

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>