

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of Jan. 22 through Jan. 26, 1996]

Date	Name and location of applicant	Case No.	Type of submission
Jan. 22, 1996	Archie M. LeGrand, Jr., Summerton, South Carolina.	VFA-0120	Appeal of an Information Request Denial. If granted: The December 11, 1995 Freedom of Information Request Denial issued by the Freedom of Information Privacy Act Division would be rescinded, and Archie M. LeGrand, Jr. would receive access to certain Department of Energy Information.
Do	Barton J. Bernstein, Stanford, California	VFA-0117	Appeal of an Information Request Denial. If granted: The December 22, 1995 Freedom of Information Request Denial issued by Albuquerque Operations Office would be rescinded, and Barton J. Bernstein would receive access to certain DOE information.
Do	Jeffrey R. Leist, Mentor, Ohio	VFA-0119	Appeal of an Information Request Denial. If granted: The December 27, 1995 Freedom of Information Request Denial issued by the DOE Mound Facility would be rescinded, and Jeffrey R. Leist would receive access to certain DOE information.
Do	Waite, Schneider, Bayless & Chelsey Co., Cincinnati, Ohio.	VFA-0118	Appeal of an Information Request Denial. If granted: The August 9, 1995 Freedom of information Request Denial issued by the DOE Mound Facility would be rescinded, and Waite, Schneider, Bayless & Chelsey Co. would receive access to certain DOE information.
Jan. 23, 1996	Martha Julian, Newburgh, Indiana	VFA-0121	Appeal of an Information Request Denial. If granted: The January 8, 1996 Freedom of Information Request Denial issued by the Albuquerque Operations Office would be rescinded, and Martha Julian would receive access to certain DOE information.
Jan. 24, 1996	Frank Thompson Transport, El Dorado, Arizona.	RR272-230	Request for Modification/Rescission in the Crude Oil Refund Proceeding. If granted: The January 23, 1996 Dismissal Letter, Case Number RF272-78153, issued to Frank Thompson Transport would be modified regarding the firm's application for refund submitted in the Crude Oil Refund Proceeding.
Jan. 25, 1996	Eugene Maples, Hopkins, South Carolina ...	VFA-0122	Appeal of an Information Request Denial. If granted: The November 29, 1995 Freedom of Information Request Denial issued by the Office of Inspector General would be rescinded, and Eugene Maples would receive certain Department of Energy information.
Do	James H. Stebbings, Naperville, Illinois	VFA-0123	Appeal of an Information Request Denial. If granted: The January 4, 1996 Freedom of Information Request Denial issued by the Argonne National Laboratory would be rescinded, and James H. Stebbings would receive access to certain DOE information.
Jan. 26, 1996	Pittsburgh Naval Reactors Office, West Mifflin, Pennsylvania.	VSO-0081	Request for Hearing under 10 C.F.R. Part 710. If granted: An individual employed at Pittsburgh Naval Reactors Office would receive a hearing under 10 C.F.R. Part 710, entitled "Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material."

[FR Doc. 96-14578 Filed 6-7-96; 8:45 am]

BILLING CODE 6450-01-P

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 of the Department of Energy announces procedures for the disbursement of \$592,001 (plus accrued interest) collected pursuant to a consent order with Macmillan Oil Company

(Case No. LEF-0046) and \$15,822 (plus accrued interest) collected pursuant to a consent order with Kenny Larson Oil Company (Case No. VEF-0002). The funds will be distributed in accordance with the DOE's special refund procedures, 10 CFR part 205, subpart V.

FOR FURTHER INFORMATION CONTACT: Bryan F. MacPherson, Assistant Director, Office of Hearings and Appeals, Department of Energy, Washington, DC. 20585, (202) 426-1562.

SUPPLEMENTARY INFORMATION: In accordance with § 205.282(b) of the procedural regulations of the Department of Energy (DOE), 10 CFR § 205.282(b), notice is hereby given of

the issuance of the Decision and Order set out below. The Decision and Order specifies the procedures that will be used to distribute monies that have been collected by the DOE pursuant to consent orders with Macmillan Oil Company (Macmillan) and Kenny Larson Oil Company (Larson). The consent order with Macmillan settled possible pricing violations with respect to Macmillan's sales of propane, No. 2 fuel oil and Nos. 5 and 6 residual fuel oil. The DOE has collected \$592,001 from Macmillan. The consent order with Larson settled possible pricing violations with respect to Larson's sales of motor gasoline. The DOE has

collected \$15,822 from Larson. The Decision and Order finds that the funds should be distributed to the firms that were overcharged as set forth in DOE audit records. The amount of each firm's potential refund is set forth in the Appendices to the Decision and Order.

Applications for Refund must be filed prior to December 31, 1996 and should contain the information specified in the Decision and Order.

Dated: May 29, 1996.

George B. Breznay,
Director, Office of Hearings and Appeals.

Department of Energy
Washington, DC 20585

May 29, 1996.

DECISION AND ORDER OF THE DEPARTMENT OF ENERGY

Special Refund Procedures

Name of Firms: Macmillan Oil Company,
Kenny Larson Oil Company

Dates of Filings: June 5, 1992, October 18,
1994

Case Numbers: LEF-0046, VEF-0002.

In accordance with the procedural regulations of the Department of Energy (DOE), 10 C.F.R. Part 205, Subpart V, the Economic Regulatory Administration (ERA) filed Petitions to Implement of Special Refund Procedures with the Office of Hearings and Appeals (OHA) on June 5, 1992, and on October 18, 1994. The petitions request that the OHA formulate and implement procedures to distribute funds received pursuant to consent orders entered into between the DOE and Kenny Larson Oil Company (Larson) of Oregon City, Oregon, and Macmillan Oil Company (Macmillan) of Des Moines, Iowa. After reviewing the records in the present cases, we have concluded that a Subpart V proceeding is an appropriate mechanism for distributing the Larson and Macmillan consent order funds. We therefore shall grant the ERA's petitions and assume jurisdiction over distribution of the funds.

I. Background

Larson and Macmillan were "reseller-retailers" as defined in 6 C.F.R. § 150.352 and 10 C.F.R. § 212.31. During the relevant periods these companies were subject to the Mandatory Petroleum Price Regulations, 10 C.F.R. Part 212, Subpart F. An ERA audit of Larson's business records revealed possible pricing violations with respect to the firm's sales of motor gasoline during the period May through December 1979. An ERA audit of Macmillan's business records revealed possible pricing violations with respect to the firm's sales of propane, No. 2 fuel oil, and Nos. 5 and 6 residual fuel oil during the period November 1, 1973, through April 30, 1974. In order to settle all claims and disputes between these companies and the DOE regarding their compliance with the price regulations, the DOE entered into consent orders with Larson and Macmillan on September 21, 1981, and March 7, 1988, respectively.

In the Larson consent order, the firm agreed to remit a total of \$7,415, approximately 38 percent of the amount of the overcharges alleged by the DOE, plus installment interest. Of the principal amount, \$5,842 was to be remitted to the DOE, and \$1,573 was to be paid directly to six of Larson's customers. Larson failed to comply with the Consent Order and remitted no funds to either the DOE or the six customers. On August 29, 1994, we granted Larson a refund of \$15,822 in the Texaco special refund proceeding. *Texaco Inc./Kenny Larson Oil Company*, 24 DOE ¶ 85,081 (1994) (*Texaco/Larson*). At that time, Larson was in default in the amount of \$26,168 (\$7,415 principal plus \$18,753 interest) in its obligations pursuant to the Consent Order. Accordingly, in *Texaco/Larson*, we determined that the Texaco refund should be used to fund Larson's consent order escrow account, in satisfaction of the firm's principal settlement amount and partial satisfaction of its debt for interest accrued. Accordingly, the \$15,822 Texaco refund was deposited into the Kenny Larson Oil Company escrow account maintained at the Department of the Treasury, Consent Order No. 000H00439. This is the amount which is available for distribution to Larson's customers in this proceeding.

On February 1, 1983, a Proposed Remedial Order was issued to Macmillan which alleged that the firm violated the price regulations with respect to its sales of propane, No. 2 fuel oil, and Nos. 5 and 6 residual fuel oil. Macmillan contested the PRO before OHA (Case No. HRO-0122). During the course of that proceeding, the ERA reduced the amount of the alleged overcharges from \$383,268 to \$333,853. See Letter from Ann C. Grover, Associate Solicitor, ERA, to Richard T. Tedrow, OHA Deputy Director (October 5, 1987). On March 7, 1988, Macmillan and DOE entered into a consent order that settled the PRO's allegations. Pursuant to the consent order obligation, Macmillan remitted a total amount of \$592,001 (including pre-settlement interest) to the DOE in full satisfaction of the amount owed. The audit workpapers identify the customers that Macmillan allegedly overcharged.

II. Refund Procedures

On August 2, 1995, a Proposed Decision and Order was issued that tentatively concluded that the procedures set forth below should govern the distribution of funds received pursuant to the Macmillan and Larson consent orders. That Proposed Decision was published in the Federal Register, and interested parties were given 30 days in which to comment. 60 Fed. Reg. 40580 (August 9, 1995). No comments were received. Accordingly, we find that the procedures described in the Proposed Decision, and which are set forth below, should govern the distribution of the Macmillan and Larson consent order funds.

A. Refund Claimants

In the first stage, refund monies will be distributed to those parties which were directly injured in transactions with Larson and Macmillan during the audit periods. We

believe that the Larson and Macmillan customers who were adversely affected by the alleged overcharges are primarily those purchasers specifically identified in the consent orders and in the audit papers. In addition, customers who purchased motor gasoline from the three retail outlets operated by Larson were referred to as a class in the ERA audit files but could not be individually identified. These parties may also file for refunds in this proceeding.

Based on the information we have about Larson's business, we expect that all applicants in the Larson proceeding and most applicants in the Macmillan proceeding will be ultimate consumers. As in many other refund proceedings, we are making a finding that end-users or ultimate consumers whose businesses are unrelated to the petroleum industry were injured by the overcharges covered by the Consent Order. Unlike regulated firms in the petroleum industry, members of this group were generally not subject to price controls during the audit period and were not required to keep records which justified selling-price increases by reference to cost increases. See, e.g., *Marion Corp.*, 12 DOE ¶ 85,014 (1984); *Thornton Oil Corp.*, 12 DOE ¶ 85,112 (1984). For these reasons, an analysis of the impact of the increased cost of petroleum products on the final prices of non-petroleum goods and services would be beyond the scope of this special refund proceeding. See *Office of Enforcement*, 10 DOE ¶ 85,072 (1983); see also *Texas Oil & Gas Corp.*, 12 DOE ¶ 85,069 at 88,209 (1984). Therefore the end-users of Larson and Macmillan petroleum products named in the consent orders or workpapers shall be presumed injured by the alleged overcharges. Other end-user applicants in the Larson proceeding (those purchasing from retail outlets), if any, need only demonstrate that they purchased from Larson and document their purchase volumes to make a sufficient showing that they were injured by the alleged overcharges.¹

We expect some of the applicants in the Macmillan proceeding to be resellers or retailers. With respect to such applicants, we shall adopt a small-claims threshold of \$5,000. Reseller or retailer applicants seeking refunds of \$5,000 or less will not be required to demonstrate that they were injured by Macmillan's alleged overcharges. In addition, one former customer of Macmillan, E.L. Bride, appears to be a reseller whose potential refund amount is \$141,986. Consistent with prior cases, it will be able to obtain a refund of \$50,000 without making a demonstration that it was injured by Macmillan's overcharges. In order to obtain a refund of its full overcharge amount, it would have to show that it was injured by the overcharges. See *Gulf Oil Corp.*, 16 DOE

¹ One Larson customer (Portland General Electric) and three Macmillan customers (Iowa Power & Light, Atlantic Municipal Utilities, and Iowa South Utilities) are public utilities. As in other Subpart V proceedings, we will treat the utilities as end-users. Since each of their potential refunds is less than \$5,000, we will not require them to submit the type of certification of pass-through required of public utilities that receive refunds in excess of the \$5,000 small claims threshold. See, e.g., *Placid Oil Co.*, 18 DOE ¶ 85,176 at 88,290 (1988).

¶ 85,381 at 88,738 (1987); *Marathon Petroleum Co.*, 14 DOE ¶ 85,269 at 88,510 (1986).

B. Calculation of Refund Amount

As stated above, the audits which gave rise to the Macmillan Consent Order identified all of the customers allegedly overcharged during the audit period. In total, there are 66 identified customers who were allegedly overcharged by Macmillan during its refund period. The Larson audit identified six customers which account for 21.2 percent of the alleged overcharges, while the remaining 78.8 percent of the alleged overcharges were attributed to Larson's sales to customers at its retail stations. With respect to the identified customers of Larson and Macmillan, we have determined that the use of the audit results to establish potential refunds on a firm-specific basis is more accurate than any other method to relate probable injury to refund amount.

We shall therefore base the identified customers' potential refunds on the amount that each of these firms was allegedly overcharged, as determined by the ERA audit. Thus, the principal amount of each firm's maximum refund is 100 percent of the amount designated for that firm in the Consent Order plus a pro rata share of the interest that the DOE has collected on that amount. (For Larson, the latter is approximately 45 percent of the interest that Larson actually owed at the time the money was placed in the escrow account.) The firms and their potential refund amounts are listed in the Appendices to this Decision. In addition, to the amounts indicated in the Appendices, each successful claimant will receive a pro rata share of the interest accrued on the consent order funds between the date the funds were placed in the Larson and Macmillan escrow accounts and the date the claimant's refund is disbursed.

We shall use a volumetric methodology to distribute that portion of the consent order fund attributable to purchases from Larson's retail outlets. Under the volumetric methodology, customers at Larson's retail outlets will be eligible to receive a refund equal to the number of gallons of motor gasoline purchased from Larson from May through December 1979 multiplied by the volumetric factor. The volumetric factor for Larson is equal to \$0.0123.² We also establish a minimum amount of \$15 for refund claims,

²The volumetric factor was computed by dividing \$12,467 (78.8 percent of the \$15,822 collected for the Larson escrow account) by 1,016,250 (the approximate volume of motor gasoline sold to retail customers during the audit period).

as the cost of processing claims in which refunds are sought for amounts less than \$15 outweighs the benefits of restitution in those situations. See, e.g., *Uban Oil Co.*, 9 DOE ¶ 82,541 at 82,225 (1982); see also 10 C.F.R. § 205.286(b). Therefore, retail outlet customers must have purchased at least 1,220 gallons of Larson motor gasoline during the Larson audit period in order to be eligible for a refund.

C. Distribution of Remaining Funds

Any funds that remain after all first-stage claims have been decided will be distributed in accordance with the provisions of the Petroleum Overcharge Distribution and Restitution Act of 1986 (PODRA), 15 U.S.C. §§ 4501-07. PODRA requires that the Secretary of Energy determine annually the amount of oil overcharge funds that will not be required to refund monies to injured parties in Subpart V proceedings and make those funds available to state governments for use in four energy conservation programs. The Secretary has delegated these responsibilities to OHA. Any funds in the Larson and Macmillan escrow account that OHA determines will not be needed to effect direct restitution to injured Larson and Macmillan customers will be distributed in accordance with the provisions of PODRA.

III. Requirements for Refund Applications

To apply for a refund from any of the settlement funds, a claimant should submit an Application for Refund containing all of the following information:

(1) Identifying information including the claimant's name, current business address, taxpayer identification number, the name, title, and telephone number of a person to contact for additional information, and the name and address of the person who should receive any refund check.³

(2) Describe any change in ownership of the applicant firm since the refund period. If

³Under the Privacy Act of 1974, the submission of a social security number by an individual applicant is voluntary. An applicant that does not wish to submit a social security number must submit an employer identification number if one exists. This information will be used in processing refund applications, and is requested pursuant to our authority under the Petroleum Overcharge Distribution and Restitution Act of 1986 and the regulations codified at 10 C.F.R. Part 205, Subpart V. The information may be shared with other Federal agencies for statistical, auditing or archiving purposes, and with law enforcement agencies when they are investigation a potential violation of civil or criminal law. Unless an applicant claims confidentiality, this information will be available to the public in the Public Reference Room of the Office of Hearings and Appeals.

the applicant claims a refund as an heir or assignee of the person or firm that purchased products from Larson or Macmillan it should explain why it should receive the refund.

(3) A statement whether the applicant or a related firm has filed, or has authorized any individual to file on its behalf, any other application in this refund proceeding. If so, an explanation of the circumstances of the other filing or authorization should be submitted.

(4) If the applicant is or was in any way affiliated with the consenting firms, it should explain this affiliation.

(5) The statement listed below signed by the individual applicant or a responsible official of the firm filing the refund application:

I swear (or affirm) that the information contained in this application and its attachments is true and correct to the best of my knowledge and belief. I understand that anyone who is convicted of providing false information to the federal government may be subject to a fine, a jail sentence, or both, pursuant to 18 U.S.C. § 1001. I understand that the information contained in this application is subject to public disclosure.

Each applicant for which an address appears in the Appendices will be mailed a sample application form that may be used, but which is not required. Copies will be sent to any other party upon request. Each applicant must submit an original and one copy of the application. All refund applications should be postmarked no later than December 31, 1996, and be sent to: Macmillan Oil Company [or] Kenny Larson Oil Company, Special Refund Proceeding, Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585-0107.

It Is Therefore Ordered That:

(1) Applications for Refund from the funds remitted to the Department of Energy by Kenny Larson Oil Company pursuant to the September 21, 1981 Consent Order may now be filed. The funds will be distributed in accordance with the foregoing Decision.

(2) Applications for Refund from the funds remitted to the Department of Energy by Macmillan Oil Company pursuant to the March 7, 1988 Consent Order may now be filed. The funds will be distributed in accordance with the foregoing Decision.

(3) To be considered, all Applications for Refund must be postmarked no later than December 31, 1996.

Dated: May 29, 1996.

George B. Breznay.
Director, Office of Hearings and Appeals.

APPENDIX A.—MACMILLAN CUSTOMERS AND THEIR POTENTIAL REFUND AMOUNTS

Customer name	Overcharge amount	Pre-settle-ment interest	Potential refund amount
ACE LINES, INC., c/o T.C. MILLER, P.O. BOX 8088, DES MOINES IA 50301	\$223	\$172	\$395
ARMSTRONG RUBBER, 2345 E MARKET ST, DES MOINES IA 50317-7598	\$17,982	\$13,904	\$31,886
ASSOCIATED MILK PRODUCERS, 305 19TH ST SW, MORGAN CITY IA 50401	\$635	\$491	\$1,126
ATLANTIC MUNICIPAL UTILITIES, 15 W 3RD ST, ATLANTIC IA 50022-1055	\$694	\$537	\$1,231
BANKERS LIFE CO., 7524 HICKMAN RD, DES MOINES IA 50322	\$2,068	\$1,599	\$3,667
BEAVER VALLEY CANNING	\$4,922	\$3,806	\$8,728
BELL WATCHER	\$1,834	\$1,418	\$3,252
BITUCOTE PRODUCTS CO	\$14	\$11	\$25
BOESSEN THE FLORIST, 3422 BEAVER AVE, DES MOINES IA 50310-3241	\$285	\$220	\$505
BOOKEY PACKING, & MORTON BOOKEY, 3002 SW 30TH ST, DES MOINES IA 50321	\$843	\$652	\$1,495
C&K ENTERPRISES	\$360	\$278	\$638
CITY OF PLEASANT HILL	\$7	\$5	\$12
COLLEGE OSTEOPATHIC MEDICINE, 3200 GRAND AVE, DES MOINES IA 50312-4104	\$222	\$172	\$394
CREES ENTERPRISES	\$1,015	\$785	\$1,800
CROUSE CARTAGE, 5185 NE 22ND ST, DES MOINES IA 50313-2521	\$414	\$320	\$734
DAKOTA OIL CO	\$650	\$503	\$1,153
DES MOINES COMMUNITY COLLEGE, 1100 7TH ST, DES MOINES IA 50314	\$411	\$318	\$729
DES MOINES INDEPENDENT SCHOOLS, 1800 GRAND AVE, DES MOINES IA 50309	\$10,035	\$7,759	\$17,794
E.L. BRIDE COMPANY, P.O. BOX 7470, SHAWNEE MISSION KS 66207	\$80,066	\$61,920	\$141,986
ELVIEW CONSTRUCTION, 806 S ANKENY, ANKENY IA	\$1,345	\$1,040	\$2,385
EMCO INDUSTRIES, 220 NEW YORK AVE, DES MOINES IA 50313	\$520	\$402	\$922
EQUITABLE LIFE INSURANCE CO., 13300 HICKMAN RD, DES MOINES IA 50325-8617	\$4,736	\$3,662	\$8,398
EVERDS BROS	\$213	\$165	\$378
FIDELITY WAREHOUSE, c/o JACOBSON WAREHOUSE CO, 1500 DELAWARE AVE, DES MOINES IA	\$3,146	\$2,432	\$5,578
FIRESTONE, 2 AVE & HOFFMAN RD, DES MOINES IA 50309	\$196	\$152	\$348
FORT DODGE TRANSPORT, c/o GORDON OLSON, 707 7TH AVE N, FT. DODGE IA 50501	\$517	\$400	\$917
GEORGE A. HORMEL & CO., NORTH LINN, ATLANTIC IA 50022	\$11,756	\$9,090	\$20,846
GREENFIELD OIL CO.	\$1,019	\$788	\$1,807
H. WEST CONSTRUCTION	\$25	\$19	\$44
HOTEL DES MOINES	\$325	\$251	\$576
HOTEL FT. DES MOINES, 10 & WALNUT, DES MOINES IA 50309	\$3,494	\$2,702	\$6,196
HOWE LAUNDRY, c/o GENE E. HOWE, 1311 WEST AVENUE, DES MOINES IA	\$1,093	\$845	\$1,938
INLAND MILLS, c/o ADM MILLING CO, 1925 E GRAND, DES MOINES IA	\$2,565	\$1,983	\$4,548
IOWA POWER AND LIGHT, 311 ALIX ST, RED OAK IA 51566-1001	\$4,352	\$3,365	\$7,717
IOWA ROAD BUILDERS, c/o CARL H. EDMAN, 700 58TH ST, WEST DES MOINES IA 50266	\$4,379	\$3,386	\$7,765
IOWA SOUTH UTILITIES, 18 S. MAIN ST., ALBA IA 52531	\$409	\$316	\$725
KECK, INC., 301 SW 9TH ST, DES MOINES IA 50309	\$1,071	\$828	\$1,899
KRIZAN, CHARLES	\$556	\$430	\$986
LITTLE GIANT CRANE, 1601 NE 66TH AVE, DES MOINES IA 50313-1237	\$652	\$504	\$1,156
LOCAL 334, MUSICIANS UNION, 82 MULBERRY ST, WATERLOO IA 50703	\$99	\$77	\$176
MAYTAG, 1 DEPENDABILITY SQ, NEWTON IA 50208-9238	\$88,470	\$68,405	\$156,875
MEREDITH PUBLISHING CO., 1716 LOCUST, DES MOINES IA 50309	\$2,721	\$2,104	\$4,825
MOTT CONSTRUCTION, 3675 E T C JESTER BLVD, HOUSTON TX 77018	\$523	\$404	\$927
NATIONAL GYPSUM, 2001 REXFORD RD, CHARLOTTE NC 28211	\$508	\$393	\$901
NEW MONROE COMMUNITY SCHOOLS, 407 PLAINSMEN RD, MONROE IA 50170	\$2,111	\$1,632	\$3,743
PARKER OIL CO., 7TH & RACCOON SE, DES MOINES IA 50309	\$746	\$577	\$1,323
PEPSI COLA BOTTLERS, 3825 106TH ST, DES MOINES IA 50322-2098	\$957	\$740	\$1,697
RALSTON PURINA, 433 S PINE ST, DAVENPORT IA 52802-2800	\$1,281	\$990	\$2,271
SAVORY HOTEL, 4TH & LOCUST, DES MOINES IA	\$3,617	\$2,797	\$6,414
SENDER STONE PRODUCTS	\$193	\$149	\$342
SHAVER OIL CO., c/o BERWIN P. SHAVER, 2203 W. LINCOLN WAY, MARSHALLTOWN IA 50158	\$582	\$450	\$1,032
STARK HEATING, c/o RALPH STANLEY, 1229 SANFORD AVE, MARSHALLTOWN IA 50158	\$761	\$588	\$1,349
STATE OF IOWA, c/o ATTORNEY GENERAL'S OFFICE, HOOVER BUILDING, DES MOINES IA 50319	\$1,222	\$945	\$2,167
DEPT OF GENERAL SERVICES, c/o ATTORNEY GENERAL'S OFFICE, HOOVER BUILDING, DES MOINES IA 50319	\$3,092	\$2,391	\$5,483
STATE OF IOWA BLDG., c/o ATTORNEY GENERAL'S OFFICE, HOOVER BUILDING, DES MOINES IA 50319	\$183	\$141	\$324
SWIFT & CO., 406 E 8TH ST, VILLISCA IA 50846	\$1,766	\$1,365	\$3,131
SWIFT EDIBLE OIL CO.	\$8,054	\$6,227	\$14,281
TARGET READY MIX, c/o BILLY H BRYANT, 405 52ND ST, WEST DES MOINES IA 50265	\$18,175	\$14,053	\$32,228
UNIV OF IOWA, 1111 9TH ST, DES MOINES IA 50314-2527	\$21,616	\$16,713	\$38,329
UNIV OF N. IOWA, 802 W 29TH ST, CEDAR FALLS IA 50613	\$4,519	\$3,494	\$8,013
VA HOSPITAL	\$12	\$9	\$21
VETERANS MEMORIAL AUDITORIUM, 833 5TH AVE, DES MOINES IA 50309-1316	\$1,009	\$780	\$1,789
WEST TOWERS BUILDING, MANAGER, 1200 VALLEY WEST DR, WEST DES MOINES IA 50265	\$3,406	\$2,634	\$6,040
WESTERN ELECTRIC, c/o ABIGALE KERPNER, AT&T, 1 OAK WAY, RM 4WD175, BERKELEY HEIGHTS NJ 07922	\$952	\$736	\$1,688
WILSON & CO., c/o WILLIAM AMALONG, 3133 PRARIE ROSE RD, OKLAHOMA CITY OK 73120	\$1,822	\$1,409	\$3,231

APPENDIX A.—MACMILLAN CUSTOMERS AND THEIR POTENTIAL REFUND AMOUNTS—Continued

Customer name	Overcharge amount	Pre-settle- ment interest	Potential refund amount
YOUNKERS, 7 & WALNUT, DES MOINES IA 50314	\$407	\$315	\$722
TOTAL	\$333,853	\$258,148	\$592,001

APPENDIX B.—KENNY LARSON CUSTOMERS AND THEIR POTENTIAL REFUND AMOUNTS

Customer name	Overcharge amount	Interest collected	Potential principal refund
SCHULTZ SANITARY SERVICE, 10643 NE SIMPSON, PORTLAND OR 97220-1223	\$416	\$471	\$887
B & C TOWING	\$96	\$109	\$205
D & A SUPPLY, 1169 MOLALLA AVE, OREGON CITY OR 97045	\$91	\$101	\$192
PORTLAND GENERAL ELECTRIC, LEGAL DEPARTMENT, 121 SW SALMON ST, PORTLAND OR 97204	\$685	\$773	\$1,458
LARRY HEPLER	\$93	\$109	\$202
SKIG NAGAL FARMS	\$192	\$219	\$411
RETAIL CUSTOMERS	\$5,842	\$6,625	\$12,467
TOTAL	\$7,415	\$8,407	\$15,822

[FR Doc. 96-14577 Filed 6-7-96; 8:45 am]
BILLING CODE 6450-01-P

Federal Energy Regulatory Commission

Sunshine Act Meeting

The following notice of meeting is published pursuant to section 3(a) of the Government in the Sunshine Act (Pub. L. No. 94-409), 5 U.S.C. 552B:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

DATE AND TIME: June 12, 1996, 10:00 a.m.

PLACE: Room 2C, 888 First Street, N.E., Washington, D.C. 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Lois D. Cashell, Secretary, Telephone (202) 208-0400. For a recording listing items stricken from or added to the meeting, call (202) 208-1627.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the reference and information center.

Consent Agenda—Hydro, 654th Meeting—June 12, 1996, Regular Meeting (10:00 a.m.)

CAH-1.

Docket# P-9248, 012, Town of Telluride, Colorado

CAH-2.

Docket# P-2315, 002, South Carolina Electric & Gas Company

CAH-3.

Docket# P-2331, 002, Duke Power Company

CAH-4.

Docket# P-2332, 003, Duke Power Company

CAH-5.

Docket# P-2645, 029, Niagara Mohawk Power Corporation

CAH-6.

Docket# P-10199, 000, City of Klamath Falls, Oregon

Consent Agenda—Electric

CAE-1.

Docket# ER94-35, 000, Central Vermont Public Service Corporation and Green Mountain Power Corporation

CAE-2.

Docket# ER96-1316, 000, Transalta Enterprises Corporation

CAE-3.

Docket# ER96-1485, 000, Illinois Power Company

CAE-4.

Docket# ER96-1580, 000, Minnesota Power & Light Company

CAE-5.

Omitted

CAE-6.

Docket# ER96-688, 000, Northwest Power Marketing Company, L.L.C.

CAE-7.

Docket# ER93-777, 000, Commonwealth Edison Company

Other#S ER93-777, 002, Commonwealth Edison Company

ER93-777, 003, Commonwealth Edison Company

ER95-371, 000, Commonwealth Edison Company

ER95-371, 001, Commonwealth Edison Company

ER95-1539, 000, Commonwealth Edison Company

ER95-1545, 000, Commonwealth Edison Company

CAE-8.

Docket# EC95-16, 003, Wisconsin Electric Power Company and Northern States Power Company (Minnesota), et al.

Other#S EL95-61, 000, Wisconsin Electric Power Corporation

EL95-68, 000, Wisconsin Public Power Incorporated, et al. v. Wisconsin Electric Power Corporation

ER94-1625, 000, Wisconsin Electric Power Company

ER95-264, 000, Wisconsin Electric Power Company

ER95-1084, 000, Wisconsin Electric Power Company

ER95-1357, 003, Wisconsin Electric Power Company and Northern States Power Company (Minnesota), et al.

ER95-1358, 003, Wisconsin Electric Power Company and Northern States Power Company

ER95-1474, 000, Wisconsin Electric Power Company

CAE-9.

Docket# EC95-16, 004, Wisconsin Electric Power Company and Northern States Power Company (Minnesota), et al.

Other#S ER95-1357, 004, Wisconsin Electric Power Company and Northern States Power Company (Minnesota), et al.

ER95-1358, 004, Wisconsin Electric Power Company and Northern States Power Company

CAE-10.

Docket# ER95-267, 006, New England Power Company

CAE-11.

Docket# EF95-5171, 001, United States Department of Energy—Western Area Power Administration (Salt Lake City Area Integrated Projects)

CAE-12.

Omitted

CAE-13.