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AUTHORITY: 42 U.S.C. 6240(c); 42 U.S.C. 7101, *et seq.*

SOURCE: 71 FR 65380, Nov. 8, 2006, unless otherwise noted.

### § 626.1 Purpose.

This part establishes the procedures for acquiring petroleum for, and deferring contractually scheduled deliveries to, the Strategic Petroleum Reserve. The procedures do not represent actual terms and conditions to be contained in the contracts for the acquisition of SPR petroleum.

### § 626.2 Definitions.

*Backwardation* means a market situation in which prices are progressively lower in succeeding delivery months than in earlier months.

*Contango* means a market situation in which prices are progressively higher in the succeeding delivery months than in earlier months.

*Contract* means the agreement under which DOE acquires SPR petroleum, consisting of the solicitation, the contract form signed by both parties, the successful offer, and any subsequent modifications, including those granting requests for deferrals.

*Contracting Officer* means a person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings, including entering into sales contracts on behalf of the Government. The term includes certain authorized representatives of the Contracting Officer acting within the limits of their authority as delegated by the Contracting Officer.

*DEAR* means the Department of Energy Acquisition Regulation.

*Deferral* means a process whereby petroleum scheduled for delivery to the SPR in a specific contract period is rescheduled for later delivery, outside of that period and encompasses the future delivery of the originally scheduled quantity plus an in-kind premium.

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*DOE* means the Department of Energy.

*DOI* means the Department of the Interior.

*Exchange* means a process whereby petroleum owned by or due to the SPR is provided to a person or contractor in return for petroleum of comparable quality plus a premium quantity of petroleum delivered to the SPR in the future, or when SPR petroleum is traded for petroleum of a different quality for operational reasons based on the relative values of the quantities traded.

*FAR* means the Federal Acquisition Regulation.

*Government* means the United States Government, and includes DOE as its representative.

*International Energy Program* means the program established by the Agreement on an International Energy Program, signed by the United States on November 18, 1974, including any subsequent amendments and additions to that Agreement.

*OPR* means the Office of Petroleum Reserves within the DOE Office of Fossil Energy, whose responsibilities include the operation of the Strategic Petroleum Reserve.

*Petroleum* means crude oil, residual fuel oil, or any refined product (including any natural gas liquid, and any natural gas liquid product) owned, or contracted for, by DOE and in storage in any permanent SPR facility, or temporarily stored in other storage facilities.

*Secretary* means the Secretary of Energy.

*Strategic Petroleum Reserve* or *SPR* means the DOE program established by Title I, Part B, of the Energy Policy and Conservation Act, 42 U.S.C. 6201 *et seq.*

### § 626.3 Applicability.

The procedures in this part apply to the acquisition of petroleum by DOE for the Strategic Petroleum Reserve through direct purchase or transfer of royalty-in-kind oil, as well as to deferrals of contractually scheduled deliveries.

### § 626.4 General acquisition strategy.

(a) *Criteria for commencing acquisition.* To reduce the potential for negative