



APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business ██████████	First ██████████	Middle ██████████
Claimant ID	██████████	Claim ID	██████████
Claim Type	Business Economic Loss		
Law Firm	██████████		

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"/> BP's Final Proposal	Compensation Amount	\$29,402
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$49,623.90
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0

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):

The Settlement Program awarded claimant ██████████ \$49,623.90 on its BEL claim. BP takes an appeal and submits a final proposal of \$29,402.00. BP argues there were 2 particular months when the claimant had unusual spikes in revenue and these bumps were not adequately investigated by the Claims Administrator and not sufficiently addressed by the utilization of the Annual Variable Margin methodology. Despite BP's contentions, the use of the AVM methodology has been delineated under 495 as the correct formula in all but a

few specifically enumerated exceptions. The matching policy does not require exact matching. Where, as here, the AVM methodology was properly applied, BP's proposal of a random alternative number is not a basis to overturn the decision of the Claims Administrator. The award in favor of the claimant is affirmed.