

August 2, 2006

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: August 1, 2006

Case Number: RB272-10074

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 108 applicants, totaling \$1,915,973.00.

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 Energy Refunds, Inc., on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$1,915,973.00, 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: August 2, 2006

Appendix - Supplemental Refund Case No. RB272-10074

Case No.	Firm	Volume	Refund
RF272-56618	FARMERS & MERCHANTS COOP. OIL	25,087,253	\$17,445.00
RF272-56931	COUNTRYSIDE COOPERATIVE	22,215,688	\$15,449.00
RF272-58029	DEWEL COUNTY FARMERS UNION OIL	24,051,083	\$16,725.00
RF272-59270	SIOUX VALLEY COOPERATIVE	27,770,580	\$19,311.00
RF272-61898	SOUTH DAKOTA WHEAT GROWERS	37,498,360	\$26,076.00
RF272-67206	CONSUMERS CO-OP SOCIETY	19,519,809	\$13,574.00
RF272-67207	RYAN, INC. OF WISCONSIN	19,272,992	\$13,402.00
RF272-69786	FARMLAND SERVICE CO-OP	56,934,026	\$39,591.00
RF272-73600	CONSUMER'S FUEL COOP ASSN. INC	21,186,201	\$14,733.00
RF272-77600	AGLAND, INC.	115,126,849	\$80,058.00
RF272-78271	CITY OF KEY WEST - UTILITIES	238,988,907	\$166,190.00
RF272-86382	Cairo Cooperative Equity Exchange	2,134,207	\$1,484.00
RF272-86383	EASTERN FARMERS COOP	18,234,225	\$12,680.00
RF272-89286	LYON COUNTY CO-OP OIL CO.	72,171,446	\$50,187.00
RF272-89378	First Cooperative Assn.	33,421,956	\$23,241.00
RF272-89519	FARMERS COOPERATIVE OF HANSKA	19,305,922	\$13,425.00
RF272-89668	RIGHT COOP ASSN.	23,443,314	\$16,302.00
RF272-89761	FARMERS COOPERATIVE	21,044,505	\$14,634.00
RF272-89762	ST. FRANCIS MERCANTILE EQUITY	19,711,280	\$13,707.00
RF272-89989	CROSBY COUNTY FUEL ASSN.	32,166,767	\$22,368.00
RF272-89991	Leaf River Ag Service	6,857,112	\$4,768.00
RF272-89993	SEVERY CO-OP ASSN.	1,536,875	\$1,069.00
RF272-90111	FARMERS COOP OIL ASSN	24,020,935	\$16,704.00
RF272-90113	ASPINWALL COOP CO.	2,385,217	\$1,659.00
RF272-90135	KEENE COOP GRAIN & SUPPLY	4,146,711	\$2,884.00
RF272-90198	FARMERS UNION COOPERATIVE	6,809,077	\$4,735.00
RF272-90199	FARMERS COOPERATIVE OIL CO.	8,802,045	\$6,121.00
RF272-90223	ULYSSES CO-OP OIL & SUPPLY	7,897,403	\$5,492.00
RF272-90282	Central Valley Ag Coop	3,161,231	\$2,198.00
RF272-90322	SILVEREDGE COOP	2,678,902	\$1,863.00
RF272-90323	BURLINGTON COOP ASSN.	10,354,165	\$7,200.00
RF272-90439	THE CARLISLE COMMUNITY HALL ASSOCIATION	3,354,832	\$2,333.00
RF272-90480	APACHE FARMERS COOP	5,099,006	\$3,546.00
RF272-90495	SUTTON COOP GRAIN	8,073,240	\$5,614.00
RF272-90754	FARMERS COOP ASSN.	2,391,591	\$1,663.00
RF272-90765	FARMERS CO-OP EXCHANGE	2,177,420	\$1,514.00
RF272-90773	VAN ORIN COOP OIL CO.	19,659,897	\$13,671.00
RF272-90829	DELTA GROWERS ASSN.	7,201,406	\$5,008.00
RF272-90832	FARMERS CO-OP SOCIETY	1,118,093	\$778.00
RF272-90872	PEOPLES COOP OF TRENTON	7,448,359	\$5,180.00
RF272-90902	WOOD COUNTY FARM SUPPLY COOP	14,226,345	\$9,893.00
RF272-90907	BLANCHARDVILLE COOP OIL ASSN.	19,996,952	\$13,906.00
RF272-91284	COOPERATIVE ELEVATOR CO.	33,667,651	\$23,412.00
RF272-91285	WEST CENTRAL COOP.	31,034,533	\$21,581.00
RF272-91286	FARMERS COOPERATIVE	8,907,605	\$6,194.00
RF272-91287	SHAWANO EQUITY COOP.	16,926,240	\$11,770.00
RF272-91299	ROCK COUNTY COOP OIL CO.	25,161,712	\$17,497.00
RF272-91300	YUMA FARMERS M&M COOPERATIVE	15,940,079	\$11,085.00
RF272-91564	EAU CLAIRE COOP OIL CO.	29,900,143	\$20,792.00
RF272-91669	CONSUMERS OIL & SUPPLY	21,116,821	\$14,684.00
RF272-92241	PERHAM COOPERATIVE CREAMERY	21,030,488	\$14,624.00
RF272-92271	N.E. MISSOURI COOP SERVICES	21,476,688	\$14,935.00
RF272-92273	PROGRESSIVE FARMERS COOP	27,359,189	\$19,025.00
RF272-92372	STRATTON EQUITY COOP CO.	29,785,871	\$20,713.00
RF272-92373	GRAINLAND COOP.	21,476,688	\$14,935.00

RF272-92412	CRYSTAL COOPERATIVE	20,762,380	\$14,438.00
RF272-92421	VALLEY CO-OP, INC.	31,201,088	\$21,697.00
RF272-92448	EQUITY COOP OIL CO. OF YUMA	20,942,200	\$14,563.00
RF272-92449	FARMERS COOP ASSN.	50,471,702	\$35,097.00
RF272-92465	COUNTRY PRIDE COOPERATIVE	52,863,334	\$36,761.00
RF272-92582	NYSSA SUPPLY COOP, INC.	11,269,032	\$7,836.00
RF272-92597	PRODUCERS SUPPLY COOP INC.	28,263,821	\$19,654.00
RF272-92796	GRAND RIVER COOP	34,538,203	\$24,017.00
RF272-92798	ARKANSAS VALLEY FARMERS ASSN.	3,113,925	\$2,165.00
RF272-92804	FARMERS CO-OP	3,831,401	\$2,664.00
RF272-93757	COUNTRY PARTNERS COOP	20,265,871	\$14,093.00
RF272-93765	WISCONSIN RIVER COOP.	22,537,486	\$15,672.00
RF272-93792	PREMIER AG COOP, INC.	46,971,648	\$32,664.00
RF272-93818	PREMIER AG COOP., INC.	14,599,339	\$10,152.00
RF272-93870	ANTIGO COOP OIL ASSN.	31,753,292	\$22,081.00
RF272-93884	SOUTHEASTERN COLORADO COOP	21,065,376	\$14,649.00
RF272-93907	COOP. COUNRTY PARTNERS	38,586,688	\$26,833.00
RF272-93932	EASTERN FARMERS COOP	54,131,930	\$37,643.00
RF272-94593	AG FIRST FARMERS COOPERATIVE	19,618,784	\$13,643.00
RF272-94715	AMKOTA COOP	12,106,427	\$8,419.00
RF272-94895	CONSUMERS COOP OIL CO.	21,334,568	\$14,836.00
RF272-95237	COMMUNITY OIL CO. OF DAY CO.	19,979,721	\$13,894.00
RF272-95249	WESTERN RESERVE FARM COOPERATV	46,695,562	\$32,472.00
RF272-95252	MINSTER FARMERS COOP EXCHANGE	42,052,357	\$29,243.00
RF272-95696	ROCKINGHAM PETRO. COOPERATIVE	20,482,110	\$14,243.00
RF272-95723	SS CUMBERLAND MARYLAND COOP.	19,326,933	\$13,440.00
RF272-96195	AGLANO COOP, INC.	19,785,171	\$13,758.00
RF272-97158	Southwest Landmark, Inc.	27,048,260	\$18,809.00
RF272-97886	GROWERS COOPERATIVE, INC.	51,828,437	\$36,041.00
RF272-97891	WESTLAND, LLC.	38,921,197	\$27,065.00
RF272-97893	EXCEL COOP INC.	18,550,686	\$12,900.00
RF272-98996	BIG HORN CO-OP MARKETING ASSN.	29,015,608	\$20,177.00
RF272-99014	JACKSON-JENNINGS FARM BUREAU	35,807,356	\$24,900.00
RF272-99016	AGLAND CO-OP, INC	49,481,859	\$34,409.00
RF272-99019	AGRI-LAND COOP	26,146,686	\$18,182.00
RG272-00027	LANDMARK SERVICES COOP.	35,095,720	\$24,405.00
RG272-00029	GREEN COUNTRY COOP.	15,551,045	\$10,814.00
RG272-00037	COOP., GAS & OIL CO.	16,624,832	\$11,561.00
RG272-00049	WISCONSIN RIVER COOP SERVICES	16,036,879	\$11,152.00
RG272-00050	TWO RIVERS COOPERATIVE	27,985,942	\$19,461.00
RG272-00065	WATONWAN FARM SERVICE CO.	19,697,818	\$13,698.00
RG272-00108	COOP GAS & OIL	18,833,738	\$13,097.00
RG272-00115	ST. CLAIR SERVICE CO.	43,627,187	\$30,338.00
RG272-00477	JEFFERSON LANDMARK, INC.	23,524,227	\$16,358.00
RG272-00481	WHITE RIVER COOP	29,895,006	\$20,789.00
RG272-00526	FARMERS COOP SERVICES, INC.	26,333,678	\$18,312.00
RG272-00950	WASHTENAW FARMERS OIL CO.	29,058,507	\$20,207.00
RK272-00158	JAMES VALLEY CO-OP UNION	19,126,474	\$13,300.00
RK272-00215	PATRON'S COOPERATIVE ASSN.	21,708,591	\$15,096.00
RK272-00223	FARM SERVICE, INC.	25,196,364	\$17,521.00
RK272-00226	ROSEAU COUNTY COOP ASSN.	20,117,981	\$13,990.00
RK272-03207	YOUR TOWN & COUNTRY CO-OP	25,889,101	\$18,003.00
RK272-03440	FARMERS UNION OIL CO.	13,133,582	\$9,133.00
Totals	108 Applicants	2,755,253,002	\$1,915,973.00