

December 3, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: December 3, 2007

Case Number: RB272-10156

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 were eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). In order to receive this supplemental refund check, applicants were required to verify that their name and address in our records was correct, to correct any information that was not accurate, and to verify whether the refund could not be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

On August 20, 2007, the DOE announced that a final additional \$0.000083748502302897 per gallon refund would be paid to all applicants who had been found eligible for the \$0.000695389 per gallon supplemental refund announced on January 13, 2006. 72 Fed. Reg. 46461 (August 20, 2007). We have previously ordered the payment of the \$0.000695389 per gallon supplemental refund to the applicants listed in the Appendix to this decision. Therefore, this decision approves final supplemental refunds of \$0.000083748502302897 per gallon to these applicants. Refunds are rounded to the nearest dollar. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 35 applicants, totaling \$67,788.00.

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 Troy and Banks, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$67,788.00, 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.

Poli A. Marmolejos
Acting Director
Office of Hearings and Appeals

Date: December 3, 2007

Appendix - Supplemental Refund Case No. RB272-10156

Case No.	Firm	Volume	Refund
RA272-00015	COMPAGNIE BELGE D`AFFRETEMENTS	164,264,840	\$13,757.00
RF272-01502	HERNDON MARINE PRODUCTS, INC.	13,669,212	\$1,145.00
RF272-03787	Verizon Communications	24,783,733	\$2,076.00
RF272-07031	LUITHLEN DYE CORP.	2,771,768	\$232.00
RF272-11220	VERHOFF ALFALFA MILLS, INC.	3,849,403	\$322.00
RF272-21228	ST. CHARLES HOSPITAL	6,755,735	\$566.00
RF272-21812	CITY OF ELGIN	3,072,424	\$257.00
RF272-23948	HARTT TRANSPORTATION SYSTEMS	7,284,046	\$610.00
RF272-25236	TRANSYSTEMS, INC.	10,222,000	\$856.00
RF272-26808	ROY L. HOUCK CONST. CO.	7,540,682	\$632.00
RF272-28466	VOLKMAN FARMS	150,511	\$13.00
RF272-29545	LOS ANGELES COUNTY	75,558,200	\$6,328.00
RF272-29799	AERONAVES DE MEXICO, S.A.	83,941,515	\$7,030.00
RF272-32455	R.J. STUDER & SONS	10,740,728	\$900.00
RF272-32575	RUSSELL INDUSTRIES, INC.	39,018,993	\$3,268.00
RF272-35674	MERCY HOSPITAL OF TOLEDO	5,261,891	\$441.00
RF272-36859	TYCO HEALTHCARE GROUP, LP	10,034,509	\$840.00
RF272-59079	LUNTZ CORP. & SUBSIDIARIES	2,832,463	\$237.00
RF272-62992	ANCHOR CONTINENTAL INC.	7,260,227	\$608.00
RF272-63149	ROANOKE COUNTY SCHOOLS	3,410,268	\$286.00
RF272-63471	MANITOWOC COUNTY HWY. DEPT.	13,102,642	\$1,097.00
RF272-69681	Marion Moffett LeBlanc Strain AND Gordon S. LeBlanc	12,220,813	\$1,023.00
RF272-71700	TRICO PRODUCTS CORP.	8,409,842	\$704.00
RF272-75287	LEVI STRAUSS & CO.	11,622,899	\$973.00
RF272-87670	LOUIS V. LEPAK TRUCKING CO.	2,326,010	\$195.00
RF272-89517	Verizon Communications	168,334,086	\$14,098.00
RF272-93194	LOS ANGELES COUNTY	2,986,717	\$250.00
RG272-00385	WESTERN HICKORY COAL CO., INC.	618,151	\$52.00
RG272-00386	KERRY COAL CO.	2,982,792	\$250.00
RK272-00264	TYCO HEALTHCARE GROUP, LP	39,334,263	\$3,294.00
RK272-02824	PFIZER ANIMAL HEALTH	1,874,093	\$157.00
RK272-02895	BARTEL CORP.	9,726,215	\$815.00
RK272-04122	Verizon Communications	1,250,276	\$105.00
RK272-04718	Estate of Joseph D. Caimi	33,636,172	\$2,817.00
RR272-00085	ARUNDEL CORP.	18,555,616	\$1,554.00
Totals	35 Applicants	809,403,735	\$67,788.00