

June 21, 2007

DECISION AND ORDER  
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: March 26, 2007

Case Numbers: RB272-10107

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 68 applicants, totaling \$897,739.00.

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: June 21, 2007

**Appendix - Supplemental Refund Case No. RB272-10117**

<b>Case No.</b>	<b>Firm</b>	<b>Volume</b>	<b>Refund</b>
RF272-06898	O.F. HALL	265,608	\$185.00
RF272-07273	Atty Edward Androski, Trustee	5,320,833	\$3,700.00
RF272-07915	TILDEN MINING CO.	112,935,505	\$78,534.00
RF272-15018	WOOD TRUCKING, INC.	781,550	\$543.00
RF272-20836	Ardis Stedman	692,705	\$482.00
RF272-21567	G & S FARMS	953,235	\$663.00
RF272-22477	DURL GIBBS	359,810	\$250.00
RF272-25325	The Estate of Robert Blackman	14,481,795	\$10,070.00
RF272-27810	OFFSHORE LOGISTICS, INC.	25,366,020	\$17,639.00
RF272-40800	CHAMPION ENTERPRISES, INC.	30,111,282	\$20,939.00
RF272-41318	DOMINION EXPLORATION & PRODUCTION	28,034,230	\$19,495.00
RF272-53285	CLM CORP.	30,707,808	\$21,354.00
RF272-54889	ST. JOHNSBURY SCH. DIST.	733,888	\$510.00
RF272-54958	ELK CORP. OF AMERICA	195,160,754	\$135,713.00
RF272-55927	VENICE MAID FOODS, INC., CHAPTER 7 BANKRUPTCY TRUSTE	6,989,643	\$4,861.00
RF272-56568	DEWITT FARMS	372,022	\$259.00
RF272-56887	PRINCETON CONSTRUCTION CORP.	582,185	\$405.00
RF272-57572	Pfizer	134,461,700	\$93,503.00
RF272-62846	NDH, INC.	40,547,442	\$28,196.00
RF272-64998	PAGNAN S.P.A.	19,271,719	\$13,401.00
RF272-65469	FEDNAV, LTD.	22,475,028	\$15,629.00
RF272-67892	DUAL DRILLING CO.	10,979,774	\$7,635.00
RF272-68961	NEWARK HOUSING AUTHORITY	90,214,175	\$62,734.00
RF272-77415	see above	640,876	\$446.00
RF272-77485	General Shale Brick, Inc.	15,771,054	\$10,967.00
RF272-87007	EMBRY-RIDDLE AERONAUTICAL UNIV	4,509,574	\$3,136.00
RF272-89276	DONNELLY COOP	3,595,111	\$2,500.00
RF272-89287	HUTCHINSON CO-OP	809,718	\$563.00
RF272-89478	FARMERS COOPERATIVE OF BALATON	16,395,500	\$11,401.00
RF272-90109	Central Valley Ag Cooperative, Nonstock	9,325,182	\$6,485.00
RF272-90112	Central Valley Ag Cooperative, Nonstock	12,956,012	\$9,009.00
RF272-90159	Central Valley Ag Cooperative, Nonstock	21,021,829	\$14,618.00
RF272-90200	FARMERS UNION COOP ASSN.	8,927,027	\$6,208.00
RF272-90207	Central Valley Ag Cooperative	15,806,984	\$10,992.00
RF272-90283	PRODUCERS COOP CO.	4,742,499	\$3,298.00
RF272-90440	United Cooperative Association	7,147,222	\$4,970.00
RF272-90470	MIDWEST FARMERS, INC.	6,207,965	\$4,317.00
RF272-90830	Central Valley Ag Cooperative, Nonstock	10,112,940	\$7,032.00
RF272-91288	CONSUMERS CO-OP OIL CO.	36,344,849	\$25,274.00
RF272-91515	MaxYield Cooperative	5,375,248	\$3,738.00
RF272-91562	HYDRO COOP ASSN.	6,936,809	\$4,824.00
RF272-92205	MIAMI COUNTY COOPERATIVE ASSN.	19,346,923	\$13,454.00
RF272-92501	CANNON VALLEY COOPERATIVE	26,527,832	\$18,447.00
RF272-92595	Valley Wide Cooperative	10,674,245	\$7,423.00
RF272-92794	FIRST COOPERATIVE ASSN.	1,575,705	\$1,096.00
RF272-92795	PLYMOUTH COOPERATIVE OIL CO.	39,285,610	\$27,319.00
RF272-92797	FAYETTE CNTY FARM BUREAU COOP	11,899,292	\$8,275.00
RF272-92801	GREENSBORO FARMERS COOP	531,048	\$369.00
RF272-92806	PLATTEVILLE CONSUMERS COOP OIL	29,044,596	\$20,197.00
RF272-93220	Wausau Paper Corp.	2,934,260	\$2,040.00
RF272-94061	LINDEMANN FERTILIZER SERVICE	323,850	\$225.00
RF272-94069	Country Springs Farmers Co-op	21,326,500	\$14,830.00
RF272-94615	GRANGE CO-OP SUPPLY ASSN.	14,978,267	\$10,416.00
RF272-97307	Bilkey, Quinn in trust	6,731,178	\$4,681.00
RF272-98766	TMBR/SHARP DRILLING, INC.	24,201,737	\$16,830.00

RG272-00260	Prairie Land Cooperative	22,051,624	\$15,334.00
RG272-00510	AG PLUS	17,772,484	\$12,359.00
RG272-00761	Knife River Midwest, LLC	16,712,385	\$11,622.00
RG272-01137	Sharon Lamere	12,364,837	\$8,598.00
RG272-01138	Andrea Lamere	12,364,837	\$8,598.00
RK272-02611	DODGE CITY COOPERATIVE EXCHNG.	7,965,648	\$5,539.00
RK272-03025	CO-AG	11,606,872	\$8,071.00
RK272-03397	D & D BRIDGER & SON TRUCKING	389,865	\$271.00
RK272-03444	CONSUMERS OIL CO.	7,639,570	\$5,312.00
RK272-03764	HARDIN COUNTY HWY. DEPT.	4,713,806	\$3,278.00
RK272-04676	WHITE STAR L.L.C.	3,266,738	\$2,272.00
RK272-05277	PACKAGING CORP. OF AMERICA	1,338,773	\$931.00
RR272-00110	MID KANSAS COOPERATIVE	4,995,330	\$3,474.00
<b>Totals</b>	<b>68 Applicants</b>	<b>1,290,988,922</b>	<b>\$897,739.00</b>