

Interlocutory Orders, Etc.

IN THE MATTER OF

**SERVICE CORPORATION INTERNATIONAL
AND
ALDERWOODS GROUP, INC.**

Docket No. C-4174. Order, September 26, 2007

Letter approving the petitions of SCI to divest certain assets to O'Hair & Riggs Funeral Services, Inc., Ivers & Alcorn Atwater Funeral Services, Inc., and Ivers & Alcorn Merced Funeral Services, Inc.

COMMISSION LETTER APPROVING DIVESTITURE

Dear Mr. Schwartz:

This is in reference to the Petition for Approval of Proposed Divestitures to O'Hair & Riggs Funeral Services, Inc. ("ORFS"), filed by Service Corporation International ("SCI") and received on June 8, 2007 ("Petition"), and the Petition for Approval of Proposed Divestitures to Ivers & Alcorn Atwater Funeral Services, Inc. ("I&AAFS") and Ivers & Alcorn Merced Funeral Services, Inc. ("I&AMFS"), filed by SCI and received on June 18, 2007. Pursuant to the Decision and Order in Docket No. C-4174, SCI requests prior Commission approval of its proposal to divest certain assets to ORFS, I&AAFS, and I&AMFS.

After consideration of SCI's Petitions and other available information, the Commission has determined to approve the proposed divestitures as set forth in both of these Petitions. In according its approval, the Commission has relied upon the information submitted and the representations made by SCI, ORFS, I&AAFS, and I&AMFS in connection with SCI's Petitions and has assumed them to be accurate and complete.

By direction of the Commission.

Interlocutory Orders, Etc.

IN THE MATTER OF

**PAUL L. FOSTER,
WESTERN REFINING, INC.,
AND
GIANT INDUSTRIES, INC.**

Docket No.9323. Order, October 2, 2007

Order returning this matter to adjudication for the purpose of dismissing the complaint in light of the district court's refusal to grant a preliminary injunction enjoining the merger of Western Refining and Giant Industries.

**ORDER RETURNING MATTER TO ADJUDICATION AND
DISMISSING COMPLAINT**

On June 7, 2007, the Secretary issued an Order withdrawing this matter from adjudication pursuant to Rule 3.26(c) of the Commission Rules of Practice, 16 C.P.R. § 3.26(c) (2007) --and staying all proceedings before the Chief Administrative Law Judge-- in order to permit the Commission to assess the public interest in further litigation, and to allow the Respondents and Complaint Counsel the opportunity to discuss the matter with the Commission. For the reasons discussed in the attached Statement of the Commission, the Commission has now determined to return this matter to adjudication for the sole purpose of dismissing the complaint. Accordingly,

IT IS ORDERED that this matter be, and it hereby is, returned to adjudication; and

IT IS FURTHER ORDERED that the complaint in this matter be, and it hereby is, dismissed.

By the Commission, Commissioner Harbour and Commissioner Rosch dissenting.