

May 26, 2006

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: May 25, 2006

Case Number: RB272-10054

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 201 applicants, totaling \$1,565,365.00.

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 P.L. McMickle, CPA, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$1,565,365.00, 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: May 26, 2006

Appendix - Supplemental Refund Case No. RB272-10054

Case No.	Firm	Volume	Refund
RA272-00082	TOWN OF MORRISTOWN	11,410,784	\$7,935.00
RF272-00112	SHEPHERD PUBLIC SCHOOLS	5,027,172	\$3,496.00
RF272-00308	CITY OF DETROIT - TRANSPORT.	54,636,408	\$37,994.00
RF272-00425	HAINES & KIBBLEHOUSE, INC.	10,345,700	\$7,194.00
RF272-00518	BELGER CARTAGE SERVICE, INC.	5,740,365	\$3,992.00
RF272-00898	QUINCY SOYBEAN CO.	21,729,147	\$15,110.00
RF272-02243	B.R. DEWITT, INC.	8,636,581	\$6,006.00
RF272-02900	DEKALB COUNTY SCHOOL SYSTEM	7,369,922	\$5,125.00
RF272-03275	ROCKFORD DROP FORGE CO.	10,285,166	\$7,152.00
RF272-03788	INOLEX CHEMICAL CO.	12,388,410	\$8,615.00
RF272-03789	VETERANS MEMORIAL MED. CTR.	5,021,481	\$3,492.00
RF272-04106	#1 CONTRACTING CORP.	8,030,057	\$5,584.00
RF272-04109	ROCK COUNTY, WI	12,654,360	\$8,800.00
RF272-04708	METHACTON SCHOOL DIST.	5,130,471	\$3,568.00
RF272-05551	NORFOLK SHIPBUILDING & DRYDOCK	14,864,551	\$10,337.00
RF272-07645	WASHINGTON IRRIGATION & DEV.	36,058,770	\$25,075.00
RF272-08333	WESTSIDE CONSTRUCTION CO., INC	11,582,927	\$8,055.00
RF272-08383	PEABODY MUNICIPAL LIGHT DEPT.	5,785,773	\$4,023.00
RF272-09315	WATERBURY HOSPITAL	8,526,075	\$5,929.00
RF272-09891	PFIZER, INC.	146,085,199	\$101,586.00
RF272-10156	HILL-BEHAN LUMBER CO.	2,879,000	\$2,002.00
RF272-10445	HARTFORD HOSPITAL	10,788,855	\$7,502.00
RF272-10447	CITY OF LUBBOCK	7,821,672	\$5,439.00
RF272-10944	PETER PAN SEAFOODS, INC.	10,500,000	\$7,302.00
RF272-11140	UNIROYAL HOLDING, INC.	9,685,796	\$6,735.00
RF272-13128	MORONI FEED CO.	7,646,048	\$5,317.00
RF272-14949	TOLEDO HOSPITAL	7,907,878	\$5,499.00
RF272-15014	SCHAFFER BAKERIES, INC.	5,859,253	\$4,074.00
RF272-15785	H.G. FENTON MATERIAL CO.	7,397,385	\$5,144.00
RF272-16026	AMERICAN CAST IRON PIPE CO.	18,847,800	\$13,107.00
RF272-17688	MARICOPA COUNTY	11,652,773	\$8,103.00
RF272-17748	TANDY TRANSPORTATION, INC.	6,174,408	\$4,294.00
RF272-18474	YONKERS CONTRACTING CO., INC.	23,108,811	\$16,070.00
RF272-18811	CAMPBELL COUNTY, TENNESSEE	6,817,401	\$4,741.00
RF272-18881	SACRAMENTO COUNTY	11,210,775	\$7,796.00
RF272-20172	POLY ONE CORP.	11,282,933	\$7,846.00
RF272-20173	POLY ONE CORP.	11,811,071	\$8,213.00
RF272-21760	NORTHWEST AGRICULTURAL CO-OP	21,352,495	\$14,848.00
RF272-21822	PATTERSON-UTI ENERGY INC.	10,488,941	\$7,294.00
RF272-21866	MICHIGAN SUGAR CO.	39,995,089	\$27,812.00
RF272-22191	EVELETH MINES	64,252,500	\$44,680.00
RF272-22583	OTTER TAIL POWER CO.	13,325,832	\$9,267.00
RF272-22601	C.C. MANGUM, INC.	16,852,137	\$11,719.00
RF272-22939	H.D. YOUNGMAN CONTRACTOR INC.	19,294,587	\$13,417.00
RF272-23187	WEST LAKE QUARRY & MATERIAL CO	35,300,182	\$24,547.00
RF272-23228	DARLING HOLDINGS, INC.	44,947,327	\$31,256.00
RF272-23352	JET ASPHALT & ROCK CO., INC.	17,654,884	\$12,277.00
RF272-23384	DAYTON BEACH PARK	5,665,048	\$3,939.00
RF272-23519	MONEY PULPWOOD CO.	2,937,336	\$2,043.00
RF272-23647	ANDERSON FARMS CO.	6,601,765	\$4,591.00
RF272-24221	FOXWORTH-GALBRAITH LUMBER CO.	5,121,387	\$3,561.00
RF272-24450	MONROE AUTO EQUIPMENT CO.	10,787,761	\$7,502.00
RF272-24618	VENTURA CNTY. /GSA FLEET SRVC.	10,097,582	\$7,022.00
RF272-24823	JEFFERSON ASPHALT CO., INC.	11,544,072	\$8,028.00
RF272-25046	MICHIGAN SEAMLESS TUBE CORP.	10,360,914	\$7,205.00

RF272-25508	FAIRTRADE MARINE LTD.	8,130,737	\$5,654.00
RF272-26213	MASHUDA CORP.	9,509,154	\$6,613.00
RF272-26845	BEST-WAY PAVING CO.	10,578,736	\$7,356.00
RF272-27781	LIQUID TRANSPORT CORP.	8,062,581	\$5,607.00
RF272-28591	GARY COMMUNITY SCHOOL CORP.	11,680,647	\$8,123.00
RF272-29736	DEPT. OF CORRECTIONS	5,476,280	\$3,808.00
RF272-29829	ATLANTIC HEALTH SYSTEMS	7,020,000	\$4,882.00
RF272-31840	BIGARD & HUGGARD DRILLING, INC.	5,739,689	\$3,991.00
RF272-32225	INDEPENDENT CONSTRUCTION CO.	6,403,536	\$4,453.00
RF272-32267	WILLIAM E. DAILEY, INC.	7,996,403	\$5,561.00
RF272-32839	FOSTER POULTRY FARMS	19,790,160	\$13,762.00
RF272-36049	SHAW INDUSTRIES, INC.	13,777,968	\$9,581.00
RF272-37661	ARCON CONSTRUCTION CO., INC.	5,702,500	\$3,965.00
RF272-38415	SPOKANE COUNTY ROAD DEPT.	6,038,520	\$4,199.00
RF272-41243	TRI-STATE ASPHALT CORP.	42,745,869	\$29,725.00
RF272-41357	MASSEY SAND & ROCK CO.	35,733,315	\$24,849.00
RF272-41702	HILLSBOROUGH CNTY SHERIFF OFF.	6,322,500	\$4,397.00
RF272-44751	SOUTHEASTERN MASS. UNIVERSITY	5,171,337	\$3,596.00
RF272-45942	GARELICK FARMS, INC.	6,652,351	\$4,626.00
RF272-47952	M & N RACOLIN MCMT. CORP.	12,218,362	\$8,497.00
RF272-48587	NELSON-DEPPE, INC.	6,528,222	\$4,540.00
RF272-49291	DIOCESE OF NY HOSPITAL ADMINISTRATION	5,375,288	\$3,738.00
RF272-49458	COLUMBIA HELICOPTERS, INC.	14,660,423	\$10,195.00
RF272-49651	HANNAFORD BROS. & SUBSIDIARIES	11,811,617	\$8,214.00
RF272-51255	WILSON COUNTY ROAD COMMISSION	5,758,300	\$4,004.00
RF272-51557	RENVILLE COUNTY HWY. DEPT.	10,961,133	\$7,622.00
RF272-53838	LAIDLAW CORP.	1,555,251	\$1,082.00
RF272-55295	MCREYNOLDS CONSTRUCTION CO.	14,465,509	\$10,059.00
RF272-56512	TRACEY TOWERS ASSOCIATES	5,985,568	\$4,162.00
RF272-57009	BELLE PASS TOWING CORP.	9,537,191	\$6,632.00
RF272-58377	EAST TEXAS TRUCK RENTAL	7,425,000	\$5,163.00
RF272-59254	JACOBS SUCHARD/BRACH INC.	15,311,286	\$10,647.00
RF272-60292	CITY OF ARLINGTON TEXAS	5,101,687	\$3,548.00
RF272-60391	KALAMAZOO SCHOOL DIST.	7,194,494	\$5,003.00
RF272-60463	AZTEC WELL SERVICING CO. INC.	7,521,941	\$5,231.00
RF272-60637	BOSTON WHARF CO.	7,497,433	\$5,214.00
RF272-60879	FLORENCE & DAVID PARKER	3,299,562	\$2,294.00
RF272-63046	LANGDALE CO.	10,460,481	\$7,274.00
RF272-63752	HITCHINER MFG. CO., INC.	6,342,733	\$4,411.00
RF272-63894	SUMMIT PLAZA ASSOCIATES	7,126,188	\$4,955.00
RF272-64277	CITY OF NEW ORLEANS	20,455,046	\$14,224.00
RF272-65584	HARRIS-MCBURNEY CO.	8,755,726	\$6,089.00
RF272-65910	WILLIAM WESTHOFF	2,480,000	\$1,725.00
RF272-66381	MOUNT HOLYOKE COLLEGE	8,450,790	\$5,877.00
RF272-67022	METROPOLITAN SEWER DISTRICT	11,142,405	\$7,748.00
RF272-68062	VALLEY CO-OP	8,904,819	\$6,192.00
RF272-68486	AURORA CO-OP OIL CO.	7,501,866	\$5,217.00
RF272-68960	CITY OF WILMINGTON, DELAWARE	9,334,850	\$6,491.00
RF272-69253	BERKS COUNTY	6,628,707	\$4,610.00
RF272-69404	CITY OF CHATTANOOGA	17,824,917	\$12,395.00
RF272-69493	QUALITY CARRIERS, INC.	8,241,893	\$5,731.00
RF272-69684	FARMERS ELEVATORS CO.	6,009,753	\$4,179.00
RF272-69773	SPAULDING COMPOSITES CO.	10,750,697	\$7,476.00
RF272-70432	SALT LAKE CITY CORP.	8,499,871	\$5,911.00
RF272-70500	LOGAN PAVING CO.	14,162,815	\$9,849.00
RF272-71313	LOUISIANA DELTA PLANTATION	8,844,925	\$6,151.00
RF272-71316	MORRISON & QUIRK, INC.	1,110,524	\$772.00
RF272-74186	JEFFERSON COUNTY, COLORADO	5,662,750	\$3,938.00
RF272-75027	DIVERSIFIED TRUCKING CORP.	11,489,588	\$7,990.00

RF272-75433	FLORIDA ROCK & TANK LINES INC.	12,029,651	\$8,365.00
RF272-75492	FLORIDA ROCK INDUSTRIES, INC.	32,424,691	\$22,548.00
RF272-75704	HEARST CORP.	48,333,840	\$33,611.00
RF272-75830	WALLACE COUNTY COOP EQUITY EXC	17,677,341	\$12,293.00
RF272-78172	FARMERS GRAIN & SUPPLY CO.	5,884,011	\$4,092.00
RF272-83140	MOUNTAINSIDE HOSPITAL	6,533,628	\$4,543.00
RF272-84538	FARMERS UNION OIL CO.	14,880,000	\$10,347.00
RF272-86235	MATTINGLY FOODS, INC.	5,197,510	\$3,614.00
RF272-89353	SHELBY CONTRACTING CO.	8,726,882	\$6,069.00
RF272-89534	GULF PAVING CO., INC.	6,378,347	\$4,435.00
RF272-92515	MIDSTATE MEDICAL CENTER	5,040,167	\$3,505.00
RF272-94635	GARDNER ASPHALT CORP.	128,122,012	\$89,095.00
RF272-94732	MCCONNELL CONSTRUCTION, INC.	13,063,825	\$9,084.00
RF272-94935	PEOPLES NATURAL GAS CO.	3,653,572	\$2,541.00
RF272-95197	KOESTER COMPANIES	18,663,582	\$12,978.00
RF272-95281	NORTHERN NECK TRANSFER, INC.	4,457,891	\$3,100.00
RF272-96482	CITY OF GRAND RAPIDS	6,966,258	\$4,844.00
RF272-97061	COCA-COLA BOTTLG. - CTRL STATS	5,101,500	\$3,548.00
RF272-97065	ED MCCORMICK	1,792,051	\$1,246.00
RF272-98076	NEWARK SCHOOL DIST.	23,944,910	\$16,651.00
RF272-98641	PUBLIC SERVICE CO. OF N.C. INC	10,444,205	\$7,263.00
RF272-98757	TARRANT COUNTY	5,303,078	\$3,688.00
RF272-98965	ROMAN CATHOLIC BISHOP -PORTLND	11,776,781	\$8,189.00
RG272-00186	METROPOLITAN HOSPITAL H.H.C.	9,682,876	\$6,733.00
RG272-00364	EGON OLDENDORFF	91,140,174	\$63,378.00
RK272-00254	SUMTER BUILDERS, INC.	5,411,199	\$3,763.00
RK272-00845	ROSEAU TRANSPORT, INC.	6,703,213	\$4,661.00
RK272-00963	NEW YORK HOSPITAL MED. CTR.	6,035,795	\$4,197.00
RK272-01078	MEYER MATERIAL CO.	5,788,446	\$4,025.00
RK272-01127	FRIENDLY ICE CREAM CORP.	6,865,974	\$4,775.00
RK272-01407	ASPHALT PAVING & MATERIALS, INC.	5,411,228	\$3,763.00
RK272-02852	HAVERHILL PUBLIC SCHOOLS	5,170,677	\$3,596.00
RK272-03052	DELTA FARMS	634,625	\$441.00
RK272-03054	MORRISON ENTERPRISES	5,477,090	\$3,809.00
RK272-03215	VALLEY PROTEINS, INC.	9,973,453	\$6,935.00
RK272-03514	MRC BEARINGS, SKF USA, INC.	14,086,533	\$9,796.00
RK272-03547	AETNA LIFE & CASUALTY CO.	6,674,046	\$4,641.00
RK272-03621	LACKEY, INC.	1,003,366	\$698.00
RK272-03626	HENREDON FURNITURE IND., INC.	3,647,225	\$2,536.00
RK272-03629	VALLEY TRUCKING CO., INC.	10,606,152	\$7,375.00
RK272-03631	NORTON & CO., INC.	3,128,070	\$2,175.00
RK272-03635	DUDLEY PILLOW JR.	1,150,968	\$800.00
RK272-03636	J.R. PORTER, INC.	3,951,400	\$2,748.00
RK272-03639	MACOUPIN COUNTY HWY. DEPT.	3,323,219	\$2,311.00
RK272-03643	ROSE SARKISIAN	1,597,790	\$1,111.00
RK272-03654	RINE DRILLING CO.	6,911,741	\$4,806.00
RK272-03664	RON WAGNER	1,265,179	\$880.00
RK272-03675	EVERETT ANDERSON	1,452,900	\$1,010.00
RK272-03680	PATRICIA BEASLEY BROWN	1,611,355	\$1,121.00
RK272-03682	SOUTHERN INTERMODAL LOGISTICS	9,899,757	\$6,884.00
RK272-03703	AMERICAN BANK NOTE CO.	3,461,243	\$2,407.00
RK272-03704	ALDON MANAGEMENT CORP.	4,344,659	\$3,021.00
RK272-03707	GRAY COUNTY DPT. PUBLIC WORKS	3,656,821	\$2,543.00
RK272-03709	PATTONVILLE R-3 SCHOOL DIST.	1,002,666	\$697.00
RK272-03717	PAPPAS ENTERPRISES, INC.	1,414,923	\$984.00
RK272-03718	EARL HAINES, INC.	1,268,778	\$882.00
RK272-03720	PRICE TRUCK LINE, INC.	1,033,795	\$719.00
RK272-03722	HALEY CONTRACTORS, INC.	3,017,297	\$2,098.00
RK272-03727	HINTON PRODUCTION COMPANY	8,239,885	\$5,730.00

RK272-03731	CECO BUILDING DIV.	1,764,770	\$1,227.00
RK272-03733	Farmer Grain Fuel Livestock	1,343,252	\$934.00
RK272-03734	COUNTRY ROADS TRUCKING SYSTEMS	1,035,760	\$720.00
RK272-03735	CAROL ARCHAMBAULT	422,382	\$294.00
RK272-03738	PENN MAID FOODS, INC.	1,153,196	\$802.00
RK272-03742	UMA GUIDRY FOREMAN	5,618,882	\$3,907.00
RK272-03744	ST. BERNARD PARISH GOVERNMENT	1,199,812	\$834.00
RK272-03747	CALVIN SHULER	1,611,985	\$1,121.00
RK272-03754	SPS TECHNOLOGIES, INC.	8,803,594	\$6,122.00
RK272-03756	FLEISHER FINISHING, INC.	8,721,877	\$6,065.00
RK272-03758	FARMERS ELEVATOR CO. OF ZELL	2,984,653	\$2,075.00
RK272-03765	DISPATCH PRINTING CO.	1,471,573	\$1,023.00
RK272-03766	BURNS & MCDONNELL ENGINEER. CO.	1,242,050	\$864.00
RK272-03774	BROMLEY-HEATH TENANT MGMT.	8,296,002	\$5,769.00
RK272-03784	FARMERS CO-OP OIL ASSN.	3,589,802	\$2,496.00
RK272-03871	MARTIN GAS TRANSPORT, INC.	6,670,750	\$4,639.00
RK272-03899	HOWMET CORP.	7,083,298	\$4,926.00
RK272-03900	SALVATION ARMY	1,095,815	\$762.00
RK272-03901	LIDLAW WASTE SYSTEMS	1,546,987	\$1,076.00
RK272-03902	WILLETT NATIONALEASE CO.	7,119,080	\$4,951.00
RK272-04027	SUPERIOR CARRIERS, INC.	11,089,302	\$7,711.00
RK272-04087	A & M FARMS	67,665	\$47.00
RK272-04219	JOHN ARCHAMBAULT	422,382	\$294.00
RK272-04769	AMES DEPARTMENT STORES, INC.	7,143,516	\$4,968.00
RK272-05695	FAIRBANKS FARMS	2,301,299	\$1,600.00
RK272-05699	Donald Delesdernier	397,514	\$276.00
RR272-00199	FLASHER FARMERS UNION OIL CO.	7,544,672	\$5,246.00
RR272-00315	R.G. POPE CONSTRUCTION	2,674,172	\$1,860.00
Totals	201 Applicants	2,251,059,204	\$1,565,365.00