

July 26, 2006

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: July 21, 2006

Case Numbers: RB272-10067

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 refund 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 61 applicants, totaling \$5,296,453.00.

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 the supplemental refunds set forth in the Appendix to this 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: July 26, 2006

Appendix - Supplemental Refund Case No. RB272-10067

Case No.	Firm	Volume	Refund
RF272-00350	WISCONSIN DEPT. TRANSPORTATION	166,507,342	\$115,787.00
RF272-00512	STATE OF WEST VIRGINIA	58,569,933	\$40,729.00
RF272-02055	JACOBS CATTLE CO.	329,354	\$229.00
RF272-03037	RAMSEY RANCH, INC.	3,817,672	\$2,655.00
RF272-04416	STATE OF CONNECTICUT	14,712,099	\$10,231.00
RF272-08074	STATE OF CONNECTICUT	344,677,890	\$239,685.00
RF272-09879	CASCADE CONSTRUCTION CO., INC.	31,112,210	\$21,635.00
RF272-11717	WASHINGTON STATE DEPT. TRANS.	27,188,629	\$18,907.00
RF272-12588	STATE OF CONNECTICUT	19,834,043	\$13,792.00
RF272-16184	FAYETTE COUNTY BD. EDUCATION	1,556,135	\$1,082.00
RF272-17487	KENTUCKY DEPT. OF EDUCATION	127,143,111	\$88,414.00
RF272-18896	SOUTHWESTERN BELL TELEPHONE CO	126,209,969	\$87,765.00
RF272-23790	HERCULES, INC.	1,351,295,396	\$939,676.00
RF272-25793	OHIO DEPT. OF TRANSPORTATION	58,812,076	\$40,897.00
RF272-28260	WASHINGTON STATE FERRIES	87,765,007	\$61,031.00
RF272-44094	OHIO STATE HWY. PATROL	26,896,072	\$18,703.00
RF272-45477	ILLINOIS STATE TOLL HWY. AUTH.	7,797,981	\$5,423.00
RF272-49283	COMMONWEALTH OF KENTUCKY	238,879,864	\$166,114.00
RF272-49898	STATE OF KANSAS	51,448,795	\$35,777.00
RF272-50638	WASHINGTON STATE DEPT OF TRANS	159,672,563	\$111,035.00
RF272-51829	WASHINGTON STATE PARKS & REC.	3,916,837	\$2,724.00
RF272-57844	MASSACHUSETTS PORT AUTHORITY	19,923,781	\$13,855.00
RF272-59085	STATE OF UTAH, ENERGY OFFICE	16,642,035	\$11,573.00
RF272-59907	STATE OF COLORADO	158,602,880	\$110,291.00
RF272-60251	STATE OF WISCONSIN	50,124,000	\$34,856.00
RF272-61569	STATE OF MINNESOTA	361,522,226	\$251,399.00
RF272-61591	ARKANSAS HWY. & TRANS. DEPT.	101,895,946	\$70,857.00
RF272-62522	STATE OF NEW YORK	1,183,545,236	\$823,024.00
RF272-63433	STATE OF DELAWARE	177,258,356	\$123,264.00
RF272-63624	MARYLAND DEPT. GENERAL SERVICE	191,015,000	\$132,830.00
RF272-64195	STATE ARIZONA DEPT. OF TRANS.	24,400,000	\$16,967.00
RF272-64288	STATE OF ARKANSAS	36,974,958	\$25,712.00
RF272-65199	STATE OF IOWA	43,961,347	\$30,570.00
RF272-65200	IOWA DEPT. OF TRANSPOTATION	54,980,079	\$38,233.00
RF272-65398	STATE OF NEVADA	99,573,047	\$69,242.00
RF272-65470	STATE OF MICHIGAN	101,016,485	\$70,246.00
RF272-65526	ALASKA DEPT OF TRANS & PUB FAC	127,752,097	\$88,837.00
RF272-66878	NEW YORK TRANSIT AUTHORITY	267,655,678	\$186,125.00
RF272-67507	STATE OF VERMONT DEPT. OF COR.	2,545,017	\$1,770.00
RF272-67509	STATE OF VERMONT - TRANSPORTTN	7,508,930	\$5,222.00
RF272-67563	OREGON DEPT. OF ADMINISTRATIVE SERVICES	52,009,741	\$36,167.00
RF272-68243	NEW JERSEY TRANSIT CORP.	103,193,264	\$71,759.00
RF272-68934	NEW YORK STATE THRUWAY AUTH.	21,333,403	\$14,835.00
RF272-71331	STATE OF TENNESSEE	16,947,459	\$11,785.00
RF272-72465	COMMONWEALTH OF MASSACHUSETTS	194,251,065	\$135,080.00
RF272-74169	STATE OF MAINE	96,717,832	\$67,257.00
RF272-75269	VIRGINIA DEPT. OF STATE POLICE	23,548,033	\$16,375.00
RF272-75295	CAPSCO CO.	5,880,409	\$4,089.00
RF272-75775	R.I. DEPT. OF ADMINISTRATION	58,306,513	\$40,546.00
RF272-76126	U.S. DEPT. OF AGRICULTURE	59,770,322	\$41,564.00
RF272-89497	R.C. BILLINGS, INC.	5,925,000	\$4,120.00
RF272-94705	UNION COUNTY COOP	11,468,787	\$7,975.00
RF272-97101	Conopco, Inc.	581,289,352	\$404,222.00
RF272-97385	FARMERS GRAIN COMPANY	14,439,895	\$10,041.00
RG272-00192	NORTHEAST FARM SERVICE CO.	51,085,896	\$35,525.00

RG272-00293	FARMLAND INDUSTRIES, INC.	14,569,109	\$10,131.00
RG272-00507	STATE OF OHIO	51,204,237	\$35,607.00
RG272-00794	CENTRAL ENGINEERING LIQ. TRUST	14,525,164	\$10,101.00
RK272-00362	STATE OF KANSAS	74,851,843	\$52,051.00
RK272-03418	STATE OF GEORGIA - ENERGY RES.	152,567,197	\$106,094.00
RR272-00207	STATE OF TENNESSEE	77,604,578	\$53,965.00
Totals	61 Applicants	7,616,529,175	\$5,296,453.00