

October 10, 2006

DECISION AND ORDER  
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: October 6, 2006

Case Numbers: RB272-10087

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 55 applicant, totaling \$283,604.00.

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: October 10, 2006

**Appendix - Supplemental Refund Case No. RB272-10087**

<b>Case No.</b>	<b>Firm</b>	<b>Volume</b>	<b>Refund</b>
RF272-00086	OWOSSO PUBLIC SCHOOLS	600,305	\$417.00
RF272-00937	WELLS ENTERPRISES, INC.	237,325	\$165.00
RF272-01053	JOE CHAMPOUX FARMS, INC.	231,700	\$161.00
RF272-01660	FREDDIE VEACH	212,486	\$148.00
RF272-01709	JAMES D. ANDERSON	212,486	\$148.00
RF272-02137	WARREN L. RECTOR	219,000	\$152.00
RF272-02626	HAROLD & ROSE HARDING	653,750	\$455.00
RF272-03811	JERALD F. RECKER	212,486	\$148.00
RF272-04299	RONALD EVERSOLE	207,174	\$144.00
RF272-04403	SOUTHWEST LOCAL SCHOOL DIST.	881,606	\$613.00
RF272-04661	DAVIDSON LOUISIANA, INC.	1,030,802	\$717.00
RF272-05374	ENGLAND CONSTRUCTION, INC.	250,354	\$174.00
RF272-05387	GOLDSBORO BUILDERS SUPPLY CO.	228,765	\$159.00
RF272-05478	HEPNER BROTHERS, INC.	611,763	\$425.00
RF272-06395	ROY L. YOUNG	212,486	\$148.00
RF272-06623	TRIPLE D FARMS	281,985	\$196.00
RF272-07014	ZIEGER & SONS INC.	992,864	\$690.00
RF272-07968	GROVEPORT MADISON LOCAL SCHLS	1,128,000	\$784.00
RF272-08384	GBS LUMBER, INC.	219,599	\$153.00
RF272-08586	NUWAY TOBACCO CO.	8,749,253	\$6,084.00
RF272-08646	ROBBINS & LONG FARMS	571,765	\$398.00
RF272-08758	JAMES DICK	637,459	\$443.00
RF272-08817	RAY DECHANT	296,064	\$206.00
RF272-08849	LARRY VILLERS	737,800	\$513.00
RF272-08928	DUANE HAMMOND	221,340	\$154.00
RF272-08930	RAYMOND EISENBARTH	265,608	\$185.00
RF272-09067	DONALD HENKEL	283,315	\$197.00
RF272-09991	FRED WEBER, INC.	140,295,461	\$97,560.00
RF272-10091	RICHARD VAN DYKE	638,711	\$444.00
RF272-10187	SARGENT COUNTY	1,374,731	\$956.00
RF272-10200	C.M. TUCKER LUMBER CORP.	607,949	\$423.00
RF272-10209	ZALOUDEK FARMS	796,824	\$554.00
RF272-10636	JOHN C. LAURIDSON & DOROTHY LAURIDSON	708,288	\$493.00
RF272-11195	CITY OF DUNN	635,757	\$442.00
RF272-12166	TOWNSHIP OF WEST SALEM	778,610	\$541.00
RF272-14037	WEBER STATE COLLEGE	938,770	\$653.00
RF272-14780	ANGEL FARMS	708,288	\$493.00
RF272-16023	MULLER CONSTRUCTION, INC.	544,545	\$379.00
RF272-17342	ABNEY MILLING CO., INC.	520,199	\$362.00
RF272-17393	F & R RANCHES, INC.	701,205	\$488.00
RF272-18697	CITY OF MERCED	1,212,000	\$843.00
RF272-20305	HAMILTON COMMUNITY SCHOOLS	582,876	\$405.00
RF272-21682	CHARLES PAPCKE	256,373	\$178.00
RF272-22588	CAROLINE COUNTY PUBLIC SCHOOLS	2,412,261	\$1,677.00
RF272-27526	DONALD J. BEAUDOIN	10,666,019	\$7,417.00
RF272-27796	SPRECKELS SUGAR CO., INC.	151,199,333	\$105,142.00
RF272-27926	MERRICK COUNTY HWY. DEPT.	564,292	\$392.00
RF272-29747	KINGS COUNTY HOSPITAL CENTER	30,648,228	\$21,312.00
RF272-31170	FOUNTAIN COUNTY HWY. DEPT.	814,800	\$567.00
RF272-35557	CASTON SCHOOL CORP.	331,336	\$230.00
RF272-44268	ALLEN L. MARLER	388,673	\$270.00
RF272-63871	James L. Carden	18,440,826	\$12,824.00
RF272-67577	FARMERS UNION OIL CO.	19,016,648	\$13,224.00
RK272-04768	SEMINOLE SUGAR CORP.	1,062,432	\$739.00
RK272-04804	JARBOE BROS. STORAGE WAREHOUSE	602,500	\$419.00
<b>Totals</b>	<b>55 Applicants</b>	<b>407,835,475</b>	<b>\$283,604.00</b>