

EIA-863 PETROLEUM PRODUCT SALES IDENTIFICATION SURVEY INSTRUCTIONS

1. QUESTIONS?

If you have any questions about Form EIA-863 after reading the instructions, please call our toll-free number 1-800-382-0630.

2. PURPOSE

The Energy Information Administration (EIA) Form EIA-863, "Petroleum Product Sales Identification Survey," is designed to obtain information on the size, type, and geographic location of fuel oil-related business concerns. The data are used to monitor these activities, as a frame for use by EIA sample surveys, and to report to Congress and others when requested.

3. WHO MUST SUBMIT

The Form EIA-863 is mandatory pursuant to Section 13(b) of the Federal Energy Administration Act of 1974 (Public Law 93-275) and must be completed by every firm who receives this form.

Section 9 explains the possible sanctions for failing to report.

4. WHEN TO SUBMIT

The Form EIA-863 must be completed and postmarked for return to EIA by **March 30, 2011**.

5. WHERE TO SUBMIT

The Form EIA-863 may be submitted to the EIA by mail, facsimile, e-mail, or secure electronic file transfer. Should you choose to submit your data via e-mail, we must advise you that e-mail is an insecure means of transmission because the data are not encrypted, and there is some possibility that your data could be compromised.

Mail: Energy Information Administration
U.S. Department of Energy
PO Box 1089
Washington, D.C. 20013-1089
Attn: Form EIA-863

Fax: 1- (301) 572-0998

Email: OOG.SURVEYS@eia.doe.gov

Secure File Transfer:
<https://signon.eia.doe.gov/upload/noticeoog.jsp>

6. COPIES OF SURVEY FORMS, INSTRUCTIONS AND DEFINITIONS

Copies in portable document format (PDF) and spreadsheet format (.xls) are available on EIA's website at:

www.eia.doe.gov/oil_gas/petroleum/survey_forms/pet_survey_forms.html

You may also access the materials by following the steps below:

- Go to EIA's website at www.eia.doe.gov
- Click on *Petroleum*
- Click on *Petroleum Survey Forms* located in the *References* box on the right side of the page
- Select the materials you want.

Files must be saved to your personal computer. Data cannot be saved interactively on the website.

Please Note: The spreadsheet format of the form, which is an Excel (.xls) file, contains macros. These macros are digitally signed by the Department of Energy. The digital signature is a verifiable signature that guarantees the authenticity and integrity of the macro. In order for this form to function properly, the macro must be enabled. If your macro security is set to VERY HIGH, then you will need to lower the security settings in order to enable the macros (see instructions below). If your macro security setting is at HIGH or MEDIUM, you can check the box for "Always trust macros from this publisher," in order to always enable the macros for this form. If your macro security is set to MEDIUM, then you can click on the Enable Macros button to enable the macros for this one occurrence.

To change the macro security setting in Excel, select **Tools** from the menu. Then, select **Macro**. Then, choose **Security**. The security window will pop up. At the Security Level tab, choose MEDIUM (you may select HIGH, but the instructions above must be followed to enable the macros). Press OK. The form may be opened after setting the macro security levels.

7. HOW TO COMPLETE THE SURVEY FORM

General Instructions

Report all volumes in **actual gallons**. Enter data for sales made during the entire calendar year 2006 or that portion of 2010 that you owned and operated the company. Report sales volumes in the State where the transfer of title occurred.

Report your firm's entire sales. This includes sales made directly by the parent, subsidiaries, divisions, branches, and outlets. (See Specific Instructions – *Item 24* for details.)

If your firm does not maintain information sufficient to provide actual sales volumes by the customer categories specified on the form, then estimate sales for these categories using available information. The basis for the estimates must be consistent with the standard accounting records maintained by

the firm. The estimating procedure and data supporting the estimates should result in a reasonably accurate estimate which will be subject to review.

If your firm receives more than one copy of Form EIA-863, please complete all information on one of the forms and write the following on the duplicate copy(ies): "Duplicate to ID No. XXXXXXXXXXXX." Be sure to fill in the "X's" with the 10-digit EIA ID number from the label of the form that you completed. Return all forms to EIA so that we may correct our records.

Subsidiaries that receive the Form EIA-863 should mark *item "9d"*, and fill in the name and address of the parent company in *items 10-18* on page 1 of the form. Return the form to EIA so that we may update our records.

PART I. RESPONDENT IDENTIFICATION DATA

Items 1 through 8: Enter corrections if the information shown on the mailing label is incomplete or incorrect. If there are no corrections, please skip to item 9.

Items 9a through 9f: Check the appropriate box (a - f) that best describes your company's operating status at the end of 2006. (Check only one box.)

Item 10: Complete if you checked *item 9c*, providing the date that your company ceased.

Items 10 through 18: Complete if you checked *9b, 9d, or 9e*, providing the date, company name and address of the company you sold to, merged with, leased to, are a subsidiary of, or are a commissioned agent for, and the transaction date of the sale, merger, etc.

Please Note: When submitting the form using the excel version you will need to fill in the Company EIA ID number. The number can be found on the survey form, below the company's mailing address, that you received via U.S. Mail.

PART II. PREPARER INFORMATION

Item 19 through 21: Provide the preparer's name, telephone number, fax number, email address, and date of completion.

PART III. TOTAL SALES VOLUMES (BY STATE) FOR 2010

Item 23: Check "Yes" or "No."

Item 24: Complete if you checked "Yes" to *Item 23*. Report your firm's entire sales for 2010 of No. 2 Distillate (No. 2 fuel oil and diesel), No. 5 and No. 6 Residual Fuel Oil, Motor Gasoline, and Propane. Report in **actual gallons**. Parent companies should include all sales made by their subsidiaries, branches, divisions and outlets. Enter the 2-letter State Standard Abbreviation at the top of the columns of item 24. Sales for each subsequent State should be reported in the same manner, using a separate column for each State in which your firm sold product. If your firm has sales in more than two States, use copies of Part II and attach them to the original form.

No. 2 Distillates

Report retail sales of No.2 distillates by the type of end-use customer and type of distillate (No. 2 fuel oil or No. 2 diesel).

Include under the category "Residential Fuel Oil", *24a*, those sales of No. 2 fuel oil made to individual households, including farm houses. Sales to apartment buildings/complexes or other multi-family dwellings should be excluded from the "Residential Fuel Oil" category but included in the "all other end uses" category, *24b* or *24c*.

Include under the category "all other end uses", *24b* and *24c*, those sales of No. 2 distillate for non-residential use, such as transportation, apartment buildings/complexes or other multi-family dwellings, hotels and office buildings or complexes, sales to local, State or Federal Governmental facilities or organizations, along with military sales, schools, hospitals, religious institutions, universities or other government-supported organizations. Include No. 2 distillate sales for vessel bunkering or utilities under this category.

Include under the category "sold to Dealers, Resellers, and Refiners", *24d*, all sales to dealers, resellers or retailers.

No. 5 and No. 6 Residual Fuel Oil

Include under the category "sold to the Consumer", *24g*, all direct sales to end-users, such as sales to utilities, railroads, vessels for bunkering, military, industrial and commercial users.

Include under the category "sold to Dealers, Resellers, and Refiners", *24h*, all sales to resellers or retailers who will resell the product.

Motor Gasoline and Gasohol

Report gasoline sales volumes and prices by sales category and formulation, in accordance with their classification at the time of sale. The intent of this form is to collect sales volumes for conventional gasoline inclusive of gasohol and oxygenated, and reformulated gasoline inclusive of OPRG.

Include in the category "sold to the Consumer", *24j*, all direct sales to end-users.

Sales made to retail outlets or others reselling the product, should be included in the category "sold to Dealers, Resellers and Refiners", *24k*. This category includes the wholesale sales categories DTW, Rack, or Bulk.

Report sales of conventional gasoline inclusive of oxygenated gasoline, but do not report ethanol (alcohol) sold separately for blending purposes. Also, include in conventional those sales of gasohol either intended or not intended for use in a carbon monoxide (CO) nonattainment program as oxygenated gasoline. **Do not include** oxygenated gasoline that has been certified as reformulated gasoline as per EPA regulations.

Report all sales of gasoline that have been certified as reformulated gasoline per EPA regulations as reformulated gasoline. Gasoline that meets both the oxygenated and reformulated definitions as certified by the EPA should be reported as reformulated gasoline.

Propane

Report retail sales of consumer grade propane by the type of end-use customer. Exclude the propane portion of any natural gas liquid mixes, e.g., butane-propane mix.

Include under the category "Delivered Residential Propane", 24m, those sales of propane for use in private households. Include both sales of bottled gas delivered to the residence and truck sales delivered to the customer's tank. Sales to apartment buildings/ complexes or other multi-family dwellings should be excluded from the "Delivered Residential Propane" category but included in the "all other end uses" category.

Include under the category "all other end uses", 24n, those sales of propane for non-residential use, such as transportation, including fleet vehicles, and apartment building/complexes, and other multi-family dwellings, hotels and office buildings or complexes, sales to hospitals, religious institutions, universities or other government supported organizations. Include those sales of propane to public or private firms engaged in mining, construction or manufacturing, inclusive of petrochemical plants, agricultural customers, or utilities.

Included under the category "sold to Dealers, Resellers, and Refiners", 24O, all sales to dealers, resellers or retailers.

Item 25: Check the box (or boxes) of all other petroleum products that your firm sells. Note: "Other" excludes the Product for which you have already reported volumes: No. 2 fuel oil, No. 2 Diesel, No. 5 and No. 6 Residual Fuel Oil, Motor Gasoline, and Propane.

Item 26: Check the appropriate box(es) regarding your sales for use of propane for on-highway use.

Item 27: Check the appropriate box regarding current or past sales of distillate fuel oil to railroad companies.

8. PROVISIONS REGARDING CONFIDENTIALITY OF INFORMATION

The information reported in items 1-8 of Part I, Respondent Identification Data, of the EIA-863 will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the Department of Energy (DOE) regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

With regard to the information reported in items 1-8 of Part I, the Federal Energy Administration Act requires the EIA to provide company-specific data to other Federal agencies when requested for official use. That information reported in Part I may also be made available, upon request, to another component of the DOE; to any Committee of Congress, the Government Accountability Office, or other Federal agencies

ASTM – The acronym for the American Society for Testing and Materials.

authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order. That Part I information may be used for any non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

The information reported in Part I item 9-18, Parts II, Preparer Information, and III, Total Sales Volumes by State, of the EIA-863 will be used for statistical purposes only. In accordance with the Confidential Information Protection provisions of Title V, Subtitle A of Public Law 107-347 and other applicable Federal laws, your responses will be kept confidential and will not be disclosed in identifiable form to anyone other than employees or agents without your consent. By law, every EIA employee, as well as every agent, is subject to a jail term, a fine of up to \$250,000, or both if he or she discloses ANY identifiable information about you.

9. SANCTIONS

The timely submission of Form EIA-863 by those required to report is mandatory under Section 13(b) of the Federal Energy Administration Act of 1974 (FEAA) (Public Law 93-275), as amended. Failure to respond may result in a civil penalty of not more than \$2,750 per day for each violation or a fine of not more than \$5,000 per day for each criminal violation.

Title 18 USC 1001 makes it a criminal offense for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious, or fraudulent statements as to any matter within its jurisdiction.

The government may bring a civil action to prohibit reporting violations which may result in a temporary restraining order or a preliminary or permanent injunction without bond. In such civil action, the court may also issue mandatory injunctions commanding any person to comply with these reporting requirements.

10. FILING FORMS WITH THE FEDERAL GOVERNMENT AND ESTIMATED REPORTING BURDEN

Respondents are not required to file or reply to any Federal collection of information unless it has a valid OMB control number. Public reporting burden for this collection of information is estimated to average one (1) hour per response, including the time of reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information including suggestions for reducing this burden to: Energy Information Administration, Statistics and Methods Group, EI-70, 1000 Independence Avenue, S.W., Washington, D.C. 20585; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

DEFINITIONS

Agriculture – An energy-consuming subsector of the industrial sector that consists of all facilities and equipment engaged in growing crops and raising animals.

Aviation Gasoline (Finished) – A complex mixture of relatively volatile hydrocarbons with or without small quantities of additives, blended to form a fuel suitable for use in aviation reciprocating engines. Fuel specifications are provided in ASTM Specification D 910 and Military Specification MIL-G-5572. *Note:* Data on blending components are not counted in data on finished aviation gasoline.

Commissioned Agent – An agent who wholesales or retails a refined petroleum product under a commission arrangement. The agent does not take title to the product or establish the selling price, but receives a percentage or fixed fee for serving as an agent. (Commissioned Agent sales volumes should be reported by the firm who holds the title to the product).

Conventional Gasoline – See Motor Gasoline (finished).

Dealer Tank Wagon (DTW) Sales – Wholesale sales of gasoline priced on a delivered basis to a retail outlet.

Distillate Fuel Oil – A general classification for one of the petroleum fractions produced in conventional distillation operations. It includes diesel fuels and fuel oils. Products known as No. 1, No. 2, and No. 4 diesel fuel are used in on-highway diesel engines, such as those in trucks and automobiles, as well as off-highway engines, such as those in railroad locomotives and agricultural machinery. Products known as No. 1, No. 2, and No. 4 fuel oils are used primarily for space heating and electric power generation.

- a. **No. 1 Distillate** – A light petroleum distillate that can be used as either a diesel fuel (see No. 1 Diesel Fuel) or a fuel oil (see No. 1 Fuel Oil).
- (1) **No. 1 Diesel Fuel** – A light distillate fuel oil that has distillation temperatures of 550 degrees Fahrenheit at the 90-percent point and meets the specifications defined in ASTM Specification D 975. It is used in high-speed diesel engines, such as those in city buses and similar vehicles.
- (2) **No. 1 Fuel Oil** – A light distillate fuel oil that has distillation temperatures of 400 degrees Fahrenheit at the 10-percent recovery point and 550 degrees Fahrenheit at the 90-percent point and meets the specifications defined in ASTM Specification D 396. It is used primarily as fuel for portable outdoor stoves and portable outdoor heaters.
- b. **No. 2 Distillate** – A petroleum distillate that can be used as either a diesel fuel (see No. 2 Diesel Fuel) or a fuel oil (see No. 2 Fuel Oil).
- (1) **No. 2 Diesel Fuel** – A fuel that has distillation temperatures of 500 degrees Fahrenheit at the 10-percent recovery point and 640 degrees Fahrenheit at the 90-percent recovery point and meets the specifications defined in ASTM Specification D 975. It is used in high-speed diesel engines, such as those in railroad locomotives, trucks, and automobiles.
- (2) **No. 2 Fuel Oil (Heating Oil)** – A distillate fuel oil that has distillation temperatures of 400 degrees

Fahrenheit at the 10-percent recovery point and 640 degrees Fahrenheit at the 90-percent recovery point and meets the specifications defined in ASTM Specification D 396. It is used in atomizing type burners for domestic heating or for moderate capacity commercial/industrial burner units.

- c. **No. 4 Fuel Oil** – A distillate fuel oil made by blending distillate fuel oil and residual fuel oil stocks. It conforms to ASTM Specification D 396 or Federal Specification VV-F-815C and is used extensively in industrial plants and in commercial burner installations that are not equipped with preheating facilities. It also includes No. 4 diesel fuel used for low- and medium-speed diesel engines and conforms to ASTM Specification D 975.

End User – A firm or individual that purchases products for its own consumption and not for resale (i.e., an ultimate consumer).

Firm – An association, company, corporation, estate, individual, joint venture, partnership, or sole proprietorship, or any other entity, however organized, including: (a) charitable or educational institutions; (b) the Federal Government, including corporations, departments, Federal agencies, and other instrumentalities; and State and local governments. A firm may consist of (1) a parent entity, including the consolidated and unconsolidated entities (if any) that it directly or indirectly controls; (2) a parent and its consolidated entities only; (3) an unconsolidated entity; or (4) any part or combination of the above.

Gasohol – A blend of finished motor gasoline and alcohol (generally ethanol, but sometimes methanol) at a concentration between 5.7 and 10 percent by volume. For this survey, gasohol and oxygenated gasoline should be reported with conventional gasoline.

Kerosene – A light petroleum distillate that is used in space heaters, cook stoves, and water heaters and is suitable for use as a light source when burned in wick-fed lamps. Kerosene has a maximum distillation temperature of 400 degrees Fahrenheit at the 10-percent recovery point, a final boiling point of 572 degrees Fahrenheit, and a minimum flash point of 100 degrees Fahrenheit. Included are No. 1-K and No. 2-K, the two grades recognized by ASTM Specification D 3699 as well as all other grades of kerosene called range or stove oil, which have properties similar to No. 1 Fuel Oil.

Kerosene-type jet fuel – A kerosene-based product having a maximum distillation temperature of 400 degrees Fahrenheit at the 10-percent recovery point and a final maximum boiling point of 572 degrees Fahrenheit and meeting ASTM Specification D 1655 and Military Specifications MIL-T-5624P and MIL-T-83133D (Grades JP-5 and JP-8). It is used for commercial and military turbojet and turboprop aircraft engines.

Merger – A combining of companies or corporations into one, often by issuing stock of the controlling corporation to replace the greater part of that of the other.

Motor Gasoline (finished) – A complex mixture of relatively volatile hydrocarbons with or without small quantities of additives, blended to form a fuel suitable for use in spark-ignition engines. Motor gasoline, as defined in ASTM

Specification D 4814 or Federal Specification VV-G1690C, is characterized as having a boiling range of 122 to 158 degrees Fahrenheit at the 10-percent recovery point to 365 to 374 degrees Fahrenheit at the 90-percent recovery point. "Motor gasoline" includes conventional gasoline; all types of oxygenated gasoline, including gasohol; and reformulated gasoline, but excludes aviation gasoline. *Note:* Volumetric data on blending components, such as oxygenates, are not counted in data on finished motor gasoline until the blending components are blended into the gasoline.

- a. **Reformulated Gasoline** – Finished motor gasoline formulated for use in motor vehicles, the composition and properties of which meet the requirements of the reformulated gasoline regulations promulgated by the U.S. Environmental Protection Agency under Section 211(k) of the Clean Air Act. It includes gasoline produced to meet or exceed emissions performance and benzene content standards of federal-program reformulated gasoline even though the gasoline may not meet all of the composition requirements (e.g. oxygen content) of federal-program reformulated gasoline. *Note:* This category includes Oxygenated Fuels Program Reformulated Gasoline (OPRG). Reformulated gasoline excludes Reformulated Blendstock for Oxygenate Blending (RBOB) and Gasoline Treated as Blendstock (GTAB).
- b. **Oxygenated Gasoline** – Finished motor gasoline, other than reformulated gasoline, having an oxygen content of 2.7 percent or higher by weight and required by the U.S. Environmental Protection Agency (EPA) to be sold in areas designated by EPA as carbon monoxide (CO) nonattainment areas. See [Nonattainment area](#). *Note:* Oxygenated gasoline excludes oxygenated fuels program reformulated gasoline (OPRG) and reformulated gasoline blendstock for oxygenate blending (RBOB). Data on gasohol that has at least 2.7 percent oxygen, by weight, and is intended for sale inside CO nonattainment areas are included in data on oxygenated gasoline. Other data on gasohol are included in data on conventional gasoline. For this survey, gasohol and oxygenated gasoline should be reported with conventional gasoline.
- c. **Conventional Gasoline** – Finished motor gasoline not included in the oxygenated or reformulated gasoline categories. *Note:* this category excludes reformulated gasoline blendstock for oxygenate blending (RBOB) as well as other blendstock.

OPRG – "Oxygenated Fuels Program Reformulated Gasoline" is reformulated gasoline which is intended for use in an oxygenated fuels program control area during an oxygenated fuels program control period.

Oxygenated Gasoline – See Motor Gasoline (finished).

Parent – A firm that directly or indirectly controls another entity.

Propane Consumer Grade – A normally gaseous paraffinic compound (C₃H₈), which includes all products covered by Natural Gas Policy Act Specifications for commercial and HD-5 propane and ASTM Specifications D 1835. Excludes: feedstock propanes, which are propanes not classified as consumer grade

propanes, including the propane portion of any natural gas liquid mixes, i.e., butane-propane mix.

Rack Sales – Wholesale truckload sales, or smaller, of gasoline where title transfers at a terminal.

RBOB – Reformulated Gasoline Blendstock for Oxygenate Blending is a motor gasoline blending component which, when blended with a specified type and percentage of oxygenate, meets the definition of reformulated gasoline.

Refiner – A firm or the part of a firm that refines products or blends and substantially changes products, or refines liquid hydrocarbons from oil and gas field gases, or recovers liquefied petroleum gases incident to petroleum refining and sells those products to resellers, retailers, reseller/retailers or ultimate consumers. "Refiner" includes any owner of products which contracts to have those products refined and then sells the refined products to resellers, retailers, or ultimate consumers.

Reformulated Gasoline – See Motor Gasoline (finished).

Reseller – A firm (other than a refiner) that carries on the trade or business of purchasing refined petroleum products and reselling them to purchasers other than ultimate consumers without substantially changing their form.

Residual Fuel Oils – A general classification for the heavier oils, known as No. 5 and No. 6 fuel oils, that remain after the distillate fuel oils and lighter hydrocarbons are distilled away in refinery operations. It conforms to ASTM Specifications D 396 and D 975 and Federal Specification VV-F-815C.

- a. **No. 5 Residual** – A residual fuel oil of medium viscosity, is also known as Navy Special and is defined in Military Specification MIL-F-859E, including Amendment 2 (NATO Symbol F-770). It is used in steam-powered vessels in government service and inshore powerplants.
- b. **No. 6 Residual** – fuel oil includes Bunker C fuel oil and is used for the production of electric power, space heating, vessel bunkering, and various industrial purposes.

Retailer – A firm (other than a refiner, reseller, or reseller/retailer) that carries on the trade or business of purchasing refined petroleum products and reselling them to ultimate consumers without substantially changing their form.

Sale – The transfer of title to an energy commodity from a seller to a buyer for a price, or the quantity transferred during a specified period. EXCLUDES: Intrafirm transfers, product consumed directly by the reporting firm, or sales of bonded fuel, and products delivered/loaned to exchange partners except where the amount supplied exceeds the amount received and the differential is invoiced as a sale during the year.

Subsidiary – An entity directly or indirectly controlled by a parent company which owns 50% or more of its voting stock.

LIST OF STANDARD STATE ABBREVIATIONS

AL ... Alabama	KY ... Kentucky	ND ... North Dakota
AK ... Alaska	LA ... Louisiana	OH ... Ohio
AZ ... Arizona	ME ... Maine	OK ... Oklahoma
AR ... Arkansas	MD ... Maryland	OR ... Oregon
CA ... California	MA ... Massachusetts	PA ... Pennsylvania
CO ... Colorado	MI ... Michigan	RI ... Rhode Island
CT ... Connecticut	MN ... Minnesota	SC ... South Carolina
DE ... Delaware	MS ... Mississippi	SD ... South Dakota
DC ... District of Columbia	MO ... Missouri	TN ... Tennessee
FL ... Florida	MT ... Montana	TX ... Texas
GA ... Georgia	NE ... Nebraska	UT ... Utah
HI ... Hawaii	NV ... Nevada	VT ... Vermont
ID ... Idaho	NH ... New Hampshire	VA ... Virginia
IL ... Illinois	NJ ... New Jersey	WA ... Washington
IN ... Indiana	NM ... New Mexico	WV ... West Virginia
IA ... Iowa	NY ... New York	WI ... Wisconsin
KS ... Kansas	NC ... North Carolina	WY ... Wyoming