

Tulsa Law Review

Volume 13
Number 4 *National Energy Forum 1978:
Government- Helping or Hurting?*

Volume 13 | Number 4

1978

Preface

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Recommended Citation

Charles V. Wheeler, *Preface*, 13 Tulsa L. J. 714 (1978).

Available at: <https://digitalcommons.law.utulsa.edu/tlr/vol13/iss4/9>

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PREFACE

Charles V. Wheeler*

These three observations are from the viewpoint of a lawyer whose client is a large oil and gas refiner subject to audit by the Department of Energy in the next two years. First, I think it would be most unfortunate if these auditors approach their task with any misapprehension that refiners have ignored the regulations. They will find that refiners have complied with the regulations as they have interpreted them and that they are prepared to defend those interpretations.

Second, to date there has been all too little information available to the lawyer who represents these refiners as to how the regulators and the regulated are interpreting the regulations. Contrast our situation with the wealth of material that is available to those lawyers whose clients are regulated by the Federal Power Commission, the I.C.C., a state public utilities commission, or any other regulated business. They have a tremendous amount of information available to them from which they can advise their clients. Frankly, I am looking forward to the opportunity to improve my client's posture under the regulations that I think will present itself as a result of these audits.

Finally, I think all of us were relieved that the Department of Energy had the good judgment to select a lawyer with Paul Bloom's background and experience to head this effort. All any refiner wants is a reasonable opportunity to explain its position and a recognition that that position might be right and that the refiner might convince a court to sustain it. I am confident that he will understand these legitimate desires. Let me introduce Paul Bloom.

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