

finalized the preliminary determination. She found that as appellant was at fault she was not entitled to waiver, and set a repayment schedule at the rate of \$73.00 each compensation period.¹

In support of the request for oral argument, appellant stated that she had limited financial means and would like to explain her situation in person. The Board, in its discretion, grants oral argument.

IT IS HEREBY ORDERED THAT appellant's request for oral argument in Docket No. 11-1553 be granted.

Issued: September 27, 2011
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Alec J. Koromilas, Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

¹ OWCP had previously issued a preliminary determination on September 12, 2008 in which it found that appellant was without fault in the creation of the overpayment. By decision dated June 24, 2009, an OWCP hearing representative set aside the preliminary determination and remanded the case to OWCP to review the September 12, 2008 preliminary decision on the issue of fault and issue a *de novo* preliminary determination.