

February 17, 2006

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: February 16, 2006

Case Numbers: RB272-10030

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 applicants, totaling \$5,784,270.00.

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: February 17, 2006

Appendix - Supplemental Refund Case No. RB272-10030

Case No.	Firm	Volume	Refund
RA272-00047	TRI-COUNTY ASPHALT CORP.	48,136,058	\$33,473.00
RF272-00450	HUDSON FOODS, INC.	31,163,291	\$21,671.00
RF272-03220	BELL OF PENNSYLVANIA	54,909,064	\$38,183.00
RF272-06304	NEW ENGLAND TELEPHONE CO.	88,767,930	\$61,728.00
RF272-09086	NORTHEAST UTILITIES SERVICE CO	5,374,928,849	\$3,737,666.00
RF272-12163	PARKER DRILLING CO.	14,366,400	\$9,990.00
RF272-12523	HAROLD CROUSE & SONS	813,917	\$566.00
RF272-12642	MICHAEL M. DRINAN	594,962	\$414.00
RF272-12858	CLARY LUMBER CO., INC.	753,294	\$524.00
RF272-13510	MCCOLLY RANCH, INC.	584,727	\$407.00
RF272-14615	GTE CORP.	201,619,608	\$140,204.00
RF272-15312	ROSS BECKWITH & SONS	694,100	\$483.00
RF272-15409	RUZICKA FARMS, INC.	550,646	\$383.00
RF272-15474	AMERICAN CEMENT CORP.	772,070	\$537.00
RF272-16364	ELY BLOOMENSON HOSPITAL	890,853	\$619.00
RF272-16452	CITY OF WINFIELD	752,519	\$523.00
RF272-16661	PFIZER, INC.	536,978,898	\$373,409.00
RF272-18691	DRAKE TOWING CO., INC.	11,139,225	\$7,746.00
RF272-19219	BOYNE BROTHERS FARMS	283,577	\$197.00
RF272-19393	ROCKCASTLE CNTY BRD EDUCATION	874,094	\$608.00
RF272-20913	EAST MUSKINGUM SCHOOLS	633,793	\$441.00
RF272-21076	WEINREB MANAGEMENT	8,157,978	\$5,673.00
RF272-23143	CARPENTER CONSTRUCTION CO INC.	8,803,627	\$6,122.00
RF272-35935	The Shelly Company	5,562,000	\$3,868.00
RF272-36165	LINDSEY PETROLEUM TRANS. INC.	1,531,918	\$1,065.00
RF272-36245	NEW JERSEY BELL TELEPHONE CO.	64,478,921	\$44,838.00
RF272-36852	JAMES K. ROSS	539,184	\$375.00
RF272-39434	DELTA SOLVENTS & CHMICALS CO.	2,071,472	\$1,440.00
RF272-40215	JAMES KRUEGER	2,153,196	\$1,497.00
RF272-40563	LORIMOR, INC.	400,005	\$278.00
RF272-40782	KERR CONSTRUCTION CO.	11,172,672	\$7,769.00
RF272-41140	HECKERT CONSTRUCTION CO., INC.	19,581,300	\$13,617.00
RF272-41250	MO-VAC SERVICE CO., INC.	5,008,700	\$3,483.00
RF272-41924	CONSTRUCTORS, INC.	44,160,795	\$30,709.00
RF272-41925	NEBCO, INC.	6,295,344	\$4,378.00
RF272-43734	AMALGAMATED WARBASSE HOUSES	14,394,597	\$10,010.00
RF272-45442	PAYNESVILLE FARMERS UNION	5,193,830	\$3,612.00
RF272-56223	BIRD, INC.	903,767,983	\$628,470.00
RF272-65489	CONTEL CORP.	35,980,234	\$25,020.00
RF272-67968	PRAIRIE LAKES COOP	9,477,800	\$6,591.00
RF272-68412	DOUG ASBRIDGE	1,062,432	\$739.00
RF272-68586	W.E. BILL SAUER COMPANIES	6,383,350	\$4,439.00
RF272-68827	FARMERS OIL CO.	5,157,081	\$3,586.00
RF272-69633	MARTIN MARIETTA CORP.	554,993,910	\$385,937.00
RF272-72065	METROPOLITAN SANITARY DIS.	1,800,165	\$1,252.00
RF272-76252	TOWN OF STOUGHTON	556,154	\$387.00
RF272-78092	EASTERN ASSOCIATED COAL CORP.	8,110,370	\$5,640.00
RF272-79086	COCA-COLA BOTTLING - OKLAHOMA	2,054,561	\$1,429.00
RF272-85460	MARIN COUNTY, CALIFORNIA	2,334,484	\$1,623.00
RF272-90222	AMERICAN PRIDE COOP	22,862,336	\$15,898.00
RF272-93542	HECKETT DIV. OF HARSCO CORP.	36,057,298	\$25,074.00
RF272-98885	COCA-COLA ENTERPRISES, INC.	81,038,000	\$56,353.00
RG272-00251	CORN BELT FS, INC.	38,801,347	\$26,982.00
RK272-02650	LEONARD HANSEN	23,338,938	\$16,230.00
RK272-03142	RICHARD RILEY	14,543,810	\$10,114.00
Totals	55 Applicants	8,318,033,667	\$5,784,270.00