Oil Express

exclusive report serving informed petroleum marketers nationwide

Vol. XXXVI, Issue No. 26 July 1, 2013

In This Week's Issue

In Every Issue

Oil Express will not be published on July 8 and the next issue is July 15.

Tesoro takes over ExxonMobil contracts

Tesoro Corp. has cut a deal with ExxonMobil giving it the rights to use the Exxon and Mobil brands at stations in northern California, Oregon, western Washington, Nevada and various Great Plains markets supplied by Tesoro's Mandan, N.D., refinery.

The Exxon and Mobil brands thus join a stable of flags for Tesoro that include the Shell, Tesoro and Mirastar flags.

At a meeting on Thursday, ExxonMobil told affected jobbers the move is designed to grow the ExxonMobil brand.

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5 steps to reduce exposure for tank leaks

Don't be so sure the state tank fund will cover you if a petroleum storage tank leaks. Some state funding authorities will deny claims based on technicalities.

One of the most common reasons a state rejects a claim is alleged nonpayment of required fees for older tanks no longer in service, says Judith Cassel, with law firm Hawke McKeon & Sniscak LLP in Harrisburg, Pa. Cassel has some simple advice to reduce your exposure:

- Notify the state immediately of possible contamination. Don't wait to confirm a release. One marketer replacing a tank suspected a leak after seeing a sheen on standing water but only reported it after testing confirmed contamination. The state claimed the marketer missed its notification deadline.
- Contact all state agencies responsible for regulating tanks to meet notice requirements. There can be more than one. Let the state know whenever there is a change, including possible contamination, change in site ownership or management, tank shutdown or tank replacement.
- Keep current on all state tank fees and maintain a record of payment. States can mistakenly reject claims alleging the tank operator was in arrears. Sometimes fees are not required if the tank is removed or properly shut down according to regulations.
- Follow all state rules on tank closure carefully. Some states require insurance if there is an inch or more product in the tank. Some may require tanks to be filled with cement or completely removed. In Pennsylvania, even if the tanks are emptied, final closure is required in a year.
- Make sure you use contractors certified by the state. Maintain documentation showing they are bonded, insured and certified.

– Donna Harris, dharris@opisnet.com

Gasoline Price Barometer

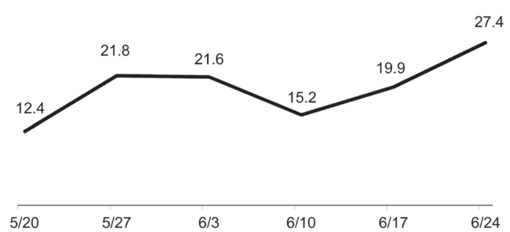
Spot gas prices sank to second-quarter lows as June ended, prompted by refinery runs of over 90. Refiners who saw record margins in the middle of the quarter faced some margin misery if they were running disadvantaged coastal crude.

Gasoline marketers by and large ended the quarter with a margin flurry. Thanks to drops of 10-40cts/gal from June wholesale highs, there were plenty of areas where 20cts/gal or more separated rack costs and retail.

The broadest drops occurred on the West Coast, where fears about July supply tightness eased, pushing L.A. area gas down to $2.82/gal with Bay Area quotes about 6cts/gal lower. Gulf Coast gasoline moved briefly for just over $100/bbl, which seems too cheap given typical crude oil costs.

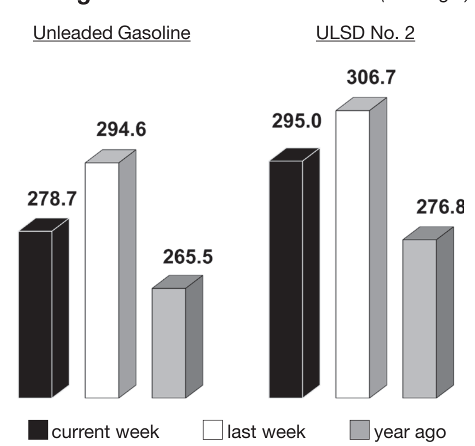
Diesel bounced on some global enthusiasm, but ULSD prices in the interior of the country could be under pressure. Spring planting was subpar, and more distillate output will be coming from BP in early July.

National Rack-to-Retail Margins *(in cts/gal)*



Source: OPIS Retail Fuel Watch
For more information call 888.301.2645

Average U.S. Contract Prices *(in cts/gal)*



(continued from page 1)

The arrangement, known as a branded fee agreement (BFA), is becoming more common. BFAs allow refiners to maintain a branded presence while retreating from some markets – sometimes divesting assets. As long as product is priced competitively, marketers typically like the arrangement because it lets them continue to fly the flag after investing in the brand over the years.

ExxonMobil in effect licenses its brand via BFAs in New England where it has withdrawn from supplying most terminals. In that case, the jobbers who meet strict BFA standards can secure their gasoline from spot sources, or other refiners, and simply make sure that product is properly additized and branded programs are maintained.

Ironically, those BFA agreements find gasoline going to Exxon or Mobil stations that is supplied by BP, Gulf, Hess and Global, through about a half dozen New England and upstate New York terminals.

The latest deal with Tesoro in the Midwest gives Tesoro the opportunity to use either the Exxon or Mobil flags in Minnesota, central and eastern North Dakota and northeastern South Dakota. The arrangement will see Tesoro assume ownership of branded wholesale supply contracts for 54 Exxon or Mobil flagged retail stations in Minnesota.

"Introducing the well-established Exxon and Mobil brands into our retail network will allow us to drive further integration between our refining and marketing businesses with brands known for their quality products and marketing programs," said Dan Romasko, executive vice president of operations for Tesoro.

The Minnesota contracts are expected to be transitioned to Tesoro by year's end, with subsequent market launches expected to begin in 2014. Tesoro will be handling everything in the branded realm, sources tell Oil Express, including shepherding credit card sales and promotions.

The oddity in the Midwestern deal is that Tesoro is "net short" gasoline in places like Minnesota, traders say. The company could be eyeing either further expansions at Mandan, or even the purchase of other refineries that could provide fuel for additional markets.

Tesoro has a deal where it supplies and operates a retail network of Shell stations in southern California, but it's not clear yet whether the ExxonMobil deal is structured similarly.

Reaction from Minnesota marketers was quite positive. They sense that Tesoro has done a great job promoting and pricing the Shell brand in California and expect similarly competitive professional efforts in the Midwest.

"We are licking our chops over this deal," one large ExxonMobil jobber told Oil Express.

There are, however, concerns among some ExxonMobil marketers in other areas of the country. ExxonMobil has explored the idea of licensing its brand through other refiners or BFAs in some other states, and that has occasionally prompted fears that it might look to sell off some refining assets.

– Ben Brockwell, bbrockwell@opisnet.com
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Two grocers exit Fuel Rewards Network

Two grocery chains – Jewel-Osco, an Illinois chain of nearly 200 supermarkets, and Rainbow Foods, a Minneapolis chain of 33 stores – have dropped out of the Fuel Rewards Network (FRN) a year after the program was launched.

The FRN, owned and administered by Dallas marketing firm Excentus Corp., is a coalition of merchants allowing shoppers to accrue fuel rewards by purchasing merchandise. Shell is the exclusive redeemer of rewards.

Shell said it was "disappointed" in the withdrawals but notes that there are many other ways to earn rewards. The major said the FRN has more than 2 million registered members and continues to grow.

There are hundreds of merchants and thousands of restaurants in the broad coalition-based loyalty program.

Still, the dropouts rattle some marketers. Fuel rewards programs have flourished in recent years – particularly those with grocery partners –but some distributors are concerned about the cost of the FRN.

"Anytime program participants pull out is a problem," said one large Shell distributor, worrying that other merchants might leave the network. But he still thought the program was successful.

Unlike other loyalty clubs, there is virtually no cap on the fuel discount that can be earned. The rewards are "stackable" so that a fuel buyer redeeming them can buy gasoline for as low as 1ct/gal. The typical discount, though, is about 32cts/gal.

Jewel-Osco on its website told customers it would discontinue the program June 25, though rewards earned in June could still be redeemed in July. The Rainbow program ended in April, but members could redeem rewards through most of June.

"Our priority right now is simple: to lower prices at Jewel-Osco," the company said. "We want to save you money on the groceries that you buy the most, and investing in the fuel rewards program would not help lower your grocery bill."

The grocer told Oil Express that it "evaluated the fuel rewards closely" and concluded it would rather spend the money lowering customers' grocery bills.

Gasoline Supply Barometer

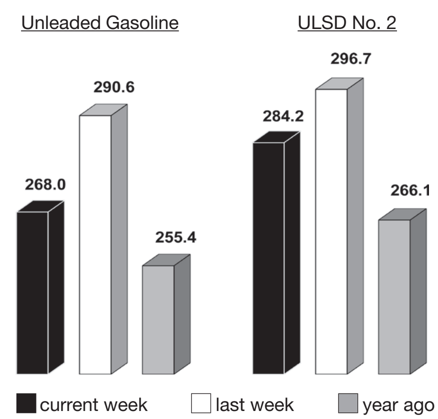
Refiners who have seen margins shrink can probably look forward to better demand numbers in the next few DOE reports. Last week's DOE data almost certainly understated real demand as distributors were in "avoidance mode" as prices were diving.

July 2012 saw heavy demand destruction so it won't be tough to beat year-on-year comps. Last year saw demand numbers of 8.6 million b/d to 8.9 million b/d, and figures of 9 million b/d or higher are likely in coming weeks.

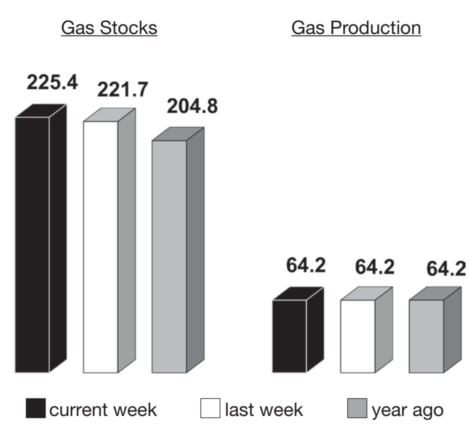
Refiners should be able to make plenty of fuel. They processed 16.065 million b/d of crude and feedstock last week, and capacity is now 17.8 million b/d. About 500,000 bbl or more of that offline capacity is relatively easy to restart in July.

Don't be surprised to hear talk about run cuts, however. Gulf Coast conventional blendstock sold for less than some light sweet crude oil blends as the second quarter concluded.

Average U.S. Spot Price *(in cts/gal)*



U.S. Refinery/Inventory *(in million b/d)*



Excentus failed to respond to repeated requests for comment.

Shell said the FRN is "effective" at driving new business to Shell stations. Since its launch in June 2012, it has rolled out to almost 200 U.S. cities, and nearly 50% of FRN members with reward redemption transactions were new customers to Shell, the company said.

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Shell contest aims to boost FRN membership

Shell jobbers in the Southeast are competing in a contest from June through August designed to increase the number of retail customers who join the Fuel Rewards Network (FRN), a broad, national loyalty program in which Shell is the sole redeemer of fuel rewards.

An e-mail sent to wholesalers showed the majority of sites in the region averaged less than one registration per day.

As with other loyalty programs, it can be a challenge to get cashiers to educate customers and to distribute loyalty cards. The next step – getting customers to follow through and register for a program online – is even more difficult.

Registration "is critical to the overall success of the program and our business," wrote J.R. "Rob" Thomas, sales manager for Shell's Gulf Coast wholesale operation.

"One or less registered cards per day per location is our starting point for the majority of the Shell locations," Thomas continued. "We know we can do better and it is important that as a group we make it happen."

Shell was the highest-ranking brand in the South in a recent national survey of fuel purchasers, his e-mail pointed out. The research indicated the rest of the country was dominated by Costco, QuikTrip, Kroger and other large "nontraditional" competitors.

A loyalty program is "important" to reduce defections to these competitors and has been "proven to grow the business," Thomas wrote.

Shell is currently promoting that FRN members can save at least 3cts/gal instantly on every fill-up when they scan their rewards cards at the point of purchase. But the typical discount redeemed is 32cts/gal and some customers earn enough rewards to buy gasoline for only 1ct/gal.

Under the summer contest for marketers, wholesalers will be ranked on their average FRN registrations per site over the three-month period, the e-mail said.

At the end of the contest, each of four territory managers will award a first prize of $1,000 in Shell gift cards and a second prize of $500 in Shell gift cards to the distributors with the highest and second-highest average registrations in their sales areas.

The FRN loyalty program, administered by Dallas marketing firm Excentus, was rolled out about a year ago.

And while Shell has said the steep fuel discounts have generated interest from motorists early on, the regional contest suggests it can be tough to maintain momentum.

Many Averages Decline

A spreadsheet showing rankings for 73 distributors in the first two weeks of the contest shows 51 of the marketers averaged one registration or less by the second week. Five averaged zero registrations both weeks and two averaged zero registrations for one of the two weeks.

In the second week, just seven of the distributors averaged two or more registrations, but one marketer led the pack by a long shot averaging 17.50 registrations per site.

Averages for about 45% of the distributors declined in the second week, while 27% improved and the rest remained the same.

Though it is easy for customers to pick up a free membership card at Shell stations, the customer still has to register online to be eligible for rewards. The burden is on store employees to communicate that next step to customers or on retailers to educate customers through point-of-purchase signage and literature.

Even with retailers aggressively merchandising the program, busy customers in a rush to gas up and go may either overlook registration instructions or forget about them.

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For Profit: Small engine fuel provides big margin

Motor fuel retailers have been adding high-margin food service to offset the slim profit on gasoline. But there's a niche fuel that can fatten up profits.

VP Racing Fuels Inc., of San Antonio, is offering convenience stores and gas stations VP Small Engine Fuels as a revenue stream. The fuel is designed for two- and four-cycle outdoor power equipment and is available in bulk, drums, pails, gallons and quarts.

Home Depot is testing the fuel at more than 200 stores. A large c-store chain also has just agreed to sell the fuel, says Alan Cerwick, VP Racing's president.

Demand for special small engine fuel is growing as the availability of clear gasoline gets scarce. Owners of portable gas-powered tools can experience problems with their equipment caused by the ethanol in street gas, says Cerwick, a former Valero executive.

He estimates that currently less than 10 million gallons a year is consumed, but the potential market is 240 million gallons in the U.S.

VP Racing Fuels notes that data from the small engine repair industry suggests more than 75% of repairs are ethanol-related. "The ethanol attracts moisture, causes deposits and fouls fuel systems, making equipment hard to start," says Bruce Hendel, VP's director of consumer product sales.

The fuel can be merchandised in a $400, 2-foot-by-4-foot outdoor metal cage similar to the cages used to sell propane tanks. The cage holds as much as 18 5-gallon pails. Gallon and quart sizes can be sold in the cage or displayed inside on store shelves.

The market includes homeowners, outdoorsmen, professional landscapers and farmers.

"In the farming community and among outdoorsmen, a store that carries small engine fuel can become a destination," says Cerwick. "Equipment can start instantly. It's good on a cold start. The fuel was developed for the emergency response industry."

He says that a store in a rural area could expect to sell two to seven 5-gallon pails per week. Full retail for a 5-gallon pail is $79.95; the minimum advertised price is $75. The cost before volume discounts and transportation is $44, for a profit of $31 to $35.95 per pail, or 41% to 45%.

The profit margin is similar for quarts, which come in packages of eight. Full retail for a quart is $6.95 and the minimum advertised retail price is $5.95.

For large players who purchase by the truckload, VP can create private-label packaging.

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Phillips holds off on de-branding threat

Phillips 66 has delayed potential de-branding for Scott Zaremba, the Lawrence, Kan., jobber who pioneered the use of E15 as a motor fuel.

Instead of the original July 1, 2013, deadline, Zaremba now has until April 2014 to meet Phillips' ultimatum to install premium unleaded.

He also must comply with certain brand and image standards or face potential de-branding in the fall.

The major insists that Zaremba's company, Zarco 66, retail premium gasoline, which would force him to stop offering ethanol blends. He has been dispensing gasohol using a blender pump and would have to remove ethanol to make room for premium unleaded under the canopy.

To continue blending, he would have to invest in an additional dispenser and tank system.

Zaremba said he stopped selling premium three years ago with Phillips' permission. Premium was less than 5% of his volume.

He views the current ultimatum to sell premium as an attack on blending. Phillips has said it does not endorse the sale of E15.

Correspondence that Phillips 66 recently sent to the jobber said the major "continues to support" Zarco's position to sell E15, a blend of 15% ethanol, and other flex-fuels. But it said blends higher than 10% ethanol must be dispensed through a yellow flex fuel hose, not the Phillips 66 black hose.

"Main ID signage must be Phillips 66 Flex Fuels image compliant," the notice said. "Sites will be toured in early July and if all sites are not compliant for Oasis and Flex Fuels imaging, a 90-day de-brand notice will be issued."

Zaremba griped that branded premium costs 27cts/gal more than it does from unbranded suppliers.

"This will cause us to lose customers," he said.

"Krogers, QuikTrip, Casey's and others have premium that costs 27cts/gal less. When I asked how we could sustain this and keep our volumes, Phillips didn't have a response."

– Donna Harris, dharris@opisnet.com

Ex-Delfin manager gets prison for selling lube to Iran

An ex-manager of Delfin Group USA LLC, a lubricants company in North Charleston, S.C., has been sentenced to three years in prison for selling lubricants to Iran, according to court documents.

Markos Baghdasarian, a citizen of the United States, pleaded guilty to three counts of breaking U.S. federal law of trade sanctions against Iran in December 2012.

U.S. citizens are barred from engaging in financial transactions involving Iran or the government of Iran, without the express approval of the Office of Foreign Asset Control. OFAC enforces U.S. economic and trade sanctions against targeted foreign countries including Iran.

Delfin supplies automotive, marine and aviation lubricants in domestic and global markets through bulk shipments to retailers. Baghdasarian had sold lubricants to Pars Oil, a company owned by the government of Iran, via an intermediary. The authorities produced a slew of e-mail communications for this transaction.

The U.S.-made lubricants were relabeled as a UAE product, and the containers were attached with a fake California-based company name and a toll-free telephone number associated with intimate apparel company Victoria's Secret, according to court documents.

In August 2011, Delfin USA exported aviation engine lubricating oils and polymers worth $850,000 with the final destination to UAE. The cargoes were to depart from Savannah, Ga., in October 2011, but the authorities found two more separate UAE-bound lubricants shipments.

Baghdasarian is to be placed in the minimum security facility in Montgomery, Ala., or the minimum security facility in Edgefield, S.C.

– Edgar Ang, eang@opisnet.com

Pipeline delays service cutoff

Murphy Oil has won a temporary restraining order in the Circuit Court of Union County, Ark., against Enterprise TE Products Pipeline, pushing back Enterprise's July 1 stoppage date for interstate shipping on that south-north pipeline by about four days to July 4.

The short reprieve would allow Murphy Oil to sort out its contractual claims with Enterprise TE in court, a Murphy Oil spokesman said.

But this interstate stoppage date could be pushed back further if the judge finds cause to extend the temporary restraining order by another 14 days, according to the court documents.

An Enterprise spokesman was not available for comment.

In early June, some shippers were expected to prepare to file civil lawsuits against Enterprise for a breach of shipping contracts after failing to obtain a favorable decision from the Federal Energy Regulatory Commission (FERC) to reverse Enterprise TE's decision to halt interstate distillates deliveries on its Gulf Coast-Midwest products pipeline system from July 1.

According to FERC, Murphy Oil and WesPac argued that abandonment of these interstate distillates shipping services violates certain tariff agreements between those entities and Enterprise TEPPCO. But contractual matters are generally decided in the courts.

Enterprise TE is willing to continue transportation services for gasoline and diesel from the Lion Oil Refinery in El Dorado, Ark., but Lion Oil does not have the capacity or capability to service Murphy Oil's needs for product.

Murphy Oil is unable to secure alternative trucking services before July 1. The interstate service stoppage would interfere with the company's ability to provide gasoline and diesel products to wholesale and retail markets across the country, particularly in northeast Arkansas.

Marketers have been bracing for higher diesel and jet prices in Arkansas after June, said Steve Ferren, executive vice president of Arkansas Petroleum Marketers Association. They're depending on Delek's El Dorado refinery to meet the state distillates demand, as well as the six surrounding states for alternative supplies, Ferren said. Some marketers may even look as far as Kansas and Kentucky, he added.

Marketers have said the extra trucking costs to pick up fuel from terminals or refineries within the state or across the borders are estimated at about 5cts to 10cts/gal. The added cost is expected to drive some smaller mom-and-pop companies out of business.

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API assists with motor oil labeling standards

The American Petroleum Institute (API) in June launched the Motor Oil Matters (MOM) program to help oil change locations meet new motor oil labeling guidelines.

The National Conference on Weights and Measures (NCWM) and the National Institute of Standards and Technology (NIST) recently published guidelines that require oil change locations to provide information to help consumers make informed decisions on motor oil use.

MOM can help educate customers through API's new standard, API 1525A, Bulk Engine Oil Chain of Custody and Quality Documentation, and the MOM licensing program for motor oil distributors and oil change locations.

Consumers need to know a bulk motor oil's brand, viscosity and performance level. The new guidelines may require adjustments to invoices or receipts and bulk motor oil container signage. The invoice and receipt would need to show SAE viscosity of motor oil installed, motor oil brand, service category and obsolete service category warning.

The Weights and Measures guidelines have been published in NIST Handbook 130, Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality. The new provisions expand the scope of existing labeling requirements for packaged motor oils to include bulk motor oils installed from tanks, dispensers or other receptacles (for example, IBCs, kegs or drums).

The new provisions are found on page 131 of the 2013 edition of Handbook 130 and are available for download at http://www.nist.gov/pml/wmd/pubs/hb130-13.cfm. The handbook indicates that as many as 20 states may adopt the new rules in July.

The API MOM program requirements closely track NIST Handbook 130.

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From the States: N.Y. passes bioheat requirement

The New York legislature has passed a new standard for heating oil sold in the state, requiring it to contain at least 2% biodiesel by 2015.

Bill A07906, by Assembleyman Robert Sweeney (D-District 11), calls for all heating oil sold in the City of New York, as well as Nassau, Suffolk, Westchester and Rockland counties, to contain at least 2% biodiesel by Oct. 1, 2014, and all heating oil sold statewide to meet this standard by July 1, 2015.

New York City previously enacted a citywide 2% bioheat requirement in October 2012. And Vermont has required heating oil to contain a 3% biodiesel blend, going up to 7% in 2016.

The New York bill also allows the governor to temporarily suspend the requirement if meeting the mandate is not feasible due to lack of adequate biodiesel supply, or if the requirement would result in undue financial hardship to consumers.

The bill will become effective upon the signature of New York Gov. Andrew Cuomo (D). At presstime, it was unclear whether he would sign off on the measure.

"America's advanced biofuel and bioheat are a great fit for New York's heating oil market," said Shelby Neal, National Biodiesel Board director of State Governmental Affairs. "Creating a standard that includes at least 2% biodiesel will replace about 30 million gallons of petroleum annually with a cleaner burning, renewable fuel," he noted.

Among other supporters are the City of New York, Office of the Mayor; NYC Citywide Administrative Services; Empire State Petroleum Association Inc.; Oil Heat Institute of Long Island; New York Oil Heating Association Inc.; United Metro Energy Corp.; and New York Corn and Soybean Growers Association.

– Rachel Gantz, rgantz@opisnet.com

N.J. backs off requiring generators

Legislation that would help New Jersey gas stations install equipment necessary to hook up emergency power generators was passed by the state's General Assembly. The proposal goes to the Senate, which is already considering a similar bill.

Like legislation considered in New York and

Connecticut, these bills followed Superstorm Sandy in 2012 and seek to address fuel shortages due to widespread power outages.

However, unlike a new measure for about half of downstate New York's gasoline stations, the New Jersey bills aren't mandating back-up power in the event of an emergency.

Both New Jersey bills would create a pilot program under which operators of strategically located stations could get interest-free loans of up to $10,000 to wire their facilities for generators. That equipment, with the addition of a portable generator, would power fuel pumps, safety systems and payment acceptance equipment.

The source of funding for the loans would be from the 9-1-1 System and Emergency Response Trust Fund account. Loans would be available to stations located on or within a half mile of an evacuation route approved by New Jersey's Office of Emergency Management.

Bills introduced in New Jersey that sought to make generator installation mandatory at gasoline stations encountered significant opposition from marketer trade groups largely due to the high cost of generators – anywhere from $11,000 to $30,000 and higher.

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Trends: Nat gas fleet may nearly double by 2020

The number of natural gas vehicles (NGVs) on roadways worldwide could increase steadily over the remainder of this decade, rising to 34.9 million by 2020 from 18.2 million in 2013, according to a report from Navigant Research, an energy consulting firm.

Driven by a combination of low-cost natural gas and sustained higher prices for gasoline and diesel, the market for NGVs is gaining increased traction in many regions, the study concludes.

While these vehicles have been in service in certain countries for many decades, interest in NGVs has spread in recent years along with the surge in supply of low-cost natural gas.

"NGVs experienced a brief surge in popularity in the 1970s and early 1980s as a result of the 1973 oil embargo and the price shocks that followed," said Dave Hurst, principal research analyst with Navigant Research.

Hurst said the growth is driven by more vehicle availability, large fleet use in new regions, and greater interest in alternative fuels.

Natural gas, which exists as a gas at ambient air temperature, must be compressed or liquefied in order to increase the volume of fuel the vehicle can carry and to improve the vehicle's range.

While more LNG fuel fits into the same amount of space as CNG, LNG tanks are larger, heavier and more costly, according to the report, limiting LNG to medium- and heavy-duty trucks and buses.

The report, "Market Data: Natural Gas Vehicles," provides global market data and forecasts for passenger cars, light-duty trucks, and medium- and heavy-duty trucks and buses.

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