§ 1206.62 Actual or theoretical losses. Notwithstanding any other provisions of this subpart, for other than arm’s-length contracts, no cost shall be allowed for oil transportation which results from payments (either volumetric or for value) for actual or theoretical losses. This section does not apply when the transportation allowance is based upon a FERC or State regulatory agency approved tariff.

§ 1206.58 What must I do if ONRR finds that I have not properly determined value?

(a) If ONRR finds that you have not properly determined value, you must:
   (1) Pay the difference, if any, between the royalty payments you made and those that are due, based upon the value ONRR establishes; and
   (2) Pay interest on the difference computed under §1218.54 of this chapter.

(b) If you are entitled to a credit due to overpayment on Indian leases, see §1218.53 of this chapter. The credit will be without interest.

§ 1206.59 May I ask ONRR for valuation guidance?

You may ask ONRR for guidance in determining value. You may propose a value method to ONRR. Submit all available data related to your proposal and any additional information ONRR deems necessary. We will promptly review your proposal and provide you with non-binding guidance.

§ 1206.60 What are the quantity and quality bases for royalty settlement?

(a) You must compute royalties on the quantity and quality of oil as measured at the point of settlement approved by BLM for the lease.

(b) If you determine the value of oil under §1206.52, §1206.53, or §1206.54 of this subpart based on a quantity or quality different from the quantity or quality at the point of royalty settlement approved by BLM for the lease, you must adjust the value for those quantity or quality differences.

(c) You may not deduct from the royalty volume or royalty value actual or theoretical losses incurred before the royalty settlement point unless BLM determines that any actual loss was unavoidable.