

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

**Proposed Procedures for Liquefied
Natural Gas Export Decisions**)
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Notice of Change of Procedures

COMMENTS OF CAMERON LNG, LLC

Pursuant to the Department of Energy Office of Fossil Energy’s (“DOE/FE”) May 29, 2014 notice, *Proposed Procedures for Liquefied Natural Gas Export Decisions* (“Notice of Proposed Procedures”),¹ Cameron LNG, LLC (“Cameron LNG”) submits these comments in support of DOE/FE’s proposed revisions to its procedures regarding applications to export LNG to countries with which the United States has not entered into a Free Trade Agreement (“non-FTA countries”). Cameron LNG is the applicant in FE Docket No. 11-162-LNG, one of the seven proceedings in which DOE/FE has issued a conditional order authorizing export of liquefied natural gas to non-FTA countries.

I. BACKGROUND

The currently effective DOE/FE Order of Precedence, issued December 5, 2012 (“December 5 Order”), establishes the order in which DOE/FE will consider LNG applications for purposes of making a conditional public interest determination for export authority.² The December 5 Order groups applicants into three categories: (1) applicants that have received approval from the Federal Energy Regulatory Commission (“FERC”) to use the FERC pre-filing process on or before December 5, 2012; (2) applicants that have not initiated the National

¹ *Proposed Procedures for Liquefied Natural Gas Export Decisions*, 79 Fed. Reg. 32261 (June 4, 2014) (“*Notice of Proposed Procedures*”).

² *Id.* at 32263.

Environmental Policy Act (“NEPA”) review process, but that have applied to DOE/FE for export authority; and (3) applicants that had not applied to DOE/FE, as of December 5, 2012.³

Applications are processed in that order.

Under the Notice of Proposed Procedures, DOE/FE proposes to suspend its current practice of issuing conditional decisions on applications before an applicant has completed the NEPA review process.⁴ Instead, DOE/FE would abandon the order of precedence established in the December 5 Order and would act on an LNG export application only when it is ready for final action, such that DOE/FE has completed the pertinent NEPA review process and has sufficient information on which to base a public interest determination. An application will be deemed to have completed the NEPA review process: (1) for projects requiring an EIS, 30 days after publication of a final EIS, (2) for projects involving an EA, upon publication by DOE/FE of a Finding of No Significant Impact, or (3) upon a determination by DOE/FE that the application is eligible for a categorical exclusion.⁵

II. COMMENTS

As stated by DOE/FE, Cameron LNG will not be impacted by the proposal described in the Notice of Proposed Procedures because Cameron LNG has already obtained a conditional order in FE Docket No. 11-162-LNG to export LNG to non-FTA countries.⁶ Nevertheless, as a participant in the market, Cameron LNG agrees that engaging in the NEPA review process requires a substantial financial undertaking. Cameron LNG also agrees that applicants that have undertaken such expenses to successfully complete the NEPA review process have a higher probability of completing the projects proposed in their applications to DOE/FE. Therefore,

³ *Id.*
⁴ *Id.*
⁵ *Id.*
⁶ *Id.*

Cameron further agrees with DOE/FE that proposed revised procedures will result in the efficient use of DOE/FE's resources, such that DOE/FE can devote its resources to providing timely action on applications furthest along in the regulatory review process.⁷ Finally, Cameron LNG believes there are benefits for DOE/FE to issue its export authorization order closer in time to when the project is ready to commence construction, including the ability to evaluate the most current economic and other data.

For these reasons, Cameron LNG supports the proposed process set forth in the Notice of Proposed Procedures because it better aligns FERC's and DOE/FE's proceedings, which will result in better prioritization of projects.

Respectfully submitted,

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⁷ *Notice of Proposed Procedures* at 32264.