

previously had been granted a refund for a service station at the same address as David Blvd. Texaco. Martin informed the OHA that it consigned its Texaco product purchases to various subleases of the station, of which Jarovics and Kapner were one. Jarovics and Kapner could not produce any evidence which could substantiate their claim that they purchased the Texaco products from Martin and did not take the products on consignment. The DOE determined the consignees of purchasers of Texaco products were not eligible for a refund and that Jarovics and Kapner had failed to establish that they in fact purchased the Texaco products from Martin.

Consequently, the DOE determined that granting Jarovics and Kapner a refund would not constitute restitution for Texaco's alleged overcharges and their Application for Refund should be denied.

*Texas Utilities Company, 11/28/94, RC272-265*

A refund was granted to Texas Utilities Company (TUC) in the Subpart V crude oil refund proceeding in a decision dated September 29, 1994 (Case No. RF272-94695). However, a subsidiary of TUC, Texas Utilities Electric Company, had executed a Utilities Escrow Settlement Claim Form and Waiver and Release in the

Department of Energy Stripper Well Exemption Litigation. The execution of this form waived the rights of the signatory, its parent and any affiliates to any future crude oil refund payments. Upon discovering the waiver signed by the subsidiary, the refund granted in Case No. RF272-94695 was rescinded.

**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.

Atlantic Richfield Company/Schock Arco .....	RF304-15462	11/29/94
Choctaw County et al .....	RF272-86600	11/30/94
Clark Oil & Refining Corp./Coleman's Clark Service .....	RF342-327	11/29/94
Farmers Union Oil Co. et al .....	RF272-86706	12/02/94
Farmers Union Oil Co. of Gary et al .....	RF272-92058	12/02/94
Glendenning Motorways, Inc. ....	RC272-266	11/29/94
Ralston Purina Co. ....	RF272-91916	11/29/94
Ralston Purina Co. ....	RF272-92153	.....
Ralston Purina Co. ....	RF272-97112	.....
Texaco Inc./Baker's Texaco #2 .....	RF321-21040	12/01/94
Texaco Inc./Curran's Texaco .....	RF321-21048	11/30/94
Texaco Inc./E.A. Wilson Co. ....	RF321-12963	12/02/94
Booker Gas & Oil Co. ....	RF321-20875	.....
Bryant Oil Co., Inc. ....	RF321-20964	.....
Texaco Inc./Lake Worth Texaco et al .....	RF321-20199	11/30/94
Texaco Inc./Lee's Texaco et al .....	RF321-9564	11/30/94
Texaco Inc./North Union Texaco et al .....	RF321-8212	11/30/94
Texaco Inc./Ray Wietor's Texaco et al .....	RF321-1229	11/30/94
Texaco Inc./Spiros Karamalegos .....	RF321-21025	12/01/94

**Dismissals**

The following submissions were dismissed:

Name	Case No.
Arlington School District .....	RF272-80198
Arnold's Texaco #1 .....	RF321-19807
D. Thurston's Sons, Inc. ....	RF321-12648
Farmers Union Oil Co. of Gary .....	RF272-92060
Farmers Union Oil Co. of Gary .....	RF272-92059
H. C. Petroleum, Inc. ....	LEE-0094
Leon Clements .....	RF321-12473
Leon Faddis & Son, Inc. ....	RF272-94771
Oak Hill Texaco .....	RF321-12398
Ray Marchand Oil Co. ....	VEE-0002
Robert Texaco .....	RF321-12405
Rubicon, Inc. ....	RR321-172
Supervalu, Inc. ....	RF321-20514
Wilkinson County .....	RF272-85575
Wounded Knee School District .....	RF272-80454

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, 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.

Dated: February 13, 1995.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-5156-4]

**Public Water Supply Supervision Program; Program Revision for the State of Washington**

**AGENCY:** Environmental Protection Agency.