



**APPEAL PANEL DECISION FORM**

**I. CLAIMANT AND CLAIM INFORMATION**

<b>Claimant Name</b>	Last/Name of Business [REDACTED]	First	Middle
<b>Claimant ID</b>	[REDACTED]	<b>Claim ID</b>	[REDACTED]
<b>Claim Type</b>	Business Economic Loss		
<b>Law Firm</b>	[REDACTED]		

**II. DECISION**

Select the Compensation Amount set forth in either BP's Final Proposal or the Claimant's Final Proposal as the final outcome on the claim and check the appropriate box to signify your decision.

<input type="checkbox"/> <b>BP's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$28,546</b>
	<b>Risk Transfer Premium</b>	<b>1.25</b>
	<b>Prior Payment Offset</b>	<b>\$0</b>
<input checked="" type="checkbox"/> <b>Claimant's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$32,424.59</b>
	<b>Risk Transfer Premium</b>	<b>1.25</b>
	<b>Prior Payment Offset</b>	<b>\$0</b>

**III. PRIMARY BASIS FOR PANELIST DECISION**

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Error in documentation review.**
- Error in calculation.**
- Error in RTP multiplier.**
- Error in Prior Spill-Related Payment Amount.**
- No error.**

**Comment (optional):**

BP appeals this BEL award in favor of [REDACTED] a gas station owner. The contention is made that revenues were not adequately matched with expenses and Policy 495 was not correctly applied to rectify the problem. Specifically, BP points to the fact that claimant recorded zero credit card fees in several months despite having substantial revenues during these periods. However, BP does not even suggest that one of the 7 criteria laid out in Policy 495 was triggered. As [REDACTED] stated, it is not

required that there be perfect matching which would be essentially impossible to achieve. Policy 495 is a comprehensive mechanism designed to achieve reasonable matching. BP cannot expand the parameters of 495 by picking apart certain aspects of a financial statement that do not run afoul of the enumerated matching policy. Accordingly, the award in favor of the claimant is affirmed.