

February 5, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: February 5, 2007

Case Numbers: RB272-10100

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 208 applicants, totaling \$526,120.00.

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: February 5, 2007

Appendix - Supplemental Refund Case No. RB272-10100

Case No.	Firm	Volume	Refund
RF272-00061	CENTRAL IOWA POWER COOPERATIVE	12,104,157	\$8,417.00
RF272-00805	JOHN VERMEULEN & SON, INC.	356,430	\$248.00
RF272-01270	JACKSON FARMS	165,727	\$115.00
RF272-02986	JONES FARMS	265,608	\$185.00
RF272-06786	BLACKTOP PRODUCTS CO.	715,485	\$498.00
RF272-07019	VIGORTONE AG PRODUCTS, INC.	3,251,463	\$2,261.00
RF272-09060	BEATRICE BOARD OF PUBLIC WORKS	251,867	\$175.00
RF272-09288	BOTTORFF FARMS	265,608	\$185.00
RF272-09708	A.N. HARPER & SON	212,486	\$148.00
RF272-10175	BAPTIST BIBLE CHURCH	277,030	\$193.00
RF272-10583	Edward M. Lyons	297,835	\$207.00
RF272-10669	WINKLES TRUCKS INC.	5,218,500	\$3,629.00
RF272-11228	BUCHANAN LUMBER CO., INC.	1,053,096	\$732.00
RF272-11478	LAUDERDALE COUNTY DEPT. OF ED.	1,099,794	\$765.00
RF272-11920	TRIO MFG. CO.	213,629	\$149.00
RF272-15696	SIREK FARMS, INC.	230,193	\$160.00
RF272-15744	THE WARNACO GROUP, INC.	1,023,962	\$712.00
RF272-15817	ABC CONSTRUCTION CO., INC.	567,015	\$394.00
RF272-18239	RALPH E. HAGEDORN	256,577	\$178.00
RF272-18476	GILDFORD FARMER'S COOP. ASSN.	3,080,008	\$2,142.00
RF272-18524	N. TRUMAN NELSON	272,337	\$189.00
RF272-18987	LOITZ BROS. CONSTRUCTION CO.	3,596,233	\$2,501.00
RF272-19489	JONES CHEVROLET CO., INC.	232,116	\$161.00
RF272-19523	BERRY CONTRACTING, INC.	3,588,906	\$2,496.00
RF272-19632	GILT EDGE FARMS, INC.	212,486	\$148.00
RF272-20212	R.T. ADKINS	250,680	\$174.00
RF272-20280	MAPLETON GRAIN CO.	241,815	\$168.00
RF272-21514	DURBIN CONSTRUCTION CO.	952,500	\$662.00
RF272-21754	GARY MCCREA	241,925	\$168.00
RF272-23518	SHALE HILL COAL CO., INC.	4,087,765	\$2,843.00
RF272-25626	PHILLIPS ANDOVER ACADEMY	10,918,575	\$7,593.00
RF272-27799	AMERICAN MAIZE PRODUCTS CO.	8,181,725	\$5,689.00
RF272-28034	CLINTON ASPHALT PAVING CO.	4,952,669	\$3,444.00
RF272-29725	JOHNSON & MORGAN	3,779,422	\$2,628.00
RF272-29733	GenTek Holding Corp.	55,968,362	\$38,920.00
RF272-29830	DANIEL R. COOK	269,573	\$187.00
RF272-34442	NAZARETH HOSPITAL	2,455,233	\$1,707.00
RF272-38933	COUNTS FARMS	247,900	\$172.00
RF272-42190	CROSS & CO., CONTRACTORS, INC.	10,398,461	\$7,231.00
RF272-42923	COOS HEAD TIMBER CO.	5,856,366	\$4,072.00
RF272-43736	RICHARD FRERICKS	358,216	\$249.00
RF272-43964	GARDEN STATE PAPER CO., INC.	1,630,958	\$1,134.00
RF272-44688	ALLAN E. GOERGER	202,039	\$140.00
RF272-47738	CO-OP PRODUCTS ASSN.	7,699,422	\$5,354.00
RF272-51553	HAMPDEN-WILBRAHAM REG. SCH DIS	1,481,687	\$1,030.00
RF272-52219	BLANNOR REALTY CO.	4,425,750	\$3,078.00
RF272-53569	DAVEY CO. LIQUIDATING TRUST	8,519,359	\$5,924.00
RF272-56400	MELVIN J. SCHAFER	247,470	\$172.00
RF272-58088	SMITH'S SAND & GRAVEL CO.	4,812,192	\$3,346.00
RF272-58223	CARL GAYMAN	712,000	\$495.00
RF272-58743	METRO PAVING CO., INC.	3,446,237	\$2,396.00
RF272-58809	BRUNO C. SCHWERTNER FARM	226,954	\$158.00
RF272-58990	G.L. CREECH	3,455,466	\$2,403.00
RF272-60999	MECKLEY'S LIMESTONE PRODUCTS	4,060,324	\$2,824.00
RF272-61628	NEENAH FOUNDRY CO.	8,759,551	\$6,091.00

RF272-61832	MODERN CONTINENTAL CONST. CO	5,641,610	\$3,923.00
RF272-63168	WINTER BROTHERS CONCRETE CO.	1,265,317	\$880.00
RF272-63169	GENERAL MATERIAL CO.	366,591	\$255.00
RF272-63170	WINTER BROTHERS MATERIAL CO.	1,577,729	\$1,097.00
RF272-64947	GEM SUPPLY COOPERATIVE, INC.	10,787,493	\$7,502.00
RF272-65845	TRANSWESTERN TANK LIVES	3,794,400	\$2,639.00
RF272-65954	Cattlco Inc.	9,313,750	\$6,477.00
RF272-66988	MACK ENERGY CO.	4,115,491	\$2,862.00
RF272-68392	JACK W. MILLIKAN	247,900	\$172.00
RF272-69163	J.J. TAYLOR INC.	1,365,724	\$950.00
RF272-69460	FRED L. BELLMYER	4,334,000	\$3,014.00
RF272-69661	HUDSON GENERAL CORP.	12,383,757	\$8,612.00
RF272-69914	W.P. GALLOWAY	3,547,815	\$2,467.00
RF272-70073	ALL-AMERICAN BOTTLING CORP.	8,923,164	\$6,205.00
RF272-70100	1ST MIDWEST OF IOWA CORP.	1,507,000	\$1,048.00
RF272-70200	ANDERSON CONTRACTING CO., INC.	2,984,277	\$2,075.00
RF272-70365	DOUG ANDRUS, INC.	4,816,345	\$3,349.00
RF272-72480	SOONER EXPRESS, INC.	4,553,326	\$3,166.00
RF272-73521	CITY OF PORT LAVACA, TX	587,667	\$409.00
RF272-75854	DUNLAP FARMERS COOP.	5,031,297	\$3,499.00
RF272-78245	ROLLA COOP EQUITY EXCHANGE	6,527,791	\$4,539.00
RF272-78417	CULLMAN COUNTY COMMISSION	187,106	\$130.00
RF272-86396	FARMERS COOPERATIVE CO.	11,980,744	\$8,331.00
RF272-86943	FARMERS UNION OIL CO.	12,605,046	\$8,765.00
RF272-88707	MONTGOMERY I.S.D. #394	212,123	\$148.00
RF272-88734	MONROE COUNTY, MISSISSIPPI	5,185,819	\$3,606.00
RF272-89354	CLAUDE C. WOOD CO.	11,430,471	\$7,949.00
RF272-89577	ROSS OF GEORGIA, INC.	11,356,063	\$7,897.00
RF272-90939	Bode & Grenier LLP	3,107,350	\$2,161.00
RF272-91777	HOWARD'S EXPRESS, INC.	1,919,196	\$1,335.00
RF272-92055	Bode & Grenier Escrow Account	1,948,963	\$1,355.00
RF272-92799	FREDERIC FARMERS COOP EXCHANGE	4,476,123	\$3,113.00
RF272-93264	I & M RAIL LINK, LLC	1,599,282	\$1,112.00
RF272-93347	BURKE-PARSONS-BOWLBY CORP.	3,373,328	\$2,346.00
RF272-94064	PEAKE ASPHALT PAVING CO. INC.	8,000,000	\$5,563.00
RF272-94649	GIBSON FARMERS COOPERATIVE	8,276,274	\$5,755.00
RF272-94746	FARMERS COOP ELEVATOR CO.	4,803,598	\$3,340.00
RF272-97202	CITY OF CARLSBAD	1,178,496	\$820.00
RF272-97903	HUNTERDON MEDICAL CENTER	744,716	\$518.00
RF272-98175	CITY ASPHALT & PAVING CO.	53,310,055	\$37,071.00
RF272-98602	CAPELETTI BROTHERS, INC.	6,596,538	\$4,587.00
RG272-00380	EVERETT DYKES GRASSING CO. INC	4,348,245	\$3,024.00
RG272-00850	INTERCOUNTY PAVING, INC.	9,968,648	\$6,932.00
RG272-01051	RICHARD COOK OR WILSON, KELLER & ASSOCIA	3,584,101	\$2,492.00
RK272-00122	COCA-COLA BOTTLING - WILMINGTON OR WILS	1,552,418	\$1,080.00
RK272-00535	BRIX MARITIME BARGING, INC.	8,802,822	\$6,121.00
RK272-00676	HELEN L. SKIBBE	4,762,879	\$3,312.00
RK272-00978	PHILIP CROUSE FAMILY TRUST	2,238,190	\$1,556.00
RK272-00980	DELORIS DANCER	226,652	\$158.00
RK272-02707	HAROLD W. FREEMAN SR.	4,387,538	\$3,051.00
RK272-03152	EMBERS CHARCOAL CO., INC.	1,406,386	\$978.00
RK272-03219	AG PROCESSING, INC.	3,336,549	\$2,320.00
RK272-03222	NETHERTON CO., INC.	1,003,475	\$698.00
RK272-03223	ACORN ENTERPRISES, INC.	1,672,333	\$1,163.00
RK272-03237	E.J. ADCOCK	5,108,629	\$3,552.00
RK272-03325	CHRIS BERG, INC.	2,384,991	\$1,658.00
RK272-03328	WOODS RESEARCH & DEVELOPMENT	16,962,648	\$11,796.00
RK272-03330	CITY OF HILL CITY	1,944,100	\$1,352.00
RK272-03371	CAMBRIDGE TAXI CO.	4,083,360	\$2,840.00

RK272-03373	DURACAP ASPHALT PAVING CO.	4,805,279	\$3,342.00
RK272-03374	MR. & MRS. J.D. PIAR	3,619,031	\$2,517.00
RK272-03376	BUESING CORP.	3,523,500	\$2,450.00
RK272-03377	MALARKEY ASPHALT CO.	11,944,448	\$8,306.00
RK272-03426	ALVIN DECHANT	672,873	\$468.00
RK272-03429	MERCY HOSPITAL OF PITTSBURGH	877,200	\$610.00
RK272-03434	WATTS TRUCKING SERVICE, INC.	3,684,537	\$2,562.00
RK272-03435	NICKEL ENTERPRISES	3,901,135	\$2,713.00
RK272-03438	WHITE CARRIAGE CORP.	4,290,000	\$2,983.00
RK272-03543	MAGNETEK, INC.	8,224,735	\$5,719.00
RK272-03544	PENN LINEN & UNIFORM SERV.	1,097,244	\$763.00
RK272-03572	FRONTIER TRANSPORTATION CO.	4,833,332	\$3,361.00
RK272-03575	ROCKY MOUNTAIN TRANSPORTATION	516,480	\$359.00
RK272-03581	INLAND CONTAINER CORP.	5,861,253	\$4,076.00
RK272-03586	GRAVES DRILLING CO., INC.	743,600	\$517.00
RK272-03677	CAROLINA MIRROR CO.	6,864,285	\$4,773.00
RK272-03686	BOYER CONSTRUCTION, INC.	5,900,648	\$4,103.00
RK272-03757	PERKINS DRILLING, INC.	6,505,216	\$4,524.00
RK272-03779	AMES TEXTILE CORP.	6,329,833	\$4,402.00
RK272-03829	QUICK DELIVERY CO.	591,976	\$412.00
RK272-03875	ERVIN MAAHS	209,300	\$146.00
RK272-03883	KAVANAUGH PRODUCTS, INC.	4,965,446	\$3,453.00
RK272-03927	BOB BELL	232,440	\$162.00
RK272-03936	CARLBOURT CONSTRUCTION CO.	527,553	\$367.00
RK272-03960	ADRIAN J. VAN DERLINDE	114,210	\$79.00
RK272-03964	CHARLES K. STAYTON OR WILSON, KELLER & A	5,879,916	\$4,089.00
RK272-03966	J.C. BANGERTER & SONS, INC.	1,648,331	\$1,146.00
RK272-03972	ROBERT W. LADEHOFF	1,323,051	\$920.00
RK272-04005	H. RICHARD SMITH OR WILSON, KELLER & A	5,879,916	\$4,089.00
RK272-04009	DELMER D. ROTH	303,789	\$211.00
RK272-04024	EXQUISITE FORM INDUSTRIES, INC	576,000	\$401.00
RK272-04034	SULZBERGER-ROLF, INC.	3,046,935	\$2,119.00
RK272-04035	H. PRICE & SON FARMS	1,062,432	\$739.00
RK272-04052	J & S TRUCK SERVICE, INC.	1,800,797	\$1,252.00
RK272-04074	WARD TRANSPORT, INC.	8,056,389	\$5,602.00
RK272-04081	ESTATE IN BANKRUPTCY	7,638,640	\$5,312.00
RK272-04090	JERRY FIORITO	5,668,411	\$3,942.00
RK272-04146	DERRY FARMS, INC.	688,935	\$479.00
RK272-04167	KEYSTONE LAMP MFG. CORP.	1,381,665	\$961.00
RK272-04168	SPICER, INC.	722,191	\$502.00
RK272-04169	THOMAS J. ANDRE`	4,297,948	\$2,989.00
RK272-04175	KEFFELER RANCH, INC.	1,195,192	\$831.00
RK272-04178	WAYNE CORP.	1,783,344	\$1,240.00
RK272-04180	CALVIN BLACK TRUST	1,229,451	\$855.00
RK272-04194	RACINE ELEVATOR CO.	1,715,843	\$1,193.00
RK272-04220	SHIRLEY KING OR WILSON, KELLER & ASSOCIA	422,382	\$294.00
RK272-04258	GULF SOUTH PIPELINE, INC. OR WILSON, KEL	12,678,341	\$8,816.00
RK272-04278	WHITE & BAGLEY LIQUID. TRUST	1,070,476	\$744.00
RK272-04288	SAINT`S, INC.	1,392,794	\$969.00
RK272-04339	S.N. KNIGHT & SONS, INC.	2,932,732	\$2,039.00
RK272-04386	CAGLE CONSTRUCTION CO., INC.	700,604	\$487.00
RK272-04399	MARTIN FARMS	258,967	\$180.00
RK272-04400	ADOLPH TAUSIK ESTATE	888,151	\$618.00
RK272-04404	EDWARD D. FIVEASH	271,806	\$189.00
RK272-04405	EL CAMPO I.S.D.	763,941	\$531.00
RK272-04406	BROOKS TRAWLERS, INC.	1,759,875	\$1,224.00
RK272-04417	DAN E. ARCHER	766,566	\$533.00
RK272-04418	JAMES W. KRIBELL	244,359	\$170.00
RK272-04423	SETON KEOUGH HIGH SCHOOL	275,116	\$191.00

RK272-04425	STANDARD CONCRETE PRODUCTS INC	3,940,249	\$2,740.00
RK272-04437	FRIEDMAN'S EXPRESS, INC.	8,888,393	\$6,181.00
RK272-04466	WORLEY ASPHALT & PAVING CO.	3,129,246	\$2,176.00
RK272-04521	ROQUETTE AMERICA, INC.	6,436,219	\$4,476.00
RK272-04647	HENRY L. WEINSTEIN IRREV. TRST	3,912,000	\$2,720.00
RK272-04669	PAUL D. PEEPLES	202,529	\$141.00
RK272-04682	MIDWEST MATERIALS BY MUELLER	704,421	\$490.00
RK272-04690	INSTEEL WIRE PRODUCTS CO.	1,655,034	\$1,151.00
RK272-04706	RGIS INVENTORY SPECIALISTS	4,377,320	\$3,044.00
RK272-04783	MINNESOTA EXPRESS, INC.	1,076,000	\$748.00
RK272-04826	GEER NURSING & REHAB. CENTER	530,625	\$369.00
RK272-04835	LESLIE FAY MARKETING	964,775	\$671.00
RK272-04836	470 WEST END CORP.	527,485	\$367.00
RK272-04837	AMERICAN LINEN SUPPLY	873,777	\$608.00
RK272-04840	DOMINION PLAZA APTS.	769,741	\$535.00
RK272-04844	YEAGER TRUCKING, INC.	930,000	\$647.00
RK272-04846	HIGHLAND SUPERSTORES	1,580,971	\$1,099.00
RK272-04871	MAX MACAULAY	222,225	\$155.00
RK272-04872	CHARLES OMER & SONS	424,973	\$296.00
RK272-04875	ANDREW MERKEL	213,698	\$149.00
RK272-04881	JACK JOHNSON	283,315	\$197.00
RK272-04889	RANDY SCHWARTZ	233,335	\$162.00
RK272-04890	BRIDGEWATER COLLEGE	2,763,352	\$1,922.00
RK272-04899	HI-WAY SURFACING CO.	8,281,521	\$5,759.00
RK272-04900	FRANK E. MIXON	212,486	\$148.00
RK272-04908	STEVE PARKER	114,034	\$79.00
RK272-05043	TOWNSEND & BOTTUM, INC.	1,343,432	\$934.00
RK272-05067	RONNIE C. ROGERS	1,404,431	\$977.00
RK272-05157	NICHOLAS MOVING & STORAGE, INC	242,277	\$168.00
RK272-05166	EDGEWATER STEEL, LTD.	1,495,869	\$1,040.00
RK272-05176	LYNNDALE PLANTING CO.	145,710	\$101.00
RK272-05200	WASTE MANAGEMENT	282,836	\$197.00
RK272-05216	CO-OP COUNTRY PARTNERS	426,873	\$297.00
RK272-05626	LEMMON-THUNDER HAWK CO-OP	5,147,132	\$3,579.00
RK272-05688	TOMMY COOK	298,831	\$208.00
Totals	208 Applicants	756,582,798	\$526,120.00