

October 17, 2005

DECISION AND ORDER  
OF THE DEPARTMENT OF ENERGY

Name of Case: State Escrow Distribution

Date of Filing: June 1, 2005

Case Number: RF302-24

The total amount of oil overcharge funds in escrow under the supervision of the Department of Energy and available for distribution to the State Governments is now more than \$8 million. Thus, sufficient funds are now in this account to warrant a distribution.

Distributions of oil overcharge funds are made to the 50 States and six districts, commonwealths, and territories and possessions of the United States. The amount available for distribution is \$8,690,000. Each jurisdiction will receive an amount equal to the product of that amount multiplied by the ratio established for that jurisdiction in Exhibit H of the Final Settlement Agreement approved in *In Re: The Department of Energy Stripper Well Exemption Litigation*, 6 Fed. Energy Guidelines ¶ 90,509 (July 7, 1986). A copy of that Exhibit is attached as an Appendix to this Decision.

It Is Therefore Ordered That:

The Office of the Controller of the Department of Energy shall take all steps necessary to disburse \$8,690,000 from the subaccount entitled "Crude Tracking-States," Number 999DOE003W, of the escrow account maintained at the Department of the Treasury for this purpose. Each State of the United States, plus the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States, shall receive a share of the total amount disbursed. Each share shall be calculated by multiplying the total amount to be disbursed by the ratio established for the jurisdiction in Exhibit H of the Stripper Well Settlement Agreement. Each transfer of funds shall be made pursuant to the wire transfer or other instructions previously submitted to the Department of Energy by each jurisdiction.

George B. Breznay  
Director  
Office of Hearings and Appeals

Date: October 17, 2005

Appendix  
Case No. RF302-24  
State Escrow Distribution

**SETTLEMENT  
EXHIBIT H**

**CALCULATION OF RATIOS FOR DISTRIBUTION  
TO STATES AND TERRITORIES — M.D.L. 378**

<u>State</u>	<u>Consumption</u>	<u>Ratio</u>	<u>State</u>	<u>Consumption</u>	<u>Ratio</u>
Alabama .....	626,803,520	0.01534512450	Nebraska .....	301,217,700	0.00737427752
Alaska .....	158,047,980	0.00386926023	Nevada .....	165,454,200	0.00405057600
American Samoa ....	7,275,000	0.00017810331	New Hampshire .....	190,375,330	0.00466068401
Arizona .....	418,994,930	0.01025764719	New Jersey .....	1,507,862,710	0.03691482302
Arkansas .....	519,811,670	0.01272579770	New Mexico .....	267,574,460	0.00655063871
California .....	3,739,318,300	0.09154432453	New York .....	3,162,994,520	0.07743502253
Colorado .....	439,201,380	0.01075233249	No. Mariana Islands .	3,763,000	0.00009212409
Connecticut .....	693,689,220	0.01698259040	North Carolina .....	916,800,700	0.02244470625
Delaware .....	193,932,730	0.00474777469	North Dakota .....	149,717,090	0.00366530709
District of Columbia .	97,574,660	0.00238877935	Ohio .....	1,534,904,170	0.03757684000
Florida .....	1,887,260,600	0.04620307312	Oklahoma .....	504,488,400	0.01235066023
Georgia .....	909,619,880	0.02226890861	Oregon .....	404,894,790	0.00991245384
Guam .....	60,196,000	0.00147369165	Pennsylvania .....	1,901,863,900	0.04656058461
Hawaii .....	280,655,260	0.00687087703	Puerto Rico .....	389,132,000	0.00952655624
Idaho .....	167,643,790	0.00410418057	Rhode Island .....	161,953,570	0.00396487514
Illinois .....	1,876,159,080	0.04593129065	South Carolina .....	486,978,850	0.01192199923
Indiana .....	1,006,156,560	0.02463227660	South Dakota .....	146,053,670	0.00357562087
Iowa .....	532,229,530	0.01302980621	Tennessee .....	660,920,850	0.01618036977
Kansas .....	457,905,310	0.01121023378	Texas .....	3,013,545,120	0.07377626891
Kentucky .....	523,601,010	0.01281856663	Utah .....	240,978,330	0.00589952410
Louisiana .....	971,591,210	0.02378606310	Vermont .....	97,762,860	0.00239338678
Maine .....	300,279,730	0.00735131456	Virgin Islands .....	188,953,000	0.00462586316
Maryland .....	731,363,020	0.01790490359	Virginia .....	1,048,324,650	0.02566461699
Massachusetts .....	1,398,309,100	0.03423278036	Washington .....	623,786,920	0.01527127344
Michigan .....	1,391,772,090	0.03407274419	West Virginia .....	244,121,480	0.00597647330
Minnesota .....	708,814,590	0.01735288297	Wisconsin .....	718,698,070	0.01759484593
Mississippi .....	557,786,510	0.01365548081	Wyoming .....	166,569,650	0.00407788395
Missouri .....	806,514,320	0.01974472423			
Montana .....	184,882,510	0.00452621123	Totals .....	<u>40,847,079,480</u>	<u>1.00000000000</u>