. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 76 applicants, totaling \$880,849.00.

It Is Therefore Ordered That:

(1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to National Equity Devmt. Grp., Inc., on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$880,849.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.

(2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.

(3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information
Office of Hearings and Appeals
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0107

(4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.

(5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

George B. Breznay
Director
Office of Hearings and Appeals

Date: January 20, 2006

Appendix - Supplemental Refund Case No. RB272-10021

Case No.	Firm	Volume	Refund
RC272-00378	MOUNTAIN VIEW COOP-FAIRVIEW	7,172,838	\$4,988.00
RF272-00428	PPG INDUSTRIES, INC.	459,961,608	\$319,852.00
RF272-01581	BUFFALO COLOR CORP.	33,050,877	\$22,983.00
RF272-10438	SHUPE & YOST, INC.	2,205,453	\$1,534.00
RF272-14013	TAYLOR CLAY PRODUCTS CO.	4,146,339	\$2,883.00
RF272-20246	SUGAR CANE GROWERS COOP OF FLA	69,797,549	\$48,536.00
RF272-22235	GRAINGER COUNTY TENNESSEE	2,302,763	\$1,601.00
RF272-22585	MID-CONTINENT AIRCRAFT CORP.	3,585,450	\$2,493.00
RF272-23192	CITY OF TROY	3,490,597	\$2,427.00
RF272-24036	CITY OF NEW HAVEN	15,675,000	\$10,900.00
RF272-25505	CLARK UNIVERSITY	3,825,417	\$2,660.00
RF272-25622	CANADA DRY BOTTLING	4,625,273	\$3,216.00
RF272-27434	CITY OF ODESSA	4,186,582	\$2,911.00
RF272-27512	WABASH CITY SCHOOLS	1,506,598	\$1,048.00
RF272-28145	PUERTO RICAN CEMENT CO., INC.	364,613,939	\$253,549.00
RF272-28267	BLAKEMORE CONSTRUCTION CORP.	19,594,047	\$13,625.00
RF272-28993	HOLT COUNTY	6,971,109	\$4,848.00
RF272-29575	KNIGHT BROTHERS, INC.	7,199,345	\$5,006.00
RF272-29959	SERVICE AIR CARGO	2,212,512	\$1,539.00
RF272-31636	PRESS ENTERPRISE CO.	1,788,318	\$1,244.00
RF272-32450	HURLBUT TRUCKING	1,523,908	\$1,060.00
RF272-33229	WARREN COUNTY M.S.D.	2,277,122	\$1,583.00
RF272-38262	STRISHOCK COAL CO.	3,346,688	\$2,327.00
RF272-41005	THOMPSON ROSE CO., INC.	1,663,614	\$1,157.00
RF272-42298	CLARK COUNTY HWY. DEPT.	2,169,225	\$1,508.00
RF272-51346	MORRISON BROS., INC.	1,849,338	\$1,286.00
RF272-53849	MOSS PLANING MILL CO. INC.	2,526,400	\$1,757.00
RF272-53920	PHILLIPSE TOWERS ASSOCIATES	3,175,000	\$2,208.00
RF272-54368	SCHLESINGER MGMT. CORP.	26,568,847	\$18,476.00
RF272-57057	TRI-STATE HOMES, INC.	3,498,742	\$2,433.00
RF272-58026	HOVEN CO-OP SERVICE CO.	5,827,544	\$4,052.00
RF272-59256	FARM FRESH, INC.	1,121,888	\$780.00
RF272-60168	STANCHEM, INC.	2,066,681	\$1,437.00
RF272-63091	EAST POINT TRAWLERS, INC.	1,594,404	\$1,109.00
RF272-63430	LABER RUSSO TRUCKING CO., INC.	1,112,742	\$774.00
RF272-63915	J.D. MILLER & SONS, INC.	4,677,034	\$3,252.00
RF272-65255	CITY OF LINDEN	2,765,236	\$1,923.00
RF272-65600	ALAN MITCHEK FEED & GRAIN	8,266,666	\$5,749.00
RF272-65945	AMBOY TRUCKING CO.	1,400,445	\$974.00
RF272-65963	HARLEY KEETER, JR.	1,423,336	\$990.00
RF272-66450	MAJOR BUILDERS SERVICE, INC.	1,200,000	\$834.00
RF272-68919	BENEDICT, INC.	5,976,511	\$4,156.00
RF272-70276	SKOFF TRUCKING	2,824,224	\$1,964.00
RF272-70366	D & L CORP.	1,679,135	\$1,168.00
RF272-70404	COAHOMA COUNTY SCHOOL DIST.	2,060,494	\$1,433.00
RF272-72085	L.H. BOSSIER INC.	11,647,604	\$8,100.00
RF272-72285	THREE SIDE FARMS & LAND CO.	1,854,043	\$1,289.00
RF272-72532	MAXWELL CO.	7,723,104	\$5,371.00
RF272-72538	YATES COUNTY	2,635,675	\$1,833.00
RF272-73937	TOWNSHIP OF MILLCREEK	8,070,535	\$5,612.00
RF272-75082	NEWMAN & CO.	8,792,376	\$6,114.00
RF272-83341	ROSLYN U.F.S.D.	1,902,583	\$1,323.00
RF272-85024	DANA TRANSPORT SYSTEM, INC.	3,792,000	\$2,637.00
RF272-86639	MILTON PUBLIC SCHOOLS	2,918,339	\$2,029.00
RF272-87713	ALCORN COUNTY	1,374,071	\$956.00

RF272-89405	APA TRANSPORT CORP.	19,871,819	\$13,819.00
RF272-90284	FARMERS COOP CO.	1,840,596	\$1,280.00
RF272-90691	ETNA PRODUCTS, INC.	2,182,661	\$1,518.00
RF272-92037	FOREMAN INDUSTRIES, INC.	3,731,424	\$2,595.00
RF272-92522	ROGERS CORP.	11,315,849	\$7,869.00
RF272-94592	CO-OP SERVICES, INC.	5,230,392	\$3,637.00
RF272-96659	ROCKINGHAM COUNTY, VA	2,915,678	\$2,028.00
RF272-97143	AIKEN COUNTY	2,202,975	\$1,532.00
RF272-97427	BEST ASPHALT, INC.	1,590,866	\$1,106.00
RF272-97911	JAMES ELWOOD QUINN, INC.	1,841,667	\$1,281.00
RF272-98611	GODWIN CONSTRUCTION CO.	7,552,275	\$5,252.00
RK272-02292	VVP AMERICA, INC.	17,486,191	\$12,160.00
RK272-02782	JETWALL	1,964,160	\$1,366.00
RK272-03657	SUTHERLAND WELL SERVICE, INC.	1,951,204	\$1,357.00
RK272-03689	CLARK TRUCK LINE	3,206,862	\$2,230.00
RK272-03712	COLUMBIA RIVER PAVING CO.	16,547,915	\$11,507.00
RK272-04679	NICHOLAS CERRETANI	4,047,768	\$2,815.00
Totals	76 Applicants	1,266,697,470	\$880,849.00