

pursuant to 18 U.S.C. 1001. I understand that the information contained in this application is subject to public disclosure. I have enclosed a duplicate of this entire application which will be placed in the OHA Public Reference Room.

All applications should be either typed or printed and clearly labeled "Application for Crude Oil Refund." Each applicant must submit an original and one copy of the application. If the applicant believes that any of the information in its application is confidential and does not wish for this information to be publicly disclosed, it must submit an original application, clearly designated "confidential," containing the confidential information, and two copies of the application with the confidential information deleted. All refund applications should be sent to: Subpart V Crude Oil Overcharge Refunds, Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave., S.W., Washington, DC 20585.

The filing deadline has not yet been set. The DOE has proposed that June 3, 1996, will be the final deadline for all applications in the crude oil proceeding. See 59 Fed. Reg. 55656 (November 8, 1994). Notice of the final deadline will appear in the **Federal Register**. Even though an applicant is not required to use any specific form for its crude oil refund application, a suggested form has been prepared by the OHA and may be obtained by sending a written request to the address listed above.

D. Payments to the Federal Government and the States

Under the terms of the MSRP, we have determined that the remaining 80 percent of the Kind and Bridewell funds, plus accrued interest, should be disbursed in equal shares to the states and the federal government for indirect restitution. Refunds to the states will be in proportion to the consumption of petroleum products in each state during the period of price controls. The share or ratio of the funds which each state will receive is contained in Exhibit H of the Stripper Well Settlement Agreement, 6 Fed. Energy Guidelines ¶ 90,509 at 90,687. When disbursed, these funds will be subject to the same limitations and reporting requirements as all other crude oil monies received by the states under the Stripper Well Settlement Agreement.

*It Is Therefore Ordered That:*

(1) Applications for Refund from the crude oil overcharge funds remitted by King Petroleum, Inc., *et al.*, and Billy Bridewell, William J. Cobb, *et al.*, may now be filed.

(2) All Applications submitted pursuant to paragraph (1) must be filed in duplicate and postmarked no later than June 3, 1996.

(3) 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 all steps necessary to transfer \$1,245.04, plus all accrued interest, from the King subaccount (Account No. 650X00358Z), and \$337,022.86, plus all accrued interest, from the Bridewell subaccount (Account No. 6A0C00217Z), for a total of \$338,267.90, plus all accrued interest, pursuant to Paragraphs (4), (5), and (6) of this Decision.

(4) The Director of Special Accounts and Payroll shall transfer \$135,307.16 (plus interest) of the funds obtained pursuant to Paragraph (3) above into the subaccount denominated "Crude Tracking-States," Number 999DOE003W.

(5) The Director of Special Accounts and Payroll shall transfer \$135,307.16 (plus interest) of the funds obtained pursuant to Paragraph (3) above into the subaccount denominated "Crude Tracking-Federal," Number 999DOE002W.

(6) The Director of Special Accounts and Payroll shall transfer \$67,653.58 (plus interest) of the funds obtained pursuant to Paragraph (3) above into the subaccount denominated "Crude Tracking-Claimants 4," Number 999DOE010Z.

Dated: February 1, 1995.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

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### Implementation of Special Refund Procedures

**AGENCY:** Office of Hearings and Appeals, Department of Energy.

**ACTION:** Notice of Implementation of Special Refund Procedures.

**SUMMARY:** The Office of Hearings and Appeals (OHA) of the Department of Energy (DOE) announces the procedures for disbursement of \$3,657.84, plus accrued interest, in refined petroleum product violation amounts obtained by the DOE pursuant to a September 30, 1981 Remedial Order issued to Ed's Exxon, Case No. LEF-0078, and an April 27, 1982 Remedial Order issued to Ron's Shell, Case No. LEF-0084. The OHA has determined that the funds obtained from the above firms, plus accrued interest, will be distributed to customers who purchased gasoline from them during the following periods: August 1, 1979 through October 31, 1979 in the Ed's Exxon proceeding and August 1, 1979 through November 13, 1981 in the Ron's Shell proceeding.

**DATES AND ADDRESSES:** Applications must be filed in duplicate, addressed to "Ed's Exxon OR Ron's Shell Special Refund Proceeding" and sent to: Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave., S.W., Washington, DC 20585.

Applications should display a prominent reference to the case number "LEF-0078" (for the Ed's Exxon proceeding) or "LEF-0084" (for the Ron's Shell proceeding).

**FOR FURTHER INFORMATION CONTACT:** Thomas O. Mann, Deputy Director, Roger Klurfeld, Assistant Director, Office of Hearings and Appeals, 1000 Independence Avenue, S.W.,

Washington, D.C. 20585 (202) 586-2094 (Mann); 586-2383 (Klurfeld).

**SUPPLEMENTARY INFORMATION:** In accordance with 10 C.F.R. 205.282(b), notice is hereby given of the issuance of the Decision and Order set out below. The Decision and Order sets forth the procedures that the DOE has formulated to distribute to eligible claimants \$3,657.84, plus accrued interest, obtained by the DOE pursuant to September 30, 1981 and April 27, 1982 Remedial Orders. In the Remedial Orders, the DOE found that, during periods beginning August 1, 1979, the firms each had sold motor gasoline at prices in excess of the maximum lawful selling price, in violation of Federal petroleum price regulations.

The OHA has determined to distribute the funds obtained from the firms in two stages. In the first stage, we will accept claims from identifiable purchasers of gasoline from the firms who may have been injured by overcharges. The specific requirements which an applicant must meet in order to receive a refund are set out in Section III of the Decision. Claimants who meet these specific requirements will be eligible to receive refunds based on the number of gallons of gasoline which they purchased from Ed's Exxon or Ron's Shell.

If any funds remain after valid claims are paid in the first stage, they may be used for indirect restitution in accordance with the provisions of the Petroleum Overcharge Distribution and Restitution Act of 1986 (PODRA), 15 U.S.C. 4501-07.

Applications for Refund must be postmarked by August 31, 1995. Instructions for the completion of refund applications are set forth in the Decision that immediately follows this notice. Applications should be sent to the address listed at the beginning of this notice.

Unless labelled as "confidential," all submissions must be made available for public inspection between the hours of 1 p.m. and 5 p.m., Monday through Friday, except federal holidays, in the Public Reference Room of the Office of Hearings and Appeals, located in Room 1E-234, 1000 Independence Avenue, S.W., Washington, DC 20585.

Dated: January 27, 1995.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

**Decision and Order of the Department of Energy; Implementation of Special Refund Procedures**

January 27, 1995.

Names of Firms: Ed's Exxon, Ron's Shell

Date of Filing: July 20, 1993

Case Numbers: LEF-0078, LEF-0084