

May 7, 2010

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WP-05-07-10

**PETROLEUM MARKETER SEMINAR HELD AT THE CAR CARE WORLD EXPO 2010  
THURSDAY, MAY 11, 2010 FROM 1PM TO 4PM, LAS VEGAS NEVADA**

The International Carwash Association is teaming up with experts from WPMA to present the Petroleum Marketer Seminar, held one day prior to Car Care World Expo 2010.

Presented by Kelly Maria, ICA and James Lynch, WPMA, the Petroleum Marketer Seminar provides an in-depth introduction to the car wash industry with insight and data that will help you market and find success within your retail gas location. Experts will help you make sense of the car wash profit center by discussing ROI, the importance of selecting the right distributor and the negotiation skills for equipment, maintenance and chemicals needed on a daily basis. Learn all of this and more to create the ultimate customer experience and achieve success at your business.

Seminar registration includes the half-day session with closing reception and access to the Car Care World Expo trade show floor all three days, May 12-14.

Exclusive offer – WPMA members receive the International Carwash Association member rate of \$149. To register for the Petroleum Marketer Seminar, go to <https://www.showreg.net/CCWE1005S/> and enter WP5 in the source code box.

**TOBACCO POINT OF SALE RESTRICTIONS**

Several PMAA member retailers have asked us to clarify if their POS tobacco advertising can use color and images? Because of a federal court decision, the answer is yes for the present time.

The Family Smoking Prevention and Tobacco Control Act of 2009 provides that all POS advertising for cigarettes or smokeless tobacco use “only black text on a white background” ( i.e. POS that has colors or non-text images is not allowed). R. J. Reynolds Tobacco Company (and others) filed a legal challenge to this provision in the United States District Court for the Western District of Kentucky. On January 5, 2010, the court declared this POS provision unconstitutional. That means, as of this date, it remains permissible for POS advertising to be in color and to show images for the present time.

**FUTURES MARKET REFORM/CREDIT CARD INTERCHANGE FEES STILL CHARGING ALONG**

For a second straight week, Senators debated the “Restoring American Financial Stability Act of 2010” (S. 3217) allowing controversial amendments to be considered for the first time. While several amendments were offered, none dealt directly with oil futures market reform. PMAA Futures Market Reform Task Force has reviewed many of the 141 amendments that have been submitted for consideration and are focused on ones of particular concern to PMAA member companies.

Amendments to address credit card interchange fees are still pending. Senator Richard Durbin (D-IL) introduced two amendments to address swipe fees earlier this week which PMAA fully supports. PMAA continues to work with the Merchants Payments Coalition in reaching out to Senators to support the Durbin/Leahy/Landrieu Amendment #3771 and the Durbin Amendment #3769 which would bring much needed reform to burdensome and unfair interchange fees. Please see additional PMAA Weekly Review article for more information on these amendments.

Contentious amendments offered to date are Senator Bernie Sanders’ (I-VT) amendment which would audit the Federal Reserve, Sen. Richard Shelby’s (D-AL) amendment which would have altered the powers of the Bureau of Consumer Financial Protection (BCFP), and Senators Sherrod Brown (D-OH) and Ted Kaufman’s (D-DE) amendment which would link a bank’s size to the nation’s gross domestic product by preventing them from holding more than 10 percent of the nation’s deposits. Amendments to regulate Fannie Mae and Freddie Mac is another sensitive issue which Senators plan to work over the weekend to address GOP concerns with the institutions.

PMAA supported an amendment by Senator Maria Cantwell (D-WA), cosponsored by Senators Jeanne Shaheen (D-NH), Sheldon Whitehouse (R-RI) and Bernie Sanders (I-VT), which would make it unlawful for an entity to manipulate the price of a swap. Essentially, the Commodity Futures Trading Commission (CFTC) would be given additional powers to prevent fraud and manipulation in the swaps markets. The amendment passed by voice vote Thursday.

There are no votes scheduled for Friday, May 7. The Senate is expected to resume consideration of amendments Tuesday, May 11 including futures markets reform. Senate Agriculture Committee Chairman Saxby Chambliss (R-GA) is expected to file futures markets reform amendments as early as Tuesday. PMAA’s Task Force is reviewing the amendments and will make a recommendation to support or oppose these amendments as written.

Senate Majority Leader Harry Reid (D-NV) and Banking Committee Chairman Christopher Dodd (D-CT) intend to finish work on the bill by the end of next week. Lawmakers plan to work over the weekend to decide the fate of 141 amendments still pending before the Senate floor.

### **NEW ROUND OF U.S. DOT SCAM LETTERS TARGET PETROLEUM MARKETERS:**

Another round of fraudulent letters purporting to be from the U.S. DOT requesting company financial information are appearing on petroleum marketer's fax machines. These letters are a scam and should not be answered. Similar letters have appeared over the past few years. The letters are part of an ongoing scam designed to steal sensitive company bank account information. The ploy is a familiar one by now: an "official" looking letter from the U.S. Department of Transportation's "Procurement Office" arrives by fax. The letter states that to be eligible for federal procurement contracts you must fill out, sign and fax back an attached financial release form providing the name of your bank, your bank account number and tax ID number. With this information in hand, the scammer is able to withdraw money from company accounts as well as apply for corporate credit cards. The U.S. DOT NEVER asks for such information. Anyone receiving this or any variation of this letter should report it to U.S. Department of Transportation, Office of Inspector General Hotline at 800-424-9071.

### **CONGRESSMAN WELCH INTRODUCES INTERCHANGE FEE REFORM BILL**

While the US Senate is preparing to consider new legislation addressing unfair swipe fees imposed on retailers, Congressman Peter Welch (D-VT) is joining the battle to help retailers by introducing the Electronic Check Parity Act of 2010, H.R.5199.

This bill is similar to amendments filed in the Senate by Senator Dick Durbin (D-IL) to financial regulatory reform legislation. The Welch bill seeks to treat electronic check payments like their paper check counterparts and empowers the Federal Reserve to apply to debit cards the same processing rules applied to checks, which do not cause undue financial hardship to small businesses. The legislation would also prevent credit card companies from restricting merchants' ability to set a minimum or maximum payment for credit card users, and allow retailers to offer discounts for cash, check and debit cards. Congressman Welch recognizes the impact of interchange fees on petroleum retailers. Last year he co-authored H.R.2382, the Credit Card Interchange Fees Act with Congressman Bill Shuster (R-PA).

### **PMAA WASHINGTON CONFERENCE AND DAY ON THE HILL IS ALMOST HERE!**

PMAA's annual Washington Conference and Day on the Hill will be held in our Nation's Capitol of Washington, DC from May 12-14. Our industry continues to have several hot legislative and regulatory issues to discuss with members of Congress and the Day on the Hill continues to be the primary focus of this conference.

The meeting will begin with a welcome reception including PAC silent auction on the evening of May 12th. On the morning of May 13th, marketers will head to Capitol Hill for visits with their Congressional delegations. The PMAA Board of Directors will meet on May 14th. The Distinguished Service Award luncheon honoring Jim Garrett of Massachusetts will conclude the conference.

If you have not registered to attend the meeting, now is the time to do so! Please be sure to complete a registration form ([http://www.pmaa.org/userfiles/file/Washington Conference/2010/PMAA\\_WashingtonConference\\_Registration\\_2010 - 2.pdf](http://www.pmaa.org/userfiles/file/Washington%20Conference/2010/PMAA_WashingtonConference_Registration_2010-2.pdf)) as soon as possible so we may have a name badge for you and to include you in our guarantees. The final conference schedule is available at [http://www.pmaa.org/userfiles/file/Washington Conference/2010/Conference Schedule including Rooms.pdf](http://www.pmaa.org/userfiles/file/Washington%20Conference/2010/Conference%20Schedule%20including%20Rooms.pdf). Please contact Susan Isard by email at [sisard@pmaa.org](mailto:sisard@pmaa.org) or by phone at 703.351.8000 with any additional questions and if you still need a hotel room. We look forward to seeing many of you in our Nation's Capital!

### **2011 WESTERN PETROLEUM MARKETERS CONVENTION & CONVENIENCE STORE EXPO LAS VEGAS, NEVADA**

Start planning now to attend the 2011 WPMA Convention and Convenience Store Expo. It will be held at the Mirage in Las Vegas, Nevada. Mark your calendars for February 22-24, 2011.

### **MARK YOUR CALENDARS FOR UPCOMING EVENTS IN 2010**

**June 8-10, 2010** – MPMCSA Convention – Billings Hotel and Convention Center – Billings, Montana

**June 22-24, 2010** – WOMA Convention – Suncadia Lodge – Cle Elum, Washington

**August 1-3, 2010** – IPM&CSA Convention – Coeur d'Alene Resort – Coeur d'Alene, Idaho

**August 31-September 1, 2010** – NMPMA Convention – Embassy Suites, Albuquerque, New Mexico

**September 8-10, 2010** – UPMRA Convention – Park City Marriott – Park City, Utah

**Petro Pete: "If you think nobody cares if you're alive, try missing a couple of car payments."**

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If you do not wish to receive information via fax or e-mail, please contact WPMA at: (801) 263-9762, Fax: (801) 262-9413, or e-mail: [janr@wpma.com](mailto:janr@wpma.com). Thanks.

# Classified Ads

## Help Wanted:

Looking for your dream job in Arches and Canyonlands Country? Petroleum Marketer in need of a Bookkeeper/Office Manager. Send your questions or resume to [resume@frontier.com](mailto:resume@frontier.com)!!

## For Sale:

### 1997 Ford F-700

- 146,000 miles
- 429 Gasoline engine with 6 speed transmission
- 2800 Gallon propane tank with neptune meter and veeder-root register
- Remote shutdown.



Contact: Byron Wood - 435-257-5107/435-730-4555

## For Sale:

### 1993 Ford F-700

- 148,000 Miles
- 2000 gallon 4 compartment tank with dual pumps and meters
- Gasoline engine with 5 speed transmission and high/low axle.
- \$15,000



Contact: Byron Wood - 435-257-5107/435-730-4555

## \*\*FLATBED FOR SALE\*\*

2002 GMC flatbed C6500  
Engine Model # 3126 CAT, 161,821 miles  
Chelsea Parker Pump w/PTO  
Single 1" 100 ft. Electric Hose Reel GVWR-25,950  
5 Speed Trans, AC/AM, FM radio

## \*\*FLATBED FOR SALE\*\*

1996 F-350 Ford Flatbed  
5 Speed Manual Trans  
7.3 LTR Powerstroke DSL, 198,784 miles  
AC/Power Steering, Cassette  
15,000 G.V.W.R. - Lift Gate

## \*\*PETE TANKER FOR SALE\*\*

2003 Pete Tanker, 573,935 miles  
C12 Motor  
18 1/2 ft. Wheel Base, Blackmen Pump

## \*\*SEMI TRUCK FOR SALES\*\*

1977 Bealle Semi  
80,000 GVWR  
Fuller 10 Speed  
4 Compartments - 2500/2500/2000/1000

**Call for Prices - 928-669-2617 ask for Rick**