

TEXACO INC./RICHARD SHORT OIL CO., INC	RF321-7365	06/28/95
CHARLES F. WEAVER TEXACO	RF321-19727	

Dismissals

The following submissions were dismissed:

Name	Case No.
ABB POWER T&D COMPANY, INC	RF272-92406
ALAN CORP	RF321-20679
AVERITT EXPRESS	RF272-95135
BO JACKSON'S TEXACO SERVICE STATION	RF321-20191
BUCKEYE COUNTRYMARK, INC	RG272-14
CANTON'S TEXACO	RF321-20779
EAST PROVIDENCE FUEL OIL CO., INC	RF321-20696
FARMERS COOPERATIVE CO	RG272-255
FARMERS UNION OIL COMPANY	RG272-264
GURRAN OIL CO., INC	RF321-20553
HOLT BROTHERS	RF272-99106
JIM DEWEIN'S TEXACO	RF321-20225
KLOSTER CRUISE LIMITED	RF321-20756
LEWISVILLE TEXACO	RF321-19856
M.A. MALIK	VFA-0048
MUNIR A. MALIK	VFA-0053
NORCO FUEL SERVICE, INC	RF321-20180
PANCO OIL COMPANY	RF321-20587
RAMOS' TEXACO	RF321-20489
ST. JOSEPH'S CHURCH	RF272-99104
WEST DAVIE TEXACO	RF321-20735
WINFORD COMPANY, INC	RF321-20663

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Notice of Issuance of Decisions and Orders; Week of June 12 Through June 16, 1995

During the week of June 12 through June 16, 1995, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: August 28, 1996.

Thomas O. Mann,
Acting Director, Office of Hearings and Appeals.

Personnel Security Hearing

*Albuquerque Operations Office,
6/16/95, VSA-0005*

An individual whose access authorization had been suspended filed a request for review of a DOE Hearing Officer's recommendation against its restoration. The individual's access authorization had been suspended by the Department of Energy's (DOE) Albuquerque Operations Office (Albuquerque) upon its receipt of derogatory information indicating that the individual was a habitual user of alcohol to excess, used illegal drugs and had deliberately provided DOE security officials with false or misleading information.

Upon review, the individual claimed that she had been rehabilitated, and in the alternative, requested that the Director of the Office of Hearings and Appeals (the Director) stay her security proceeding in order to provide her with a sufficient time period to complete her rehabilitation. The Director found that she had not established her rehabilitation, and that her request for a stay of the proceeding should not be granted.

Implementation of Special Refund Proceedings

*Mockabee Gas & Fuel Oil Co., 6/12/95,
VEF-0001*

The OHA issued a Decision and Order announcing procedures for disbursement of \$75,638 plus accrued interest, in overcharges on No. 2 fuel oil and kerosene that were remitted to the DOE by Mockabee Gas & Fuel Oil Co. under a Modified Remedial Order issued to the firm in 1985. Under the procedures established in the Decision, end-users who purchased those products from Mockabee during the period November 1, 1973 through December 31, 1975, may apply for refunds. Successful applicants will receive refunds of \$.0612 per gallon. The deadline for filing Mockabee refund applications is September 29, 1995.

Murphy Oil Corp., Murphy Oil USA, Inc., Murphy Exploration & Production Co., 6/15/95, VEF-0003

The OHA issued a Decision and Order announcing procedures for disbursement of \$10,700,00 plus accrued interest, in alleged crude oil overcharges obtained by the DOE under a Settlement Agreement with Murphy Oil Corp., Murphy Oil USA, Inc., and Murphy Exploration & Production Co. The Murphy funds will be distributed in accordance with the DOE's Modified Statement of Restitutionary Policy in

Crude Oil Cases, 51 F.R. 27899 (August 4, 1986). Under this policy, 40 percent will be given to the federal government and 40 percent to the states for indirect restitution, and 20 percent will be reserved for direct restitution to injured purchasers of refined petroleum products during the controls period (August 1973 through January 27, 1981). The Decision states that while the deadline for filing crude oil refund applications is June 30, 1995, any party who has previously filed a refund application will receive a share of the Murphy funds without filing a new claim.

Refund Applications

Gulf Oil Corp./Calhoun & Williams Gulf et al., 6/12/95, RF300-16725 et al.

The DOE granted 10 applications for refund in the Gulf Oil Corporation

special refund proceeding. Each applicant applied for a refund based on the small claims presumption of injury. The refunds granted in this Decision and Order totalled \$9,713.

Enron Corporation/MFA Oil Company, et al., 6/12/95, RF340-154 thru RF340-159

MFA Oil Company and five other cooperative owners of Energy Cooperative, Inc. (ECI) submitted applications for refund in the Enron Corporation refund proceeding. The DOE determined that these cooperative owners of ECI were entitled to refunds under the presumption of injury for cooperatives for Enron product purchased by ECI and resold to the cooperative owners for distribution to their member customers. These refunds were made subject to reporting requirements and a dollar for dollar

passthrough. With respect to Enron product that the cooperatives purchased from ECI and resold to non-member customers, the DOE found that the presumption of injury for cooperatives did not apply. However, the DOE found that the cooperatives were entitled to refunds for these Enron purchases under the applicable presumptions of injury for resellers. Accordingly, the total refund granted to the cooperative owners of ECI was \$369,406.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

CENTRAL RIVERS COOPERATIVE ET AL	RF272-97102	06/15/95
CRUDE OIL SUPPLEMENTAL REFUND DISTRIBUTION	RB272-00005	06/15/95
GULF OIL CORPORATION/ COAN & FORD	RF300-20911	06/12/95
COAN & FORD	RF300-21796	
GULF OIL CORPORATION/ J.F. TOLLISON FERTILIZER	RF300-15138	06/12/95
J.F. TOLLISON	RF300-19577	
J.F. TOLLISON FERTILIZER	RR272-201	
GULF OIL CORPORATION/MIDSTATES EQUIPMENT CO., INC	RF300-21830	06/12/95
GULF OIL CORPORATION/PCL/MIRACLE MILE GULF ET AL	RF300-18304	06/12/95
LOGSDON TUG SERVICE	RF272-79103	06/15/95
N. MONTEREY COUNTY UNIFIED SCHOOL DISTRICT ET AL	RF272-86337	06/15/95
NORTH CAPE MAY CITGO	RF272-97557	06/12/95
SHELL OIL COMPANY/COAST GAS, INC	RF315-5911	06/15/95
TEXACO INC./BOB GRUNER'S TEXACO	RF321-20536	06/12/95
TEXACO INC./DOUG'S TEXACO	RR321-181	06/15/95
TEXACO INC./NOLAN TEXACO	RF321-20744	06/12/95
CUTLER'S TEXACO	RF321-20778	
TEXACO INC./VILLAGE SERVICE CENTER ET AL	RF321-18006	06/12/95

Dismissals

The following submissions were dismissed:

Name	Case No.
A. VICTORIAN	VFA-0045
CROCK TEXACO	RF321-19894
CROCK TEXACO SERVICE	RF321-19895
DOUG'S TEXACO	RF321-19903
PETER DURAN	VWA-0002
PETER DURAN	VWA-0003
TEXACO SERVICE CENTER	RF321-19896

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Notice of Issuance of Decisions and Orders Week of May 1 through May 5, 1995

During the week of May 1 through May 5, 1995, the decisions and orders summarized below were issued with respect to appeals, applications,

petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

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