

May 15, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: May 10, 2007

Case Numbers: RB272-10112

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 144 applicants, totaling \$4,036,145.00.

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.

Fred L. Brown
Acting Director
Office of Hearings and Appeals

Date: May 15, 2007

Appendix - Supplemental Refund Case No. RB272-10112

Case No.	Firm	Volume	Refund
RC272-00326	Columbia Energy Group	379,855,941	\$264,148.00
RF272-00395	BIBB CO.	17,387,892	\$12,091.00
RF272-00444	SOUTHWEST AIRLINES CO.	256,841,716	\$178,605.00
RF272-00472	Novelis Corporation	39,952,336	\$27,782.00
RF272-01414	CITY OF SAN ANTONIO	45,060,805	\$31,335.00
RF272-01988	HENKELS & MCCOY, INC.	28,264,661	\$19,655.00
RF272-02233	HIBBING TACONITE CO.	71,242,285	\$49,541.00
RF272-04349	Andrew Winslow	734,382	\$511.00
RF272-04754	AT&T Resource Management Corporation	176,006,100	\$122,393.00
RF272-05183	CUMING CNTY. PUBLIC POWER DIST	123,100	\$86.00
RF272-06306	GAINESVILLE REGIONAL UTILITIES	213,480,414	\$148,452.00
RF272-07412	James River Coal Service Co.	26,568,732	\$18,476.00
RF272-07750	DALE NIBERT	294,461	\$205.00
RF272-09019	DENTON CO., INC.	673,529	\$468.00
RF272-10407	JAMES L. HALL	648,615	\$451.00
RF272-10638	SHIMIZU BROTHERS, INC.	1,488,885	\$1,035.00
RF272-10906	AL JOHNSON CONSTRUCTION CO.	23,979,602	\$16,675.00
RF272-11116	INTERSTATE CONTAINER CORP.	15,069,295	\$10,479.00
RF272-14015	STAHL CONSTRUCTION CO.	18,995,043	\$13,209.00
RF272-15053	Reedy Creek Improvement District	29,770,774	\$20,702.00
RF272-15497	COMMERCIAL STEEL TREATING CORP	801,862	\$558.00
RF272-15781	THWEATT CONSTRUCTION, INC.	647,206	\$450.00
RF272-16726	ST. JOSEPH FUEL OIL & MFG. CO.	4,246,579	\$2,953.00
RF272-17493	MOONEY`S, INC.	52,826,369	\$36,735.00
RF272-18418	A & B ASPHALT & TAR, INC.	8,901,184	\$6,190.00
RF272-19392	PERRY DRILLING CO.	817,003	\$568.00
RF272-19707	GERALD ROBERTS	202,289	\$141.00
RF272-20331	ROSEBURG LUMBER CO.	45,474,196	\$31,622.00
RF272-20516	SKAARUP SHIPPING CORP.	31,790,643	\$22,107.00
RF272-21897	CLIFFORD-JACOBS FORGING CO.	13,751,632	\$9,563.00
RF272-22195	ALEXANDER & BALDWIN, INC.	70,964,323	\$49,348.00
RF272-22537	WALT DISNEY CO.	43,983,049	\$30,585.00
RF272-22997	H.E. SARGENT, INC.	18,049,147	\$12,551.00
RF272-23684	L & W CONSTRUCTION CO., INC.	14,981,263	\$10,418.00
RF272-23888	GANNETT CO., INC.	38,292,208	\$26,628.00
RF272-23903	REYNOLDS-LAND, INC.	17,873,691	\$12,429.00
RF272-25507	ALMARE DI NAVIGAZIONE S.P.A.	47,400,738	\$32,962.00
RF272-26253	HAROLD ROTHER FARMS, INC.	1,009,842	\$702.00
RF272-27783	LIQUID TRANSPORT CORP.	4,093,067	\$2,846.00
RF272-27798	OHIO STATE UNIVERSITY	17,680,453	\$12,295.00
RF272-28771	VETERANS ADMIN. MEDICAL CENTER	15,639,226	\$10,875.00
RF272-28967	K.W. MCKEE INC.	14,420,700	\$10,028.00
RF272-29579	CITY OF HOMESTEAD, UTITITIES	37,035,041	\$25,754.00
RF272-29782	ALBANY MEDICAL CENTER HOSPITAL	18,226,336	\$12,674.00
RF272-31507	PRINCE GEORGE`S CNTY PUB SCHLS	78,137,853	\$54,336.00
RF272-32046	IOWA ROAD BUILDERS CO.	56,112,475	\$39,020.00
RF272-32806	Kaiser Ventures LLC	83,636,257	\$58,160.00
RF272-32844	KING ROAD MATERIALS, INC.	15,707,214	\$10,923.00
RF272-32872	BARBER BROTHERS CONTRACTING COMPANY, L.L.C.	45,282,183	\$31,489.00
RF272-35912	MARRIOTT CORP.	20,378,776	\$14,171.00
RF272-35919	WESTERN AUTO SUPPLY CO.	23,973,575	\$16,671.00
RF272-37359	Mrs. Lyle Schievelbein	458,090	\$319.00
RF272-37747	DONALD PYLATE	657,625	\$457.00
RF272-38840	ERDMANN ANGUS RANCH	602,044	\$419.00
RF272-42572	U.S. GYPSUM CO.	64,013,053	\$44,514.00

RF272-42604	RUTH TYLER	500,405	\$348.00
RF272-48327	HOCKLEY COUNTY	291,060	\$202.00
RF272-48671	G-I Holdings, Inc.	1,764,460,248	\$1,226,986.00
RF272-48672	CANDLE-LITE	8,935,194	\$6,213.00
RF272-49421	STATE FARM MUTUAL AUTO. INS.CO	46,890,300	\$32,607.00
RF272-51257	CAROLINA MILLS, INC.	14,292,201	\$9,939.00
RF272-53830	LEE PAVING CO.	23,498,242	\$16,340.00
RF272-54775	Joel F Hall	496,392	\$345.00
RF272-56408	GENEVA A. NEILL	300,514	\$209.00
RF272-57870	MILLIGAN & HIGGINS	7,423,789	\$5,162.00
RF272-57984	LEVY CO.	8,597,640	\$5,979.00
RF272-59523	NORTH PENN SCHOOL DIST.	7,393,142	\$5,141.00
RF272-61859	PACIFIC N.W. BELL	33,917,120	\$23,586.00
RF272-63428	MONTVILLE TOWNSHIP BOARD OF ED	1,026,601	\$714.00
RF272-63994	COOPERATIVE SERVICES, INC.	38,403,671	\$26,705.00
RF272-65612	Wilford F. Cox Family Trust	3,220,457	\$2,239.00
RF272-65695	BOWHAY TRUCK LINE	4,650,000	\$3,234.00
RF272-65856	I.R. BOOTH & SON, INC.	13,462,680	\$9,362.00
RF272-66027	TOMAHAWK SERVICES, INC.	14,430,996	\$10,035.00
RF272-66356	SPA CONSTRUCTION CO., INC.	3,255,803	\$2,264.00
RF272-67497	MORONI FEED CO.	6,144,846	\$4,273.00
RF272-67923	ZAPATA CORP.	75,218,454	\$52,306.00
RF272-68493	PRIMERICA CORP.	220,467,050	\$153,310.00
RF272-68996	DAYTON BOARD OF EDUCATION	7,510,381	\$5,223.00
RF272-69459	F & M CORP., INC.	3,583,000	\$2,492.00
RF272-70023	RUSSELL FARMS	267,946	\$186.00
RF272-71710	R.C. COLLET, INC.	13,868,580	\$9,644.00
RF272-71900	Brooklyn Bottling Co. of Milton NY	868,298	\$604.00
RF272-72956	BRANER TRUCKER LINE INC	570,753	\$397.00
RF272-73708	BERKLEY ASPHALT CO.	15,885,945	\$11,047.00
RF272-73929	CARR BROTHERS & SONS, INC	543,979	\$378.00
RF272-75821	SUTHERLAND FARMERS CO-OP CO.	5,604,157	\$3,897.00
RF272-75886	AMERICAN PROTEINS, INC.	8,052,900	\$5,600.00
RF272-77384	BERMAN BROS. IRON & METAL CO.	1,036,698	\$721.00
RF272-77726	NAVISTAR INT'L TRANSPORTATION	71,098,750	\$49,441.00
RF272-77833	DEXTER ASSOCIATES	1,028,522	\$715.00
RF272-77834	DEXTER ASSOCIATES	685,936	\$477.00
RF272-77835	DEXTER ASSOCIATES	620,283	\$431.00
RF272-77836	DEXTER ASSOCIATES	342,669	\$238.00
RF272-77837	DEXTER ASSOCIATES	609,958	\$424.00
RF272-77838	DEXTER ASSOCIATES	542,153	\$377.00
RF272-77839	DEXTER ASSOCIATES	351,888	\$245.00
RF272-77840	DEXTER ASSOCIATES	570,549	\$397.00
RF272-77841	DEXTER ASSOCIATES	862,464	\$600.00
RF272-77842	DEXTER ASSOCIATES	482,194	\$335.00
RF272-77843	DEXTER ASSOCIATES	539,661	\$375.00
RF272-77844	DEXTER ASSOCIATES	629,695	\$438.00
RF272-77845	DEXTER ASSOCIATES	424,949	\$296.00
RF272-77846	DEXTER ASSOCIATES	432,720	\$301.00
RF272-78270	INFINGER TRANSPORTATION CO.	11,819,562	\$8,219.00
RF272-89023	FARMERS UNION OIL CO.	15,439,611	\$10,737.00
RF272-89038	FARMERS UNION OIL CO.	20,678,130	\$14,379.00
RF272-89045	COVE SHIPPING INC.	31,499,727	\$21,905.00
RF272-89283	FARMERS UNION OIL CO.	16,335,892	\$11,360.00
RF272-89324	PHELPS MEMORIAL HOSPITAL CTR.	3,954,523	\$2,750.00
RF272-89531	Harry M. Moorefield	10,739,621	\$7,468.00
RF272-89790	BAXTER'S ASPHALT & CONCRETE CO	13,830,768	\$9,618.00
RF272-89990	FARMERS COOPERATIVE	14,745,495	\$10,254.00
RF272-90026	E.W. BLUITT LOGGING CONTRACTOR	214,979	\$149.00

RF272-90834	COOP SERVICE CENTER, INC.	25,693,875	\$17,867.00
RF272-91406	EDUCATIONAL TESTING SERVICE	4,717,595	\$3,281.00
RF272-91804	R.E. HEIDT CONSTRUCTION, INC.	19,960,712	\$13,880.00
RF272-92648	N.B. WEST CONTRACTING CO., INC	4,658,482	\$3,239.00
RF272-92803	CISCO COOP GRAIN CO.	4,448,579	\$3,093.00
RF272-93560	JERRY SCOTT DRILLING CO., INC.	3,307,358	\$2,300.00
RF272-93980	LOST RIVER CO-OP, INC.	4,393,854	\$3,055.00
RF272-94092	ENDICOTT FORGING & MFG. CO.	4,052,670	\$2,818.00
RF272-95159	COLUMBIA PAVING, INC.	25,893,320	\$18,006.00
RF272-96592	BERWICK COOP OIL CO., INC.	18,099,584	\$12,586.00
RG272-00413	YANGMING MARINE TRANSPORT	223,291,178	\$155,274.00
RG272-01131	Al Ingleright Trust	2,142,292	\$1,490.00
RG272-01132	Sue Teague Trust	2,142,292	\$1,490.00
RG272-01136	Jacquelin Kay Naylor	496,392	\$345.00
RK272-00014	Robert Glover	294,648	\$205.00
RK272-00067	HAROLD SENTER	708,288	\$493.00
RK272-00130	CITY OF SALEM, OREGON	4,267,815	\$2,968.00
RK272-00311	FMC CORP.	576,749,319	\$401,065.00
RK272-00992	LEBSACK FEED YARDS	617,656	\$430.00
RK272-02651	TOM P. KOMATZ	23,338,937	\$16,230.00
RK272-02748	COLEMAN CO., INC.	995,356	\$692.00
RK272-02749	GRANGER ELECTRIC, INC.	1,953,000	\$1,358.00
RK272-03427	S.L. SITTON & CO.	614,440	\$427.00
RK272-03533	CHAMBERLAIN MFG. CORP.	10,422,488	\$7,248.00
RK272-03576	LINCOLN COUNTY	2,674,183	\$1,860.00
RK272-03702	GENESEE CNTY. DRAIN COMMISSION OR WILSON	1,792,822	\$1,247.00
RK272-03850	MOELLER BROTHERS, INC.	587,125	\$408.00
RK272-03930	G & S LAND LEVELING, INC.	871,480	\$606.00
RK272-04480	REGO-STAN MAINTENANCE CORP.	5,316,442	\$3,697.00
RK272-04898	BULK TRANSPORTERS, INC.	1,596,650	\$1,110.00
Totals	144 Applicants	5,804,154,733	\$4,036,145.00