

SHALL PROVIDE THE ASSIGNED AMOUNT OF A SET-ASIDE PRODUCT TO THE APPLICANT. A DESIGNATED WHOLESALE PURCHASER-RESELLER OF A PRIME SUPPLIER SHALL HONOR ASSIGNMENTS UPON PRESENTATION, AND SHALL NOT DELAY DELIVERY WHILE CONFIRMING SUCH ACTION WITH THE PRIME SUPPLIER.

(D) ANY SUPPLIER, OTHER THAN A PRIME SUPPLIER, WHICH PROVIDES SET-ASIDE PRODUCT PURSUANT TO AN ASSIGNMENT SHALL IN TURN RECEIVE FROM ITS SUPPLIER AN EQUIVALENT VOLUME OF THE SET-ASIDE PRODUCT, WHICH VOLUME SHALL NOT BE CONSIDERED PART OF THE ALLOCATION WHICH WOULD OTHERWISE HAVE BEEN PROVIDED TO THE SUPPLIER DURING THE SAME PERIOD.

(E) THE DEPARTMENT MAY DIRECT THAT A WHOLESALE PURCHASER-RESELLER BE SUPPLIED FROM THE STATE SET-ASIDE IN ORDER THAT THE WHOLESALE PURCHASER-RESELLER CAN SUPPLY SPECIFIED INDIVIDUAL CONSUMERS WHO WOULD OTHERWISE BE ELIGIBLE FOR AN ASSIGNMENT UNDER THIS SUBTITLE.

11-206.

(A) ANY DECISION ON AN APPLICATION FOR AN ASSIGNMENT OF A STATE SET-ASIDE PRODUCT BY THE DEPARTMENT MAY BE APPEALED BY THE APPLICANT OR BY A SUPPLIER TO THE SECRETARY.

(B) ~~PROCEEDINGS INVOLVING APPEALS ARISING UNDER THIS SECTION SHALL--BE--CONDUCTED--PURSUANT--TO--REGULATIONS--ADOPTED--BY--THE--DEPARTMENT--THESE--REGULATIONS~~ NEED NOT CONFORM TO THE ADMINISTRATIVE PROCEDURE ACT, AND SHALL PROVIDE FOR INFORMAL, EXPEDITIOUS, AND INEXPENSIVE RESOLUTION RESOLUTIONS OF APPEALS.

(C) THE DECISION OF THE SECRETARY SHALL BE THE FINAL AGENCY DECISION FOR PURPOSES OF JUDICIAL REVIEW, AND THE BOARD OF REVIEW OF THE DEPARTMENT OF NATURAL RESOURCES DOES NOT HAVE JURISDICTION OVER ANY PROCEEDING ARISING UNDER THIS SECTION.

11-207.

(A) THE DEPARTMENT MAY ALLOW THE RELEASE OF PART OR ALL OF A PRIME SUPPLIER'S STATE SET-ASIDE VOLUME INTO THE PRIME SUPPLIER'S NORMAL STATEWIDE DISTRIBUTION SYSTEM.

(B) DURING AN ENERGY EMERGENCY, THE GOVERNOR MAY DESIGNATE BY EXECUTIVE ORDER CERTAIN GEOGRAPHICAL AREAS WITHIN THE STATE AS SUFFERING FROM AN INTRASTATE SUPPLY IMBALANCE. AT ANY TIME THE DEPARTMENT MAY ISSUE AN ORDER REQUIRING ANY PRIME SUPPLIER TO RELEASE PART OR ALL OF ITS STATE SET-ASIDE VOLUME INTO SUCH A DESIGNATED AREA THROUGH ITS NORMAL DISTRIBUTION SYSTEM. SUCH ORDERS SHALL BE IN WRITING AND EFFECTIVE IMMEDIATELY UPON RECEIPT BY THE PRIME SUPPLIER'S DESIGNATED REPRESENTATIVE AND SHALL REPRESENT AN ENCUMBRANCE ON THE PRIME SUPPLIER'S STATE SET-ASIDE VOLUME FOR THE MONTH OF ISSUANCE REGARDLESS OF THE ACTUAL DATE OF PRODUCT DELIVERY.