

December 3, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: December 3, 2007

Case Number: RB272-10158

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 were eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). In order to receive this supplemental refund check, applicants were required to verify that their name and address in our records was correct, to correct any information that was not accurate, and to verify whether the refund could not be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

On August 20, 2007, the DOE announced that a final additional \$0.000083748502302897 per gallon refund would be paid to all applicants who had been found eligible for the \$0.000695389 per gallon supplemental refund announced on January 13, 2006. 72 Fed. Reg. 46461 (August 20, 2007). We have previously ordered the payment of the \$0.000695389 per gallon supplemental refund to the applicants listed in the Appendix to this decision. Therefore, this decision approves final supplemental refunds of \$0.000083748502302897 per gallon to these applicants. Refunds are rounded to the nearest dollar. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 195 applicants, totaling \$13,565.00.

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 Class Action Recovery Service, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$13,565.00, 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.

Poli A. Marmolejos
Acting Director
Office of Hearings and Appeals

Date: December 3, 2007

Appendix - Supplemental Refund Case No. RB272-10158

Case No.	Firm	Volume	Refund
RF272-00058	NORTH BRANCH AREA SCHOOLS	650,563	\$54.00
RF272-00142	E. CHINA TWNShP. SCHOOL DIST.	1,655,136	\$139.00
RF272-00535	BRUNS-GUTZWILLER, INC.	206,787	\$17.00
RF272-00540	RONALD L. CARSON	548,923	\$46.00
RF272-00578	JAMES TRENT AUSTIN PARTNERSHIP	265,608	\$22.00
RF272-00587	BERNARD ALSUM	217,233	\$18.00
RF272-00648	RICHARD F. JACOBS	201,862	\$17.00
RF272-00675	GEORGE BROUGHTON	237,276	\$20.00
RF272-00909	ARCEMENT EQUIPMENT	283,315	\$24.00
RF272-00957	DOUGLAS L. BULLER	265,608	\$22.00
RF272-01287	BILL HOLDER	205,404	\$17.00
RF272-01301	MAX K. JOHNSON	212,486	\$18.00
RF272-01417	MODEL COVERALL SERVICE	828,000	\$69.00
RF272-01489	E.B. O'REILLY SERVICING CORP.	280,000	\$23.00
RF272-01607	KOSBAU BROTHERS, INC.	210,617	\$18.00
RF272-01885	JOHN H. WILLIAMS	227,360	\$19.00
RF272-01904	SADDORIS FARMS	259,410	\$22.00
RF272-01970	NORTHERN XMAS TREE GROWERS	885,360	\$74.00
RF272-02001	LAWRENCE F. SCHULTES	295,710	\$25.00
RF272-02054	DARYL PETERSON	242,130	\$20.00
RF272-02073	JAY E. LEIERER	212,486	\$18.00
RF272-02094	ROBERT J. SCHMITT	242,190	\$20.00
RF272-02235	JIM STEPHENS	212,486	\$18.00
RF272-02260	BURON GRIFFIN FARM INC.	265,608	\$22.00
RF272-02482	ALFRED FREEMAN	205,404	\$17.00
RF272-02673	OLLIE CANTRELL	893,328	\$75.00
RF272-02878	RANDOLPH N. RHODES	123,185	\$10.00
RF272-02922	IRVING TANNING CO.	14,419,982	\$1,208.00
RF272-03022	M & M FARMS	229,179	\$19.00
RF272-03033	W.H. MCLEOD & SON	268,650	\$22.00
RF272-03043	R.R. MCLENDON FARMS	207,650	\$17.00
RF272-03132	KEENEY & SON	201,860	\$17.00
RF272-03169	DAVID H. LADD TRUCKING INC.	1,231,893	\$103.00
RF272-03212	GARY D. TRACY	217,798	\$18.00
RF272-03347	JAMES KREITER	217,798	\$18.00
RF272-03619	COFFING BROS. ORCHARD CO. INC.	279,745	\$23.00
RF272-03652	TED MCANINCH	217,200	\$18.00
RF272-04024	CAMPBELL FARMING CORP.	3,347,723	\$280.00
RF272-04249	CITY TAXICAB & TRANSFER CO.	237,845	\$20.00
RF272-04470	MIGL FEED & GRAIN CO.	1,039,370	\$87.00
RF272-04504	PHILLIP J. PARRENT	262,936	\$22.00
RF272-04551	SAUCER FARMS	252,328	\$21.00
RF272-04615	SHIMAMOTO FARMS, INC.	239,578	\$20.00
RF272-05046	RON SIFFRING	208,945	\$17.00
RF272-05219	DALE N. SOWARDS	204,957	\$17.00
RF272-05319	D & H DISTRIBUTING CO.	1,028,032	\$86.00
RF272-05376	DANIEL TRUCK PARTS & SERVICE	856,381	\$72.00
RF272-05411	MILLER BROS. FARMS, INC.	705,758	\$59.00
RF272-05525	DAWSON COUNTY PUB. POWER DIST.	673,006	\$56.00
RF272-05570	MEINER FARMING, INC.	216,484	\$18.00
RF272-05573	ROBERT PACKARD	235,505	\$20.00
RF272-05587	DAVID V. ROBINSON	247,900	\$21.00
RF272-05713	BROSIUS-ELIASON CO.	253,760	\$21.00
RF272-05790	BERREND MESA FARMING	5,041,768	\$422.00
RF272-06000	ROGER SEMLER	220,100	\$18.00

RF272-06223	WERLLA BROTHERS	239,852	\$20.00
RF272-06292	TOM CARPENTER	265,608	\$22.00
RF272-06491	LEW E. SORRELLS	274,462	\$23.00
RF272-06726	MARLYLE FARMS	619,752	\$52.00
RF272-07181	EDWARDS & FOSTER FARMS	624,335	\$52.00
RF272-07242	DAVID RIGGERS	205,403	\$17.00
RF272-07513	LARRY CUNNINGHAM	200,638	\$17.00
RF272-07544	FOY CRADEUR	212,486	\$18.00
RF272-07698	BESS FARMS, INC.	212,486	\$18.00
RF272-08229	JOE WATKINS	289,924	\$24.00
RF272-08234	VANDALIA COMMUNITY UNIT SCHOOL	752,210	\$63.00
RF272-08280	GEORGE FERRI, JR.	212,486	\$18.00
RF272-08400	KERMIT SKADBERG	599,511	\$50.00
RF272-08412	ERNEST HELLWEGE	201,419	\$17.00
RF272-08487	CLEAR LAKE FARMS, INC.	270,034	\$23.00
RF272-08519	DAYROLD DAVIS	226,652	\$19.00
RF272-08592	DYKES LUMBER CO., INC.	214,175	\$18.00
RF272-08638	PAPEN FARMS, INC.	775,629	\$65.00
RF272-08645	RAINBOW PLANTATION, INC.	203,632	\$17.00
RF272-08715	C.C. LOWERY	563,184	\$47.00
RF272-08749	DICKEY COUNTY AUDITOR	289,493	\$24.00
RF272-09199	ROLAND CRAM	251,054	\$21.00
RF272-09459	HILLSBORO TRANSPORTATION CO.	825,710	\$69.00
RF272-09503	RAYMOND C. HOMMEL	292,490	\$24.00
RF272-09524	J.E. STREATER & SON, INC.	794,911	\$67.00
RF272-09529	HARLAN J. WALTON	208,059	\$17.00
RF272-09559	JOHN L. SULLIVAN	206,288	\$17.00
RF272-09763	LEE H. GIBBS	232,242	\$19.00
RF272-09893	FOSTER COUNTY	241,098	\$20.00
RF272-09953	JAMES EARL FLYTH FARMS	206,437	\$17.00
RF272-10155	MAHR CONSTRUCTION INC.	820,760	\$69.00
RF272-10178	PORTABLE ROCK PRODUCTION CO.	1,207,776	\$101.00
RF272-10190	ROSEDALE FLYING SERVICE, INC.	190,560	\$16.00
RF272-10325	J.C. DIXON	212,486	\$18.00
RF272-10353	PRATHER BROTHERS	231,964	\$19.00
RF272-10425	MEARL WELCH	252,549	\$21.00
RF272-11080	MISSISSIPPI VALLEY EQUIP. CO.	283,012	\$24.00
RF272-11143	GEORGE BRASKO	212,486	\$18.00
RF272-11314	VERNE H. WONER	233,735	\$20.00
RF272-11329	DORSEY ELLIOTT	256,754	\$22.00
RF272-11350	WIEBE, INC.	223,996	\$19.00
RF272-11463	GREER-MINOR	599,456	\$50.00
RF272-12076	DEWEY ROTH	276,420	\$23.00
RF272-12175	MOTOR SUPPLY, LTD.	217,336	\$18.00
RF272-12303	DICK SPEARS	619,752	\$52.00
RF272-12345	MARTIN O'CONNOR CATTLE CO. INC	266,131	\$22.00
RF272-12460	KARL LINZNER	241,002	\$20.00
RF272-12498	DALE J. SEUFER	278,222	\$23.00
RF272-12502	STEAM MILL FARMS	250,732	\$21.00
RF272-12551	T & H DAIRY FARMS	201,816	\$17.00
RF272-12767	CLIFFORD WOLF FARMS	295,710	\$25.00
RF272-12923	LEO PLOTZ	207,055	\$17.00
RF272-13185	BEALLGRAY FARM INC.	221,378	\$19.00
RF272-13258	ALVIN WHISENHUNT	676,988	\$57.00
RF272-13483	GEORGE E. BOWERSOX	268,710	\$23.00
RF272-13778	LESTER NICKLAUS	211,601	\$18.00
RF272-13787	GERALD JIMMERSON	212,486	\$18.00
RF272-13942	AGRO-WEST, INC.	698,237	\$58.00
RF272-14025	COCKE CNTY. BRD. OF EDUCATION	1,375,499	\$115.00

RF272-14094	LEWIS DRIEWER	204,678	\$17.00
RF272-14123	VERLON DINNEL	276,831	\$23.00
RF272-14414	GILMEN GUNDERSON	205,403	\$17.00
RF272-14482	IDEAL LINEN SUPPLY	296,651	\$25.00
RF272-14719	CHESTER E. ROSE & SONS	238,702	\$20.00
RF272-15230	JAMES C. TODD, JR.	212,486	\$18.00
RF272-15282	JOHN A. BOST & SON FARMS	283,315	\$24.00
RF272-15376	MARLIN W. BABUTZKE	224,110	\$19.00
RF272-15382	EDGEcombe COUNTY	658,661	\$55.00
RF272-15399	NEAL TRANSPORT, INC.	687,222	\$58.00
RF272-15694	R.H. MORGAN	245,235	\$21.00
RF272-15890	FRED WILLBRAND	211,838	\$18.00
RF272-16133	TONY KLASSEN & SONS	277,245	\$23.00
RF272-16160	SHORE FARMS	230,193	\$19.00
RF272-16170	MIKE KROUS	230,193	\$19.00
RF272-16334	KENNETH CARSTON	250,017	\$21.00
RF272-16362	BRIGGS CATTLE CO.	599,987	\$50.00
RF272-16369	JAMES E. MATHIASON	207,663	\$17.00
RF272-16527	COLEY BROS. FARM	265,608	\$22.00
RF272-16534	KELTON FARMS	258,525	\$22.00
RF272-16716	SAM T. HALL JR.	212,114	\$18.00
RF272-17080	HEIDEMA BROTHERS, INC.	953,640	\$80.00
RF272-17227	ROWAN MEMORIAL HOSPITAL	645,063	\$54.00
RF272-17376	CLAY COUNTY CATTLE CO.	204,587	\$17.00
RF272-17587	HANSON BROTHERS	725,995	\$61.00
RF272-17738	IDEAL DAIRY FARMS, INC.	269,932	\$23.00
RF272-18058	HAUSCHILD CONSTRUCTION	231,953	\$19.00
RF272-18272	CARL E. FOSTER	215,674	\$18.00
RF272-18275	LINDY MCALEXANDER	239,047	\$20.00
RF272-18325	THEODULE NOEL	212,486	\$18.00
RF272-18870	INTERSTATE ASPHALT CO.	7,606,869	\$637.00
RF272-18946	JAMES GUZINSKI	220,420	\$18.00
RF272-19059	SINNEMA FLIKKEMA RANCH CO.	218,317	\$18.00
RF272-19335	BOB J. BAKER	213,548	\$18.00
RF272-19453	Floyd H. Roehl	741,706	\$62.00
RF272-19480	BAMBERGER'S, INC.	1,254,791	\$105.00
RF272-19529	LITTLE DIXIE DISTRIBUTING, CO	209,059	\$18.00
RF272-19609	ELLSWORTH C. BUTLER	227,891	\$19.00
RF272-20030	CRIFE GRAIN CO.	292,750	\$25.00
RF272-20178	BELL ENTERPRISES, INC.	254,554	\$21.00
RF272-20299	I-GO VAN & STORAGE CO.	1,267,628	\$106.00
RF272-20324	NASON HOSPITAL	847,100	\$71.00
RF272-20363	N & C DRILLING CORP.	965,547	\$81.00
RF272-20397	BILLY G. SAULS	249,169	\$21.00
RF272-20459	JOSEPH BOSTYAN	247,901	\$21.00
RF272-20606	JOE NEKOLICZAK	236,085	\$20.00
RF272-20670	RALPH C. ZINDEL	234,002	\$20.00
RF272-20781	DOUGLAS B. STEFFEN	212,486	\$18.00
RF272-20988	DEHNE BUS SERVICE	267,900	\$22.00
RF272-21186	WAYNE MCCOY	250,462	\$21.00
RF272-21474	LYLE MUNDORF	260,218	\$22.00
RF272-21682	CHARLES PAPCKE	256,373	\$21.00
RF272-21715	KEN HUSTON	226,556	\$19.00
RF272-22008	NICK GILLEN	265,608	\$22.00
RF272-22048	S. BELLMONT MURPHREY	212,486	\$18.00
RF272-22070	GEORGE TUTOR FARMS	212,486	\$18.00
RF272-22150	GARY PETERSON	200,782	\$17.00
RF272-22165	VAN BERT FARMS, INC.	267,778	\$22.00
RF272-25216	MARK & STEVE KNAFF	212,486	\$18.00

RF272-28446	CIPRIANI BROTHERS	389,558	\$33.00
RF272-33578	MAIMONIDES MEDICAL CENTER	8,275,685	\$693.00
RF272-35201	DONALD BRANDENBURG	247,901	\$21.00
RF272-35843	AARON PURSLEY	201,455	\$17.00
RF272-35943	MERCURY RENTALS, INC.	4,247,898	\$356.00
RF272-40156	A & D AG, CORP.	491,906	\$41.00
RF272-52184	P & R EQUITIES INC.	298,371	\$25.00
RF272-53043	WELCH FARM	171,760	\$14.00
RF272-60698	FARMERS UNION OIL CO.	13,723,751	\$1,149.00
RF272-88725	AVON PRODUCTS, INC.	14,780,000	\$1,238.00
RK272-00029	JACK MCGUIRE	226,140	\$19.00
RK272-00125	SHANNONDALE FARMS	1,001,997	\$84.00
RK272-00448	TED BOZEMAN	259,588	\$22.00
RK272-00612	LUCAS COUNTY ASPHALT	7,897,740	\$661.00
RK272-00724	PAUL D. KING	242,606	\$20.00
RK272-00836	LINDCO PARTNERSHIP	138,781	\$12.00
RK272-00909	GILBERT J. HESS	221,340	\$19.00
RK272-01421	MOBILE CRUSHING CO., INC.	324,644	\$27.00
RK272-01700	JACK EDWARDS	231,497	\$19.00
RK272-02116	ALAN R. MEEKS	256,002	\$21.00
RK272-02621	TMBR/SHARP DRILLING, INC.	15,041,314	\$1,260.00
RK272-04218	WILMA JEAN REVELL	206,909	\$17.00
Totals	195 Applicants	162,038,730	\$13,565.00