

January 17, 2006

DECISION AND ORDER  
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: January 10, 2006

Case Number: RB272-10011

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 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 50 applicants, totaling \$41,796,356.00.

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 Philip P. Kalodner, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$41,796,356.00, 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.

George B. Breznay  
Director  
Office of Hearings and Appeals

Date: January 17, 2006

**Appendix - Supplemental Refund Case No. RB272-10011**

<b>Case No.</b>	<b>Firm</b>	<b>Volume</b>	<b>Refund</b>
RA272-00016	DAIICHI CHUO KISEN KAISHA	261,744,000	\$182,014.00
RA272-00040	GULF STATES PAPER CORP.	78,604,284	\$54,661.00
RF272-00266	KAWASAKI KISEN KAISHA LTD.	780,454,183	\$542,719.00
RF272-00267	NIPPON YUSEN KAISHA	614,617,321	\$427,398.00
RF272-00268	MTSUI O.S.K. LINES LTD.	309,427,947	\$215,173.00
RF272-00269	SHINWA KAIUN KAISHA, LTD.	160,951,923	\$111,924.00
RF272-00271	MTSUI O.S.K. LINES LTD.	518,527,342	\$360,578.00
RF272-00272	STAR SHIPPING A/S	154,623,118	\$107,523.00
RF272-00274	NIPPON YUSEN KAISHA	297,600,147	\$206,948.00
RF272-00275	MTSUI O.S.K. LINES, LTD.	427,537,312	\$297,305.00
RF272-00276	N.V. BOCIMAR S.A.	49,785,885	\$34,621.00
RF272-00277	ISLAND NAVIGATION CORP.	462,317,856	\$321,491.00
RF272-00278	SANKO STEAMSHIP CO., LTD.	949,753,420	\$660,448.00
RF272-00279	WEYERHAUSER CO.	1,662,918,000	\$1,156,375.00
RF272-00280	INTERNATIONAL PAPER	1,289,160,945	\$896,468.00
RF272-00281	INTERNATIONAL PAPER	718,676,490	\$499,760.00
RF272-00282	SOUTHERN CALIFORNIA EDISON CO.	13,733,696,700	\$9,550,262.00
RF272-00283	CONSOLIDATED EDISON CO. OF NY	12,374,556,408	\$8,605,130.00
RF272-00284	LONG ISLAND LIGHTING CO.	6,098,886,978	\$4,241,099.00
RF272-00285	SAN DIEGO GAS & ELECTRIC CO.	3,383,405,162	\$2,352,783.00
RF272-00286	ORANGE & ROCKLAND UTILITIES	2,813,624,646	\$1,956,564.00
RF272-00287	PACIFIC GAS & ELECTRIC CO.	7,228,540,714	\$5,026,648.00
RF272-00322	O.SCAR A. HERNANDEZ GOMEZ,	73,771,214	\$51,300.00
RF272-00387	INTERNATIONAL PAPER	792,064,348	\$550,793.00
RF272-05189	TECHNOGRAPHICS LIQUID. TRUST	40,950,252	\$28,476.00
RF272-06112	Weyerhaeuser Company	78,498,747	\$54,587.00
RF272-06446	INTERNATIONAL PAPER CO.	3,550,932,590	\$2,469,279.00
RF272-06447	LITTLE RAPIDS CORP.	1,070,820	\$745.00
RF272-07644	TRADE & TRANSPORT INC.	71,342,376	\$49,611.00
RF272-14611	WEYERHAUSER COMPANY	1,856,193	\$1,291.00
RF272-14612	WEYERHAUSER COMPANY	203,826	\$142.00
RF272-15878	MEADWESTVACO CORPORATION	14,218,128	\$9,887.00
RF272-21137	WEYERHAUSER COMPANY	1,594,003	\$1,108.00
RF272-43432	INTERNATIONAL PAPER CO.	686,966	\$478.00
RF272-52846	P. & O. BULK CARRIERS, LTD.	56,050,000	\$38,977.00
RF272-52847	J. LAURITZEN A/S	73,098,981	\$50,832.00
RF272-55119	HOLLINGSWORTH & VOSE CO.	40,913,379	\$28,451.00
RF272-55836	AVONDALE MILLS, INC.	21,817,600	\$15,172.00
RF272-61368	BROSTROMS REDERI AB	141,632,254	\$98,490.00
RF272-61370	VERMAR SHIPPING CO. LTD.	75,411,391	\$52,440.00
RF272-65717	WEYERHAUSER COMPANY	2,214,588	\$1,540.00
RF272-67316	MEADWESTVACO CORP.	587,998,347	\$408,888.00
RF272-67822	INTERNATIONAL PAPER COMPANY	5,598,153	\$3,893.00
RF272-77174	INTERNATIONAL PAPER CO.	1,111,878	\$773.00
RF272-93248	ESCANABA PAPER CO.	6,559,579	\$4,561.00
RK272-00239	LK INC.	42,977,396	\$29,886.00
RK272-00240	L K INC.	23,687,000	\$16,472.00
RK272-01067	INTERNATIONAL PAPER	12,689,223	\$8,824.00
RK272-02311	INTERNATIONAL PAPER COMPANY	1,469,478	\$1,022.00

RK272-03286	Weyerhaeuser Company	15,166,325	\$10,546.00
<b>Totals</b>	<b>50 Applicants</b>	<b>60,104,995,816</b>	<b>\$41,796,356.00</b>