

**UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT**

Lake Charles Exports, LLC	)	Docket Nos.	23-87-LNG
Venture Global Calcasieu Pass, LLC	)		13-69-LNG; 14-88-LNG;
	)		15-25-LNG
Venture Global Plaquemines LNG, LLC	)		16-28-LNG
Commonwealth LNG, LLC	)		19-134-LNG
Port Arthur LNG Phase II, LLC	)		20-23-LNG
Venture Global CP2 LNG, LLC	)		21-131-LNG
New Fortress Energy Louisiana	)		22-39-LNG
FLNG LLC	)		
Mexico Pacific Limited LLC	)		22-167-LNG
Gulfstream LNG Development, LLC	)		23-34-LNG
Corpus Christi Liquefaction, LLC et al.	)		23-46-LNG
Southern LNG Company, L.L.C.	)		23-109-LNG
Magnolia LNG, LLC	)		23-137-LNG
Sabine Pass Liquefaction, LLC et al.	)		24-27-LNG
Gato Negro Permitium Dos, S.A.P.I.	)		24-87-LNG
de C.V.	)		

**COMMENTS OF ENERGY TRANSFER LP ON THE DEPARTMENT OF ENERGY'S  
2024 LNG EXPORT STUDY**

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Pursuant to the U.S. Department of Energy’s (“DOE”) February 5, 2025 notice in the Federal Register,<sup>1</sup> Energy Transfer LP (“Energy Transfer”) is submitting comments to the DOE’s 2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports (“DOE 2024 Study” or “Study”).<sup>2</sup> DOE stated that the purpose of the DOE 2024 Study is to provide an update to DOE’s prior analyses and understanding of how various levels of U.S. liquefied natural gas (“LNG”) exports impact and inform DOE’s statutory public interest

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<sup>1</sup> 2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports; Extension of Comment Period, 90 Fed. Reg. 9018 (Feb. 5, 2025) (extending the comment period from 60 days to 90 days); *see also* 89 Fed. Reg. 104132 (Dec. 20, 2024) (setting a 60-day comment period).

<sup>2</sup> 2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports, 89 Fed. Reg. 104132 (Dec. 20, 2024).

determination regarding applications to export LNG to countries lacking a free trade agreement (“FTA”) with the United States.<sup>3</sup> DOE invited the submission of comments regarding the DOE 2024 Study, but stated that it “does not intend to revise the 2024 Study upon receipt of comments,” but, rather, comments received “will inform DOE’s determination of the public interest in each of the above listed non-FTA export application proceedings and future non-FTA export application proceedings.”<sup>4</sup>

Energy Transfer is the parent company of Lake Charles Exports, LLC (“LCE”), which has a pending non-FTA application in Docket No. 23-87-LNG and is the holder of current FTA and non-FTA authorizations from DOE for the Lake Charles LNG export terminal.<sup>5</sup> Energy Transfer also is the parent company of Lake Charles LNG Export Company, LLC, which is the holder of current FTA and non-FTA authorizations from DOE for the Lake Charles LNG export terminal.<sup>6</sup>

## **I. EXECUTIVE SUMMARY**

The Trump administration’s bold actions have changed America’s direction with a mandate that once again our energy abundance is to be recognized as a tremendous asset and not a liability. President Trump’s energy policies will enable the U.S. to fully use its unrealized energy resources domestically and to sell to our allies and trade partners a reliable, diversified, and affordable supply of energy. The export of U.S. LNG is at the forefront of this effort to increase energy production that will benefit the U.S. economy, catalyze U.S. employment growth and promote energy security

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<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 104135.

<sup>5</sup> *Lake Charles Exports, LLC*, DOE/FE Order No. 3324 (issued Aug. 7, 2013); *Lake Charles Exports, LLC*, DOE/FE Order No. 3324-A (issued Jul. 29, 2016); *Lake Charles Exports, LLC*, DOE/FE Order No. 4011 (issued Jun. 29, 2017).

<sup>6</sup> *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 3868 (issued Jul. 29, 2016); *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 4010 (issued Jun. 29, 2017).

for our allies and trade partners. As Secretary Wright has declared, “[w]hen American energy is unleashed, human lives are bettered.”<sup>7</sup>

Even though the DOE 2024 Study has many flaws as noted herein and in several LNG export studies conducted by leading economic experts, the Study fully supports a finding that the export of U.S. LNG, as proposed in the above-referenced proceedings, is not inconsistent with the public interest. The following are highlights of the Study’s key findings:

- “Across all scenarios, modeled U.S. domestic natural gas supply is sufficient to meet modeled global demand for U.S. LNG while continuing to meet domestic demand.”<sup>8</sup> This was made possible by the pioneers of the shale revolution who, through ingenuity, developed new hydraulic fracturing and horizontal drilling technology to further harness America’s abundant natural gas reserves.
- Exports of U.S. LNG will result in a \$410 billion cumulative increase in U.S. GDP and an almost \$900 billion increase in U.S. gross industrial output from 2020 to 2040.<sup>9</sup> S&P Global found even greater gains, predicting that “US LNG industry growth is expected to double its US economic footprint to 2040 [with] \$1.3 trillion in GDP contribution.”<sup>10</sup>
- An increase in high-wage positions with a multiplier effect where one direct job leads to additional jobs.<sup>11</sup> For example, the PwC LNG Study concluded that the LNG energy sector in 2044 would support as many as 900,000 jobs, which will generate nearly \$104 billion in labor income and \$47 billion in taxes and royalties.<sup>12</sup>
- Further support to the conclusion that exports of U.S. LNG provide positive energy security and international trade benefits bolstering America’s position in the world and aiding our allies and trade partners. This recently was shown by increased U.S. LNG exports to Europe after the start of the Russia-Ukraine War.

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<sup>7</sup> *Statement from Energy Secretary Chris Wright* (Feb. 3, 2025), <https://www.energy.gov/articles/statement-energy-secretary-chris-wright>.

<sup>8</sup> OnLocation, Inc. (prepared for U.S. Dep’t of Energy, Office of Fossil Energy and Carbon Management, Office of Resource Sustainability), *Energy, Economic, and Environmental Assessment of U.S. LNG Exports, Summary Report* at S-4, Dec. 17, 2024, [https://www.energy.gov/sites/default/files/2024-12/LNGUpdate\\_SummaryReport\\_Dec2024\\_230pm.pdf](https://www.energy.gov/sites/default/files/2024-12/LNGUpdate_SummaryReport_Dec2024_230pm.pdf) (“DOE 2024 Study, Summary Report”).

<sup>9</sup> *Id.* at S-29–S-30.

<sup>10</sup> Daniel Yergin, *et al.*, *Major New US Industry at a Crossroads: A US LNG Impact Study – Phase 1*, S&P Global at 2, Dec. 17, 2024, <https://www.spglobal.com/en/research-insights/special-reports/major-new-us-industry-at-a-crossroads-us-lng-impact-study-phase-1>, (“S&P Global Study, Phase 1”).

<sup>11</sup> DOE 2024 Study, Summary Report at S-50.

<sup>12</sup> PwC (on behalf of the National Association of Manufacturers), *Quantifying America’s Economic and Energy Opportunity through LNG Exports*, at 2, Oct. 2024, <https://nam.org/wp-content/uploads/2024/10/Quantifying-Americas-Economic-and-Energy-Opportunity-through-LNG-Exports.pdf> (“PwC LNG Study”).

While the 2024 DOE Study predicted that increased LNG exports will cause increases to domestic energy prices, the Study repudiated its own finding, stating that “there is uncertainty in how rising export levels will affect the domestic market” and “there has not been a consistent relationship between domestic prices and export levels to date.”<sup>13</sup> The DOE 2024 Study also admitted that the Energy Information Administration (“EIA”) analysis, on which DOE relied, stated that, even as LNG exports increase, Henry Hub spot prices would not increase beyond historical levels.<sup>14</sup> This is supported by DOE’s own past studies that concluded that, as long as there is adequate natural gas supply (which the DOE 2024 Study confirmed would be the case), natural gas prices will remain steady or even decrease with increased LNG exports.<sup>15</sup> In 2024, the Henry Hub natural gas spot price averaged \$2.21 per MMBtu, the lowest average annual price in inflation-adjusted dollars ever reported.<sup>16</sup> New natural gas production will keep prices low, and LNG export terminals will provide an additional outlet for such new gas production, thereby spurring new production.

The DOE 2024 Study also concluded that “increased U.S. LNG exports are associated with higher GHG emissions.”<sup>17</sup> The Study is woefully deficient in this respect because it failed to acknowledge the massive increase in greenhouse gas (“GHG”) emissions that would occur if countries had to replace LNG with alternative fuel sources. S&P Global estimated that global GHG emissions would be 780 million tons CO<sub>2</sub>e lower if U.S. LNG exports are maintained and

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<sup>13</sup> DOE 2024 Study, Summary Report at S-4.

<sup>14</sup> *Id.* at S-28.

<sup>15</sup> *Id.* at S-5.

<sup>16</sup> EIA, Today in Energy, In-Brief Analysis, *Spot Henry Hub natural gas prices hit historic low in 2024* (Jan. 8, 2025), <https://www.eia.gov/todayinenergy/detail.php?id=64184#> (“EIA, *Spot Henry Hub natural gas prices hit historic low in 2024*”).

<sup>17</sup> DOE 2024 Study, Summary Report at S-25.

incrementally increased to meet global demand, versus obtaining energy from replacement sources like oil and coal.<sup>18</sup>

DOE succinctly summed up the situation when it previously rejected an argument to deny the export of U.S. LNG. “A decision to prohibit exports of natural gas would cause the United States to forego entirely the economic and international benefits discussed herein, but would have little more than a modest, incremental impact on the environmental issues.”<sup>19</sup> Common sense must replace previous burdensome governmental overreach in order for America to realize the full panoply of benefits from the export of U.S. LNG.

## **II.** **BACKGROUND**

On January 26, 2024, the Biden administration announced a decision to “pause” approvals for pending and future applications for LNG exports to non-FTA countries.<sup>20</sup> In connection therewith, DOE announced that the Office of Fossil Energy and Carbon Management (“FECM”) would initiate a process to update the economic and environmental analyses used to review LNG export applications to non-FTA countries.<sup>21</sup> The Biden administration’s “pause” was challenged in the courts and was found to be illegal. In July 2024, the Honorable James D. Cain, Jr., United States District Judge for the Western District of Louisiana, enjoined the DOE from halting and/or pausing the approval process for pending and future applications for LNG exports to non-FTA countries and ruled that President Biden’s export ban contravened the express language of the

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<sup>18</sup> Daniel Yergin, *et al.*, *Major New Industry at a Crossroads: A US LNG Impact Study – Phase 2*, S&P Global at 5 (Mar. 6, 2025), <https://www.spglobal.com/en/research-insights/special-reports/major-new-us-industry-at-a-crossroads-us-lng-impact-study-phase-2> (“S&P Global Study, Phase 2”).

<sup>19</sup> *Texas LNG Brownsville LLC*, DOE/FE Order No. 4489 at 40 (issued Feb. 10, 2020).

<sup>20</sup> *Statement from President Joe Biden on Decision to Pause Pending Approvals of Liquefied Natural Gas Exports* (Jan. 26, 2024), <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/01/26/statement-from-president-joe-biden-on-decision-to-pause-pending-approvals-of-liquefied-natural-gas-exports/>.

<sup>21</sup> *DOE to Update Public Interest Analysis to Enhance National Security, Achieve Clean Energy Goals and Continue Support for Global Allies* (Jan. 26, 2024), <https://www.energy.gov/articles/doe-update-public-interest-analysis-enhance-national-security-achieve-clean-energy-goals>.

Natural Gas Act (“NGA”) requiring expeditious rulings on non-FTA applications.<sup>22</sup> In contravention of the court’s order, the Biden administration did not end the “pause,” and DOE has yet to act on LCE’s pending non-FTA application in Docket No. 23-87-LNG.<sup>23</sup>

In November 2024, President Donald Trump won the presidential election, running on a platform that included revitalizing the country’s energy production and exporting LNG to the country’s allies and trade partners. Despite the impending change in presidential administrations and anticipated wholesale change in energy policy, DOE/FECM issued the DOE 2024 Study on December 17, 2024. The DOE 2024 Study’s key findings focused on (1) the domestic natural gas supply and economic impacts, (2) energy security, (3) greenhouse gas emissions, and (4) environmental and community effects.<sup>24</sup> DOE established a 60-day comment period that was later extended to a 90-day comment period.

On January 20, 2025, President Trump was sworn into office as the 47<sup>th</sup> President of the United States, ushering in policy changes seeking to further the public interest by unleashing American energy. On his first day in office, President Trump issued the *Unleashing American Energy* Executive Order, directing the Secretary of Energy to “restart reviews of applications for approvals of liquified natural gas export projects as expeditiously as possible, consistent with applicable law.”<sup>25</sup> The Executive Order stated that “[i]n assessing the ‘Public Interest’ to be advanced by any particular application, the Secretary of Energy shall consider the *economic and employment impacts* to the United States and the *impact to the security of allies and partners* that

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<sup>22</sup> *State of Louisiana, et al. v. Joseph R. Biden, et al.*, Case No. 2:24-CV-00406 (W.D. La. July 1, 2024).

<sup>23</sup> During the “pause,” DOE only issued a single non-FTA authorization, which was an order approving NFE Altamira FLNG’s non-FTA application to export LNG. *NFE Altamira FLNG, S. De. R.L. De C.V.*, DOE/FECM Order No. 5156 (issued Aug. 31, 2024). However, DOE issued the order for a term of 5 years rather than a standard term expiring on December 31, 2050.

<sup>24</sup> DOE 2024 Study, *supra* note 2.

<sup>25</sup> Exec. Order No. 14154, *Unleashing American Energy*, 90 Fed. Reg. 8353 (Jan. 29, 2025) (issued Jan. 20, 2025).

would result from granting the application.”<sup>26</sup> As DOE’s jurisdiction is limited to regulating exports of LNG and not authorizing export projects, DOE interprets the Executive Order as directing DOE to review non-FTA export applications “as expeditiously as possible.”<sup>27</sup> Due to the previous administration’s ill-advised and short-sighted energy policies, President Trump also issued the *Declaring a National Energy Emergency* Executive Order on his first day in office.<sup>28</sup> Such an executive order is necessary because the United States has been hampered in the use of its abundant energy resources to better the lives of its citizens and to aid its foreign allies and partners. The Executive Order states:

Moreover, the United States has the potential to use its unrealized energy resources domestically, and to sell to international allies and partners a reliable, diversified, and affordable supply of energy. This would create jobs and economic prosperity for Americans forgotten in the present economy, improve the United States’ trade balance, help our country compete with hostile foreign powers, strengthen relations with allies and partners, and support international peace and security. Accordingly, our Nation’s dangerous energy situation inflicts unnecessary and perilous constraints on our foreign policy.<sup>29</sup>

On January 21, 2025, DOE announced that it was ending the “pause” imposed by the Biden administration on the approvals of non-FTA LNG export authorizations by DOE and returning to regular order, following the direction given by President Trump in the *Unleashing American Energy* Executive Order.<sup>30</sup> After being sworn in as the 17<sup>th</sup> DOE Secretary, Secretary Chris Wright issued a statement that a key component of President Trump’s agenda for restoring this country’s energy dominance and leading the world in energy development and innovation is DOE “cutting

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<sup>26</sup> *Id.* (emphasis added).

<sup>27</sup> *Commonwealth LNG, LLC*, DOE/FE Order No. 5238 at n. 38 (issued Feb. 14, 2025).

<sup>28</sup> Exec. Order No. 14156, *Declaring a National Energy Emergency*, 90 Fed. Reg. 8433 (Jan. 29, 2025) (issued Jan. 20, 2025).

<sup>29</sup> *Id.*

<sup>30</sup> *U.S. Department of Energy Reverses Biden LNG Pause, Restores Trump Energy Dominance Agenda* (Jan. 21, 2025), <https://www.energy.gov/articles/us-department-energy-reverses-biden-lng-pause-restores-trump-energy-dominance-agenda>.



red tape, prioritizing common-sense solutions, and fostering American ingenuity.”<sup>31</sup> Secretary Wright stated that “[w]hen American energy is unleashed, human lives are bettered.”<sup>32</sup> This was quickly followed up with his *Unleashing the Golden Era of American Dominance* secretarial order where Secretary Wright announced that:

America is blessed with abundant energy resources – we are the world’s top oil and gas producer and a net energy exporter for the first time in decades. Our energy abundance is an asset, not a liability.<sup>33</sup>

DOE is in a position to again make the U.S. the leader in energy innovation through common sense energy policies. Secretary Wright stated that ending the LNG export freeze was one example of a common sense energy policy replacing burdensome and unreasonable government overreach. Overall, “[a] strong energy foundation, expanded energy infrastructure, more American ingenuity, and fewer barriers mean a stronger America.”<sup>34</sup> Energy Transfer supports Secretary Wright’s actions setting DOE on an energy policy course that is in the overall public interest of the U.S. and his sentiment that “we’re just getting started.”<sup>35</sup>

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<sup>31</sup> *Statement from Energy Secretary Chris Wright* (Feb. 3, 2025), <https://www.energy.gov/articles/statement-energy-secretary-chris-wright>.

<sup>32</sup> *Id.*

<sup>33</sup> *Secretary Wright Acts to “Unleash Golden Era of American Energy Dominance”* (Feb. 5, 2025), <https://www.energy.gov/articles/secretary-wright-acts-unleash-golden-era-american-energy-dominance>. See also Secretary Wright’s Welcome Remarks to DOE Staff on February 5, 2025 where he discusses the abundance of American energy that enabled the U.S. to go from the largest importer of natural gas to the largest exporter of natural gas in less than twenty years. “This is technology here—technology which the DOE played a role [in], as well as myself and several others, in the late ’90s, to help start the shale revolution.”

<sup>34</sup> *Statement from Energy Secretary Chris Wright on President Trump’s Joint Address to Congress*, (Mar. 4, 2025), <https://www.energy.gov/articles/statement-energy-secretary-chris-wright-president-trumps-joint-address-congress>.

<sup>35</sup> *Id.*

### **III.**

#### **COMMENTS ON THE DOE 2024 STUDY**

##### **A. The DOE 2024 Study’s models and assumptions are circumspect and outdated.**

The DOE 2024 Study used four models<sup>36</sup> to evaluate a range of policy, technology, and U.S. LNG export scenarios. The scenarios were based on three overall global GHG emissions level scenarios: (1) Defined Policies; (2) Commitments; and (3) Net Zero. The Defined Policies scenario based projections on the Inflation Reduction Act, Bipartisan Infrastructure Law, and Environmental Protection Agency guidance and policy for the U.S. and emissions policy consistent with previous published studies for the rest of the world. The Commitments scenario based projections on the Defined Policies and domestic and global metrics to reduce GHG emissions by 100% of their 2005 level in the U.S. by 2050 and 8% each year for countries without emission reduction commitments. Finally, the Net Zero scenario based projections on the entire world achieving net-zero CO<sub>2</sub> emissions by 2050.

The DOE 2024 Study also modeled projections for each scenario based on two different levels (High and Moderate) of availability and deployment of carbon capture and sequestration (“CCS”) technology. The High CCS scenario assumed the currently available CCS levels, and the Moderate CCS scenario assumed moderate levels of CCS and accelerated reductions in the costs of renewable energy and storage technology. The DOE 2024 Study then modeled LNG export projections based on the (1) Model Resolved Exports (unrestricted LNG exports based on global supply and demand, as determined by the model); (2) High Exports (LNG exports outpacing the model); and (3) Existing/Final Investment Decision (“FID”) Exports (LNG exports held at 90% of

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<sup>36</sup> The DOE 2024 Study used (1) the Global Change Analysis Model developed and maintained by Pacific Northwest National Laboratory’s Joint Global Change Research Institute; (2) the National Energy Modeling System (NEMS) developed by the Energy Information Administration and modified by OnLocation, Inc. for the DOE 2024 Study; (3) the Household Energy Impact Distribution Model developed by the International Electrotechnical Commission; and (4) the natural gas system life cycle assessment model developed by the National Energy Technology Laboratory.

the capacity reached in final investment decisions as of December 2023). Finally, the 2024 DOE Study manipulated supply to see how the models would change under (1) High U.S. Supply (lower prices with higher availability); (2) Low U.S. Supply (higher prices with lower availability); and (3) High Middle East Supply (a competitive Middle East market that could displace U.S. sales).

This modeling, however, is flawed because it is based on policies and assumptions that are already woefully outdated. The authors of the DOE 2024 Study relied on U.S. policies that they knew would be changed one month after the publication of the Study with the start of the new Trump administration.<sup>37</sup> Also, for example, a recent South Dakota statute, prohibiting the use of eminent domain for CO<sub>2</sub> pipelines, resulted in the developer of a 2,500-mile, multi-state CO<sub>2</sub> pipeline filing to pause the permitting of its project.<sup>38</sup> In addition, there is uncertainty in the rest of the world regarding the quest of net zero by 2050 and other related initiatives balanced against the costs and the need for energy security.<sup>39</sup> Unfortunately, the politicization behind the preparation of the DOE 2024 Study, and the rush to issue it before the start of the current Trump administration, calls into question the adequacy of its assumptions and findings.

U.S. LNG export capacity at the end of 2023 was 11.9 Bcf/d.<sup>40</sup> The DOE 2024 Study estimated that the 2050 LNG export capacity across the Model Resolved Exports would be 56.3 Bcf/d for the Defined Policies, 33.1 Bcf/d for the Commitments with High CCS, 26.8 Bcf/d for

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<sup>37</sup> DOE 2024 Study, Summary Report at S-11 (“There has been growing national attention on the positive and negative effects of expanding natural gas production and exports, leading to a range of responses, including federal Executive Orders defining environmental justice, climate justice, racial equity, sustainability, and energy communities.”) The DOE 2024 Study does not take into consideration that these cited Executive Orders would be rescinded on January 20, 2025. See Exec. Order No. 14148, *Initial Rescissions of Harmful Executive Orders and Actions*, 90 Fed. Reg. 8237 (Jan. 28, 2025) (issued Jan. 20, 2025).

<sup>38</sup> Carlos Anchondo, *CO2 pipeline developer seeks pause on South Dakota application*, Energy Wire (Mar. 13, 2025), <http://eenews.net/articles/co2-pipeline-developer-seeks-pause-on-south-dakota-application/>.

<sup>39</sup> See Karl Mathiesen, *The end of Germany’s climate crusade: one of the world’s most climate-ambitious governments is about to fall, replaced by a likely chancellor who says green policy went too far*, Politico (Feb. 20, 2025), <https://www.politico.eu/article/the-end-of-germanys-climate-crusade/>.

<sup>40</sup> DOE 2024 Study, Summary Report at S-12.

the Commitments with Moderate CCS, 28.5 Bcf/d for Net Zero with High CSS, and 17.3 Bcf/d for Net Zero with Moderate CCS.<sup>41</sup> The Study’s estimates are problematic, especially a U.S. LNG export capacity of 56.3 Bcf/d. S&P Global’s recent LNG study, *Major New US Industry at a Crossroads, a US LNG Impact Study*, calls into question this estimate.<sup>42</sup> S&P Global predicts 28 Bcf/d of U.S. LNG export capacity in 2030.<sup>43</sup> DOE’s estimate of 56 Bcf/d is not realistic according to S&P Global because it “would effectively say that no one else in the rest of the world builds LNG capacity.”<sup>44</sup> The DOE 2024 Study recognizes that Qatar and Australia are leading LNG exporting countries after the U.S. There is no reason to believe that these countries and the other major exporters, such as Russia and Canada, will choose not to expand and instead leave the LNG export market to only the U.S.

**B. The DOE 2024 Study’s main finding of abundant natural gas supply supports DOE finding that the pending non-FTA authorizations must be granted because they are not inconsistent with the public interest.**

The DOE 2024 Study’s first key finding, which is the most important, is that “[a]cross all scenarios, modeled U.S. domestic natural gas supply is sufficient to meet modeled global demand for U.S. LNG while continuing to meet domestic demand.”<sup>45</sup> The Study also found that a scenario where LNG exports increased by 32.6 Bcf/d would lead to a 28% (30.2 Bcf/d) increase in gas production and no change in domestic end-use consumption.<sup>46</sup> This indicates that, with reference to U.S. supply assumptions, the U.S. can meet incremental foreign demand with additional domestic production. The DOE 2024 Study was clear that regardless of the export scenario or incremental demand, the U.S. has adequate natural gas resources to ensure domestic availability.

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<sup>41</sup> *Id.* at S-7.

<sup>42</sup> S&P Global Study, Phase 1; S&P Global Study, Phase 2.

<sup>43</sup> S&P Global Study, Phase 1 at 9.

<sup>44</sup> Brian Dabbs, Carlos Anchondo, *DOE Study leaves path for Trump to ramp up LNG exports*, E&E (Dec. 18, 2024), <https://www.eenews.net/articles/doe-study-leaves-path-for-trump-to-ramp-up-lng-exports/>.

<sup>45</sup> DOE 2024 Study, Summary Report at S-4.

<sup>46</sup> *Id.* at S-31.

While the U.S. is blessed with abundant natural gas reserves, it took American ingenuity and new technology developed in this country to harness the vast deposits of natural gas through hydraulic fracturing and horizontal drilling. The pioneers of the shale revolution positioned the U.S. to be able to meet all domestic needs for natural gas, as well as allow the U.S. to export significant volumes of natural gas to our international allies and partners.<sup>47</sup> The U.S. currently holds more than 35 years of economic natural gas supply (~1,300 trillion cubic feet (“Tcf”)) at current consumption levels (including exports).<sup>48</sup> The domestic supply may significantly increase according to the DOE 2024 Study’s projections. The High US Supply case was modeled as a 50% higher resource availability than the EIA 2023 High Oil and Gas Supply side case.<sup>49</sup> The total projected dry gas production for the EIA 2023 High Oil and Gas Supply side case was 136.2 Bcf/d in 2050.<sup>50</sup> Therefore, the High Supply case in the DOE 2024 Study would be 204.3 Bcf/d in 2050. In 2021, proved reserves of natural gas in the U.S. grew to a record of 625.4 Tcf, which was a 32% increase from 2020.<sup>51</sup> S&P Global noted that “[t]hese tremendous natural gas resources have supported US domestic natural gas production growth of over 40 bcf/d since 2010, dwarfing LNG export growth by a 3 to 1 ratio.”<sup>52</sup> Also, while the U.S. is the largest exporter of LNG, its LNG exports represent only 12% of domestic U.S. natural gas production.<sup>53</sup>

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<sup>47</sup> Energy Ventures Analysis, *Impact Analysis of U.S. Natural Gas Exports on Domestic Natural Gas Pricing*, at 2 (Mar. 2024), <https://www.api.org/~media/files/news/2024/03/18/api-eva-lng-price-full-report> (“Energy Ventures Study”) (“The shale gas revolution resulted in a massive shift in U.S. natural gas supply and demand flows, ringing in a new era of low-cost natural gas supply and turning the U.S. into a global energy superpower.”).

<sup>48</sup> S&P Global Study, Phase 1 at 4–5.

<sup>49</sup> DOE 2024 Study, Summary Report at S-20.

<sup>50</sup> AEO 2023, *Issues in Focus: Effects of Liquefied Natural Gas Exports on the U.S. Natural Gas Market*, EIA, at 9 (May 23, 2023), [https://www.eia.gov/outlooks/aeo/IIF\\_LNG/pdf/LNG\\_Issue\\_in\\_Focus.pdf](https://www.eia.gov/outlooks/aeo/IIF_LNG/pdf/LNG_Issue_in_Focus.pdf) (“EIA 2023 Report”).

<sup>51</sup> U.S. Crude Oil and Natural Gas Proved Reserves, Year-end 2022, EIA (Apr. 29, 2024), <https://www.eia.gov/naturalgas/crudeoilreserves/index.php>. See *Proved Reserves of natural gas increased 32% in the US during 2021*, EIA, (Jan. 30, 2023) <https://www.eia.gov/todayinenergy/detail.php?id=55339>.

<sup>52</sup> S&P Global Study, Phase 1 at 4–5.

<sup>53</sup> *Id.* at 4.

The domestic need for the natural gas proposed to be exported is “the only explicit criterion that must be considered [by DOE] in determining the public interest.”<sup>54</sup> However, in determining the public interest, DOE/FECM has “identified a range of factors that it evaluates when reviewing an application for export authorization” focusing on “(i) the domestic need for the natural gas proposed to be exported, (ii) whether the proposed exports pose a threat to the security of domestic natural gas supplies, (iii) whether the arrangement is consistent with DOE’s policy of promoting market competition, and (iv) any other factors bearing on the public interest as determined by DOE, such as international and environmental impacts.”<sup>55</sup> Consistent with the first key finding of the DOE 2024 Study, DOE first determines that the requested export of LNG will not negatively impact the supply of natural gas for domestic needs.

DOE has consistently found that the export of LNG will not impact the supply of natural gas for domestic demand. For example, in *Lake Charles Exports* DOE found that “the record supports a finding that there is ample supply of natural gas available to support the exports contemplated in the Application without affecting the availability of natural gas to meet domestic demand” and “the requested export amount will have no practical impact on the domestic supply of natural gas in the United States or natural gas markets.”<sup>56</sup> DOE most recently confirmed in *Venture Global CP2 LNG, LLC* that there are “robust domestic supply conditions that are more than adequate to satisfy both domestic needs and exports of LNG, including those proposed in the [Venture Global CP2] Application.”<sup>57</sup>

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<sup>54</sup> *Phillips Alaska Natural Gas Corp. & Marathon Oil Co.*, DOE/FE Order No. 1473 at 14 (issued Apr. 2, 1999).

<sup>55</sup> *Freeport LNG Expansion, L.P.*, DOE/FECM Order No. 4961 at 27 (issued Mar. 3, 2023); *see also* *Sierra Club, et al.*, Order Denying Petition for Rulemaking at 12 (issued Jul. 18, 2023).

<sup>56</sup> *Lake Charles Exports, LLC*, DOE/FE Order No. 3324-A at 121; *Lake Charles Exports, LLC*, DOE/FE Order No. 4011 at 40.

<sup>57</sup> *Venture Global CP2 LNG, LLC*, DOE/FECM Order No. 5264 at 42 (issued Mar. 19, 2025), citing U.S. Energy Info. Admin., Today in Energy (Apr. 27, 2023), <https://www.eia.gov/todayinenergy/detail.php?id=56320>; *see also* U.S. Energy Info. Admin., AEO 2023 data, Table 13, <https://www.eia.gov/outlooks/aeo/data/browser/#/?id=13-AEO2023&cases=ref2023&sourcekey=0>; *see also* *Commonwealth LNG, LLC*, DOE/FECM Order No. 5238 at 43-44.

The DOE 2024 Study’s finding that there is ample natural gas supply to meet domestic needs and export LNG to our allies and partners further bolsters the statutory presumption in the NGA in favor of approvals of applications to export LNG to non-FTA nations. DOE’s review of export applications to non-FTA countries is governed by section 3(a) of the NGA. NGA section 3(a) states that the Assistant Secretary of DOE/FECM “*shall issue* such [an export authorization] upon application, *unless*, after opportunity for hearing, [the Assistant Secretary] finds that the proposed exportation or importation will not be consistent with the public interest.”<sup>58</sup>

According to DOE/FECM, “[a]pplying the foregoing statutory language, DOE has consistently ruled that section 3(a) of the NGA creates a rebuttable presumption that proposed exports of natural gas are in the public interest.”<sup>59</sup> To overcome this rebuttable presumption an opponent must affirmatively demonstrate that the proposal is inconsistent with the public interest.<sup>60</sup> DOE/FECM held that its “longstanding practice is to conduct an informal adjudication of each non-FTA export application ... and to grant the application unless DOE finds that the proposed exportation will not be consistent with the public interest.”<sup>61</sup>

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<sup>58</sup> 15 U.S.C. § 717b(a) (emphasis added). Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FECM in Redelegation Order No. S4-DEL-FE1-2023, issued April 10, 2023.

<sup>59</sup> *Sabine Pass Liquefaction, LLC*, DOE/FE Docket 10-111-LNG, Opinion and Order Denying Request for Review Under Section 3(c) of the NGA, at 4 (issued Oct. 21, 2010); *see also Panhandle Producers and Royalty Owners Assoc. v. Economic Reg. Admin.*, 822 F.2d 1105, 1111 (D.C. Cir. 1987) (“A presumption favoring import authorization, then, is completely consistent with, if not mandated by, the statutory directive.”); *Sierra Club v. DOE*, 867 F.3d 189, 203 (D.C. Cir. 2017) (“We have construed [NGA section 3(a)] as containing a ‘general presumption favoring [export] authorization.’”), quoting *W. Va. Pub. Servs. Comm’n v. DOE*, 681 F.2d 847, 856 (D.C. Cir. 1982); *Ctr. for Biological Diversity v. FERC*, 67 F.4th 1176, 1188 (D.C. Cir. 2023) (same).

<sup>60</sup> *Sabine Pass*, DOE/FE Docket No. 10-111-LNG, Order Denying Rehearing at 5; *see also Phillips Alaska Natural Gas Corp. and Marathon Oil Co.*, DOE/FE Order No. 1473 at 13 (“Section 3 creates a statutory presumption in favor of approval of an export application, and the Department must grant the requested export [application] unless it determines the presumption is overcome by evidence in the record of the proceeding that the proposed export will not be consistent with the public interest.”); *Sierra Club*, 867 F.3d at 203 (“there must be ‘an affirmative showing of inconsistency with the public interest’ to deny the application” [under NGA section 3(a).]), quoting *Panhandle Producers and Royalty Owners Assoc.*, 822 F.2d at 1111.

<sup>61</sup> *Sierra Club, et al.*, Order Denying Petition for Rulemaking of Exports of Liquefied Natural Gas, at 10 (issued Jul. 18, 2023); *see also Commonwealth LNG, LLC*, DOE/FECM Order No. 5238 at 9.

**C. The DOE 2024 Study shows a \$410 billion cumulative increase in U.S. GDP and an almost \$900 billion increase in U.S. gross industrial output from 2020 to 2050 due to the export of U.S. LNG.**

The DOE 2024 Study stated that total economic activity, measured by GDP, increases with rising U.S. LNG exports.<sup>62</sup> The Study found that “[u]nder the Defined Policies scenario with reference U.S. supply assumptions, increasing exports from existing and FID levels to Model Resolved levels results in a 0.2% increase in GDP in 2050 (\$80 billion (\$2022[, discounted at 3%])), and cumulatively from 2020 to 2050, GDP increases \$410 billion (\$2022, discounted at 3%).”<sup>63</sup> The DOE 2024 Study also noted that even small increases in LNG exports can have large cumulative GDP increases.<sup>64</sup> The Study predicted significant increases in GDP as U.S. supply levels increased due to increased LNG exports and sustained output from the manufacturing sector due to affordable energy prices.<sup>65</sup>

The S&P Global Study predicted that “US LNG industry growth is expected to double its US economic footprint to 2040 [with] \$1.3 trillion in GDP contribution.”<sup>66</sup> PwC’s recent study on U.S. export of LNG stated that the LNG energy sector directly or indirectly contributed \$43.8 billion to the GDP in 2023, and it predicted that this contribution to GDP would increase to \$122.5 billion in 2044.<sup>67</sup> If PwC used its more optimistic High Growth case, then the LNG energy sector’s contribution to GDP would be \$215.7 billion in 2044.<sup>68</sup>

The DOE 2024 Study’s methodology showed “increases in gross industrial output with increased LNG exports across all U.S. supply assumptions by up to 1.3% in 2050, primarily

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<sup>62</sup> DOE 2024 Study, Summary Report at S-29.

<sup>63</sup> *Id.* at S-5.

<sup>64</sup> *See id.* at S-5 (an incremental increase in exports from Final Investment Decision Levels at the end of 2023 to Model Resolved levels would result in a cumulative increase of \$410 billion in GDP from 2020-2050, valued at the 2022 US Dollar discounted at 3%).

<sup>65</sup> *Id.* at S-30.

<sup>66</sup> S&P Global Study, Phase 1 at 2.

<sup>67</sup> PwC LNG Study at 2.

<sup>68</sup> *Id.*



reflecting industrial activities related to increased production, processing, transportation and exports of natural gas.”<sup>69</sup> Under reference U.S. supply assumptions, increased LNG exports would increase by 1.3%, or a \$203 billion increase in value of industrial production in 2050, with a cumulative increase of \$893 billion from 2020 through 2050.<sup>70</sup>

The S&P Global Study also highlighted similar trends. The Base Case outlook projected that LNG exports can contribute an additional \$1.3 trillion to U.S. GDP through 2040, with 30% of the GDP contributions coming from non-producing areas.<sup>71</sup> The average GDP per capita across producing states, namely Texas, Louisiana, Oklahoma, New Mexico, Pennsylvania, and Ohio, will increase by \$13,173 due to LNG export activity.<sup>72</sup> The average GDP per capita across non-producing states will increase by \$1,391, with 115 out of 350 congressional districts exceeding this level.<sup>73</sup> However, an Extended Halt scenario, which assumes no new pre-FID U.S. LNG capacity or halted U.S. LNG capacity is developed, would harm both producing and non-producing regions.<sup>74</sup> Therefore, the country as a whole will either economically benefit from LNG exports or be harmed by a scenario where export levels stagnate.

The 2024 DOE Study itself, as well the S&P Global Study and the PwC Study, clearly demonstrate that there are significant benefits to GDP and industrial output when LNG exports increase. Such benefits clearly support a finding that the proposed export of LNG as set out in the pending non-FTA applications is not inconsistent with the public interest.

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<sup>69</sup> DOE 2024 Study, Summary Report at S-30.

<sup>70</sup> *Id.*

<sup>71</sup> S&P Global Study, Phase 2 at 5.

<sup>72</sup> *Id.* at 26.

<sup>73</sup> *Id.*

<sup>74</sup> *Id.*

**D. The DOE 2024 Study’s prediction of increased natural gas prices is doubtful because robust natural gas supplies since the shale revolution have kept natural gas prices at historic lows.**

The DOE 2024 Study predicts that “the 2050 Henry Hub natural gas price increases 31% (from \$3.53/MMBtu to \$4.62/MMBtu (\$2022[, discounted at 3%])), as U.S. LNG exports increase in response to the modeled global demand level.”<sup>75</sup> However, the Study calls into question its own predictions by stating:

This study does not include forward-looking modeling on the impacts of increasing LNG exports on natural gas price volatility. Given the unique role of the U.S. as the largest global producer, consumer, and, more recently, exporter of natural gas, *there is uncertainty in how rising export levels will affect the domestic market. While there has not been a consistent relationship between domestic prices and export levels to date*, that could change as a larger percentage of U.S. natural gas is exported.<sup>76</sup>

The Study also contained this general disclaimer:

Given the global scope and timeframe examined in this study, there should be recognition of the inherent uncertainty in conclusions, especially given their size relative to the overall global economy and energy system.<sup>77</sup>

The 2024 DOE Study’s 31% Henry Hub natural gas price increase prediction is based on the Annual Energy Outlook 2023 (the “EIA 2023 Report” published by EIA).<sup>78</sup> The EIA 2023 Report also stated that domestic natural gas prices are expected to be affected by a variety of factors, including the volume of domestic natural gas production, domestic economic growth, availability and prices of other fuels, the volume of LNG exports and global LNG prices.<sup>79</sup> In the reference case used in the EIA 2023 Report, EIA assumed that LNG exports do not exceed the existing, under construction and approved liquefaction capacity and, in this case, EIA projects that

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<sup>75</sup> DOE 2024 Study, Summary Report at S-4, S-27.

<sup>76</sup> DOE 2024 Study, Summary Report at S-4 (emphasis added).

<sup>77</sup> *Id.* at S-v.

<sup>78</sup> EIA 2023 Report. As LCE has received a final and non-appealable order from FERC and currently holds FTA and non-FTA authorizations from DOE, the export of LNG from the Lake Charles LNG export terminal would appear to be included in the LNG export capacity in the EIA reference case.

<sup>79</sup> *Id.* at 7–10.

the Henry Hub spot price will be \$3.80/MMBtu in 2050 and even lower (\$2.80/MMBtu) in the event of higher domestic natural gas production than currently forecasted for 2050.<sup>80</sup> Accordingly, the EIA 2023 Report acknowledges that natural gas prices in 2050 could actually be lower than current Henry Hub spot prices (\$4.19/MMBtu as of March 12, 2025) depending on various assumptions and variables.<sup>81</sup> This reaffirms the point that the 2024 DOE Study does not provide convincing evidence that domestic natural gas prices will increase by 2050 based on increased LNG exports.

In fact, the data suggests that natural gas prices may decrease as exports increase. In 2024, a year with high U.S. LNG exports, the Henry Hub natural gas spot price averaged \$2.21 per MMBtu, the lowest average annual price in inflation-adjusted dollars ever reported.<sup>82</sup> EIA stated that “[r]obust U.S. natural gas supply and limited growth in natural gas consumption reduced prices for most of 2024.”<sup>83</sup>

It is DOE’s well-established policy that it is not the role of the federal government to determine domestic energy prices by approving or disapproving import and export applications.<sup>84</sup> DOE’s policy is that markets, and not the government, should allocate resources, determine supply and demand, and set prices. DOE/FECM recently reiterated that “the goals of the 1984 Policy

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<sup>80</sup> *Id.* at 4.

<sup>81</sup> EIA, *Natural Gas Weekly Update for week ending March 12, 2025*, (Mar. 13, 2025), <https://www.eia.gov/naturalgas/weekly/>.

<sup>82</sup> EIA, *Spot Henry Hub natural gas prices hit historic low in 2024*.

<sup>83</sup> *Id.*

<sup>84</sup> Policy Guidelines and Delegation Orders Relating to the Regulation of Imported Natural Gas, 49 Fed. Reg. 6684, 6685 (issued Feb. 22, 1984) (“The market, not government, should determine the price and other contract terms of imported [or exported] gas. . . .”) (“1984 Policy Guidelines”). While the 1984 Policy Guidelines deal specifically with imports, DOE/FE has found that the principles are applicable to exports. *Phillips Alaska Natural Gas Corp. & Marathon Oil Co.*, DOE/FE Order No. 1473 at 14.

Guidelines [are] to minimize federal control and involvement in energy markets and to promote a balanced and mixed energy resource system.”<sup>85</sup>

DOE has in the past predicted increases in natural gas prices due to increased exports of LNG that have not panned out. In 2012, EIA stated that “increased natural gas exports lead to increased natural gas prices” with “[l]arger export levels lead[ing] to larger domestic price increases.”<sup>86</sup> EIA predicted that the 2023 projected export volumes would result in a 54% increase in gas prices for U.S. consumers.<sup>87</sup> However, the 2023 average Henry Hub gas price was 31% lower than the price in 2012.<sup>88</sup> DOE tempered its natural gas price increase predictions in its 2018 report when it stated:

Increasing U.S. LNG exports under any given set of assumptions about U.S. natural gas resources and their production leads to *only small increases in U.S. natural gas prices*; and Available natural gas resources have the largest impact on natural gas prices. Therefore, U.S. natural gas prices are far more dependent on available resources and technologies to extract available resources than on U.S. policies surrounding LNG exports.<sup>89</sup>

Even the slight increase in prices predicted in the DOE 2018 Study has not materialized. There were record high LNG exports in 2023, but the average price at Henry Hub was \$2.57 per MMBtu,

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<sup>85</sup> *Commonwealth LNG, LLC*, DOE/FECM Order No. 5238 at 41, citing *Sierra Club, et al.*, Order Denying Petition for Rulemaking at 11.

<sup>86</sup> EIA, *Effect of Increased Natural Gas Exports on Domestic Energy Markets*, as requested by Office of Fossil Energy, at 6 (Jan. 2012), [https://www.eia.gov/analysis/requests/fe/pdf/fe\\_lng.pdf](https://www.eia.gov/analysis/requests/fe/pdf/fe_lng.pdf).

<sup>87</sup> *Id.* at 9; see also National Energy Technology Laboratory, *et al.* (prepared for the Department of Energy), *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas from the United States* (May 29, 2014) at 6, <https://www.energy.gov/fecm/articles/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states>.

<sup>88</sup> David Blackmon, *Energy Department’s Gas Export Study Leaves Big Questions Unanswered*, *Forbes* (Dec. 17, 2024), <https://www.forbes.com/sites/davidblackmon/2024/12/17/energy-departments-gas-export-study-leaves-big-questions-unanswered/>.

<sup>89</sup> NERA Economic Consulting (prepared for the Department of Energy), *Macroeconomic Outcomes of Market Determined Levels of U.S. LNG Exports* (Jun. 7, 2018), <https://www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf> (“DOE 2018 Study”) (emphasis added).

which was well below the pre-LNG export average (2010-2015) of \$3.64 per MMBtu.<sup>90</sup> As noted above, EIA reported that the 2024 Henry Hub prices were the lowest on record.

Similarly, the Energy Ventures Study stated that “[d]espite a record level of natural gas exports during the first six months of 2023, U.S. natural gas prices averaged \$2.48 per MMBtu.”<sup>91</sup> Notwithstanding all-time highs of LNG exports and natural gas consumption, “domestic residential natural gas prices remained among the lowest in the world.”<sup>92</sup> Energy Ventures Analysis also concluded that “[c]ompletion of U.S. LNG export terminals has had minimal impact on short-term domestic natural gas pricing due to their lengthy construction times as well as unique long-term financing and contracting structure.”<sup>93</sup> S&P Global predicted that residential natural gas prices are expected to increase less than 1% to 2040 with increased LNG exports, which would only have a negligible impact on American households of \$11 per year.<sup>94</sup>

These current studies, and the DOE 2018 Study, show that as long as there is adequate natural gas supply, which the DOE 2024 Study stated would be the case under any scenario, natural gas prices will remain steady or even decrease with increased LNG exports. New natural gas production will keep prices low and LNG export terminals will provide an additional outlet for such new gas production, thereby spurring new production.

#### **E. The export of U.S. LNG supports tremendous gains in high-paying jobs.**

The DOE 2024 Study concluded that LNG exports and the associated natural gas development will increase employment and provide high-wage positions and “oil and gas production activities overall can have a multiplier effect where one direct job leads to additional

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<sup>90</sup> Cy McGeady, *Assessing the Domestic Energy Price Impact of LNG Exports*, Center for Strategic & International Studies (Feb. 28, 2024), <https://www.csis.org/analysis/assessing-domestic-energy-price-impact-lng-exports>.

<sup>91</sup> Energy Ventures Study at 2.

<sup>92</sup> *Id.* at 3.

<sup>93</sup> *Id.* at 5.

<sup>94</sup> S&P Global Study, Phase 1 at 13. Compare to the DOE 2024 Study’s prediction of a 4% increase in residential gas prices. DOE 2024 Study, Summary Report at S-4.

jobs.”<sup>95</sup> The Study attempted to temper such positive findings by mentioning that “some local community members assert that the high-wage positions tend to go to workers from out of the area” and that the shrimping industry “has raised concerns that LNG export facilities add further disruptions and challenges” to those it already faces due to low-cost imported shrimp.<sup>96</sup> While these concerns were mentioned without any further analysis, the Study did not identify them as a key finding or concern.

S&P Global devoted an entire section to the beneficial domestic employment impacts from the U.S. LNG export industry. The S&P Global Study estimated that since 2016, the U.S. LNG export industry has created approximately 273,000 direct and indirect American jobs.<sup>97</sup> The S&P Global Study concluded that by 2040, every million dollars of expenditure in LNG exports (i) will support nine jobs across the broader national economy and (ii) correlate to a \$1.4 million contribution to the U.S. GDP.<sup>98</sup> The jobs created from increased LNG exports would also benefit the entire nation. S&P Global estimated that 37% of the 495,000 jobs created by LNG exports through 2040 would be outside of the six core-producing states.<sup>99</sup> Combined federal, personal, and business income taxes will total \$16 billion, 36% of which will come from non-producing states.<sup>100</sup> Rather than being confined to the producing or exporting regions of the country, the national scope of job creation is compelling evidence that increased LNG exports are not inconsistent with the public interest.

The domestic employment costs from an Extended Halt scenario, which assumes no new pre-final investment decision U.S. LNG capacity or halted U.S. LNG capacity is developed, is

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<sup>95</sup> DOE 2024 Study, Summary Report at S-50.

<sup>96</sup> *Id.* at S-51.

<sup>97</sup> S&P Global Study, Phase 1 at 1–2.

<sup>98</sup> *Id.* at 10.

<sup>99</sup> S&P Global Study, Phase 2 at 6.

<sup>100</sup> *Id.* at 21.

extremely concerning.<sup>101</sup> An Extended Halt scenario would jeopardize more than 100,000 jobs across the broader U.S. economy by 2040.<sup>102</sup> These jobs, and the economic impacts of Americans losing their jobs, would be felt in both the core-producing states and non-producing states.<sup>103</sup>

The PwC LNG Study also concluded that increased LNG exports will have an extremely positive impact on job creation. PwC found that in 2023, the LNG energy sector directly or indirectly supported 224,500 jobs, which generated over \$23 billion in labor income and \$11 billion in tax and royalty revenues.<sup>104</sup> PwC projected that in 2044 those numbers would increase to 516,000 jobs, which will generate \$59 billion in labor income and nearly \$27 billion in taxes and royalties.<sup>105</sup> If PwC used its more optimistic High Growth case, then the LNG energy sector in 2044 would support 900,000 jobs, which will generate nearly \$104 billion in labor income and \$47 billion in taxes and royalties.<sup>106</sup>

For LCE's Lake Charles LNG export terminal project, there will be nearly 3,000 estimated construction jobs during the peak period of the multi-year construction project and billions of dollars of overall construction expenditures. Once completed, the project will generate hundreds of high-paying jobs for the region related to LNG operations, tug operations, and ancillary services. LCE's export project will provide a much-needed boost to Louisiana's local and regional economy through resource development, an enhanced tax base, direct and indirect job creation, and economic activity.

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<sup>101</sup> *Id.*, Phase 1 at 2.

<sup>102</sup> *Id.*

<sup>103</sup> *Id.*, Phase 2 at 21.

<sup>104</sup> PwC LNG Study at 2.

<sup>105</sup> *Id.*

<sup>106</sup> *Id.*

**F. The DOE 2024 Study adds further support to the conclusion that the export of U.S. LNG provides positive energy security and international trade benefits.**

One of the DOE 2024 Study’s key findings was that “U.S. LNG provides cost-competitive LNG to the global LNG market and is considered a stable energy supply due to the long-term nature of the off-take contracts used by U.S. LNG project developers to reach final investment decision before construction.”<sup>107</sup> The Study recognized the positive impact of U.S. LNG after Russia invaded Ukraine “and used energy as a weapon to undermine European and global security.”<sup>108</sup> DOE has long recognized such benefits in approving export applications to non-FTA nations. In *Commonwealth LNG*, DOE held:

Additionally, an efficient, transparent international market for natural gas with diverse sources of supply provides both economic and strategic benefits to the United States and our allies. For example, in light of the 2022 Russian invasion of Ukraine, there continue to be concerns about energy security for Europe and Central Asia, particularly given the relative share of Russian natural gas supplies into those regions until recently, with continued risk due to the now expired volumes of Russian natural gas that supply Europe. By authorizing exports of U.S.-sourced LNG to non-FTA countries, including to U.S. allies in Europe and elsewhere, this Order will enable Commonwealth—once the Project is constructed and operating—to help mitigate any acute and immediate energy security concerns with its re-exports. More generally, to the extent U.S. exports diversify global LNG supplies and increase the volumes of destination-flexible LNG available globally, these exports will improve energy security for many U.S. allies and trading partners.<sup>109</sup>

U.S. LNG also offers unique energy security benefits. Offtake agreements from U.S. export terminals provide that the LNG can be diverted to countries that need it the most, such as in Europe after Russia’s invasion of Ukraine. In contrast, offtake agreements from Qatari export terminals require that the LNG be delivered to a contracted country without the freedom to divert

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<sup>107</sup> DOE 2024 Study, Summary Report at S-6.

<sup>108</sup> *Id.* at S-v.

<sup>109</sup> *Commonwealth LNG, LLC*, DOE/FECM Order No. 5238 at 46–47; *see also Venture Global CP2 LNG, LLC*, DOE/FECM Order No. 5264 at 44–45.



the LNG.<sup>110</sup> Also, Qatari LNG faces security risks from its shipping lanes, with the Strait of Hormuz being a choke point that could entirely cut off Qatari LNG exports from global LNG importers.<sup>111</sup>

In *Venture Global CP2 LNG*, DOE stressed that the export project could reduce this nation's "trade deficit by up to approximately \$9.3 billion annually[.]"<sup>112</sup> While the 2024 DOE Study did not focus on the trade deficit, the DOE 2018 Study found that "[i]ncreased exports of natural gas will improve the trade balance" and that foreign wealth transfers into the U.S. for construction of liquefaction facilities will help increase the value of the U.S. dollar.<sup>113</sup> For example, increased U.S. LNG exports to Japan and the Republic of Korea, two important geopolitical allies of the U.S., can help in offsetting the trade deficit and strengthen relations between the U.S. and these two countries.

In *Bettering Human Lives*, the authors noted that an abundant LNG market plays a vital role in food production due to the fact that natural gas is a feedstock for nitrogen fertilizers.<sup>114</sup> They explained that in 2021 LNG prices rose because there were not sufficient supplies to meet demand. As a result, "[n]itrogen fertilizer production was curtailed in many places that lacked domestic natural gas production, putting upward pressure on food prices."<sup>115</sup> As noted above, abundant U.S. natural gas supplies will enable the export of LNG without impacting domestic consumption or domestic natural gas prices. This abundant U.S. supply also will assist in keeping

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<sup>110</sup> DOE 2024 Study, Summary Report at S-43.

<sup>111</sup> *Id.*

<sup>112</sup> *Venture Global CP2 LNG, LLC*, DOE/FECM Order No. 5264 at 43; *see also Commonwealth LNG, LLC*, DOE/FECM Order No. 5238 at 45 (Commonwealth LNG's export project could reduce this nation's "trade deficit by up to approximately \$2.8 billion annually[.]"). LCE's export project capacity is almost double the size of Commonwealth LNG's export project capacity.

<sup>113</sup> DOE 2018 Study at 64.

<sup>114</sup> *Bettering Human Lives*, Liberty Energy (Jan. 2024), <https://libertyenergy.com/wp-content/uploads/2024/02/Bettering-Human-Lives-2024-Web-Liberty-Energy.pdf>.

<sup>115</sup> *Id.* at 51.

LNG prices in check to enable more of the developing world to use natural gas as part of its food production.

**G. The DOE 2024 Study failed to recognize that the absence of U.S. LNG exports would result in an immense increase in GHG emissions from the use of more carbon intensive fuels.**

The DOE 2024 Study’s overarching conclusion regarding emissions was that “increased U.S. LNG exports are associated with higher global GHG emissions.”<sup>116</sup> The DOE 2024 Study stated that additional gas consumption following an increase in LNG exports would displace renewables, nuclear, and biomass under conditions where carbon capture and sequestration technology and renewables are more prevalent.<sup>117</sup> The Study also concluded that when relatively low-cost U.S. LNG enters the global market, there is a subsequent increase in energy consumption, resulting in an overall increase in emissions.<sup>118</sup> The Study, however, failed to acknowledge the massive increase in GHG emissions that would occur if countries were to replace LNG with alternative fuel sources.

S&P Global’s study found that replacing LNG with other energy sources, especially as a short-term solution, will lead to an immense increase in GHG emissions. S&P Global concluded that approximately 85% of a potential reduction of U.S. LNG would be offset by fossil fuels sourced from outside the U.S.<sup>119</sup> Even in developed Asian and European countries, oil and coal would be the first fuel sources used to fill the vacuum created by the lack of U.S. LNG. Global GHG emissions would be 780 million tons CO<sub>2</sub>e lower if U.S. LNG exports are maintained and incrementally increased to meet global demand versus obtaining energy from replacement sources

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<sup>116</sup> DOE 2024 Study, Summary Report at S-25.

<sup>117</sup> *Id.* at S-26.

<sup>118</sup> *Id.* at S-24.

<sup>119</sup> S&P Global Study, Phase 1 at 14.

like oil and coal.<sup>120</sup> The DOE 2024 Study did not analyze the carbon intensity of the LNG exports of the other leading exporters, such as Qatar. If the U.S. LNG exports do not continue to meet global demand, global GHG emissions could increase as countries rely on LNG exports from other countries or burn oil or coal to meet short-term energy demand.

The courts already have ruled on the matter of GHG emission impacts in foreign countries. In accordance with the holding in *Sierra Club v. DOE*, modeling the impact of exports on net global emissions in LNG-importing nations would be too “speculative to inform the public interest determination.”<sup>121</sup> The D.C. Circuit held that the DOE did not need to consider the indirect effects pertaining to increased natural gas production and downstream GHG emissions from natural gas transport and usage abroad because the effects were not reasonably foreseeable.<sup>122</sup> Agencies only need to determine the reasonably foreseeable effects of an action by engaging in reasonable forecasting and speculation.<sup>123</sup> Additionally, National Environmental Policy Act (“NEPA”) review is a procedural requirement that “requires a close causal relationship between the environmental effect and the alleged cause.”<sup>124</sup> DOE affirmed this course of action in *Texas LNG Brownsville LLC*, when it rejected Sierra Club’s arguments holding that “[a] decision to prohibit exports of natural gas would cause the United States to forego entirely the economic and international benefits discussed herein, but would have little more than a modest, incremental impact on the environmental issues.”<sup>125</sup>

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<sup>120</sup> *Id.*, Phase 2 at 5.

<sup>121</sup> *Sierra Club v. U.S. Dep’t. of Energy*, 867 F.3d 189, 199 (D.C. Cir. 2017).

<sup>122</sup> *Id.* at 198–99, 202.

<sup>123</sup> *Delaware Riverkeeper Network v. Fed. Energy Regul. Comm’n*, 753 F.3d 1304, 1310 (D.C. Cir. 2014).

<sup>124</sup> *Sierra Club v. Fed. Energy Regul. Comm’n*, 827 F.3d 36, 47 (D.C. Cir. 2016) (quoting *Dep’t of Transp. v. Pub. Citizen*, 541 U.S. 752, 767 (2004)).

<sup>125</sup> *Texas LNG Brownsville LLC*, DOE/FE Order No. 4489 at 40 (issued Feb. 10, 2020).

**IV.**  
**CONCLUSION**

WHEREFORE, for the reasons stated above, Energy Transfer LP respectfully requests that its comments be accepted and that the Department of Energy act on Lake Charles Exports, LLC's pending non-FTA application in Docket No. 23-87-LNG as expeditiously as possible.

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