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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of May 11 Through May 15, 1998

During the week of May 11 through May 15, 1998, 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, 950 L'Enfant Plaza, SW, Washington, DC, Monday through Friday, 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: July 6, 1998.

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

Decision List No. 85; Week of May 11 Through May 15, 1998

Appeal

Cincinnati Gas & Electric Co., 5/11/98, VEA-0008

The Office of Hearings and Appeals considered an Appeal filed by Cincinnati Gas & Electric Company (CG&E) from a determination issued on December 8, 1997, by the Office of Energy Efficiency and Renewable Energy (EE) of the Department of Energy (DOE), under provisions of 10 CFR Part 490 (Alternative Fuel Transportation Program). In its determination, EE partially granted a request by CG&E to receive credits under the Part 490 program for certain 1997 Model Year vehicles which the firm converted to alternative fuel vehicles (AFVs), but not

within four months after acquisition as required under 10 CFR 490.305(c). EE granted relief for such vehicles converted by CG&E on or before August 31, 1997. However, in its Appeal, CG&E sought additional credits for such vehicles (30) converted by the firm during the period September through December 1997. After considering evidence presented by CG&E concerning delays encountered by the firm in acquiring AFV conversion equipment, the DOE determined that CG&E's Appeal should be granted in part. Accordingly, the DOE granted CG&E credits under the Part 490 program for 17 of the 30 converted AFVs subject to its Appeal.

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 Co./Arlington Oil Co. et al	RF304-4889	5/11/98
Arlington Oil Co	RF304-4872	
Enron Corporation/Chemplex Co	RF340-182	5/13/98
Enron Corp./Heritage Propane	RR340-00005	5/12/98
Midwest Haulers, Inc et al	RK272-02843	5/12/98
Schlumberger Technology Corp	RC272-00390	5/12/98

Dismissals

The following submissions were dismissed.

Name	Case No.
Personnel Security Hearing	VSO-0191
Personnel Security Hearing	VSO-0195
Toombs County Commissioners	RF272-98961

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of May 18 Through May 22, 1998

During the week of May 18 through May 22, 1998, 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, 950 L'Enfant Plaza, SW, Washington, DC, Monday through Friday, 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: July 6, 1998.

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

Decision List No. 86; Week of May 18 Through May 22, 1998

Appeals

James E. Minter, 5/18/98, VFA-0406

James E. Minter filed an Appeal from a determination issued to him by the Albuquerque Operations of the Department of Energy (DOE) in response to a Request for Information submitted under the Freedom of Information Act (FOIA). Mr. Minter's request sought records of overtime payments to a DOE employee who, as allegedly part of his job requirements, may have engaged in