

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

_____)
SDS PETROLEUM PRODUCTS, INC.) FE DOCKET NO. 92-62-NG
_____)

ORDER GRANTING BLANKET AUTHORIZATION
TO EXPORT NATURAL GAS
TO MEXICO

DOE/FE OPINION AND ORDER NO. 660

AUGUST 24, 1992

I. BACKGROUND

On May 19, 1992, as supplemented on June 3, 1992, SDS Petroleum Products, Inc. (SDS) filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA) and DOE Delegation Order Nos. 0204-111 and 0204-127, requesting blanket authorization to export to Mexico up to 135,000 MMBtu per day of natural gas, over a two-year period beginning on the date of first delivery.

SDS is a Colorado corporation with its principal place of business in Denver, Colorado. SDS proposes to export gas supplied by U.S. producers for sale to purchasers in Mexico. All sales would result from arms-length negotiations and prices would be determined by market conditions. SDS indicates it intends to use existing U.S. natural gas pipeline facilities to transport the exported gas and will comply with DOE's quarterly reporting provisions.

A notice of the application was published in the Federal Register on June 17, 1992, inviting protests, motions to intervene, notices of intervention and comments to be filed by July 17, 1992. /1 No comments or motions to intervene were received.

II. DECISION

The application filed by SDS has been evaluated to determine if the proposed export arrangement meets the public interest

1 57 F.R. 27042.

requirements of section 3 of the NGA. Under section 3, an export must be authorized unless there is a finding that it "will not be consistent with the public interest." /2 In reviewing natural gas export applications, domestic need for the gas to be exported is considered as well as any other issues determined to be appropriate in a particular case.

SDS's uncontested export proposal, as set forth in the application, is consistent with section 3 of the NGA and DOE's international gas trade policy. Natural gas supplies in the U.S. are expected to be more than adequate to meet consumer demand. For this reason, and because SDS's transactions will be short-term and market-responsive it is unlikely the proposed export volumes will be needed domestically during the term of the authorization. In addition, SDS's proposal, like other blanket export proposals that have been approved by DOE /3, will further the Secretary's policy goal of reducing trade barriers to enhance cross-border competition in the marketplace.

After taking into consideration all of the information in the record of this proceeding, I find that granting SDS authority to export natural gas to Mexico, under sales arrangements of up to two years, over a two-year term beginning on the date of first delivery is not inconsistent with the public

2 15 U.S.C. 717b.

3 E.g., *Utrade Gas Marketing*, 1 FE 70,469 (July 26, 1991); *Aectra Refining and Marketing, Inc.*; 1 FE 70,531

(January 24, 1992); and Venro Petroleum Corporation, 1 FE

70,465 (July 22, 1991).

interest and should be approved. /4 In order to provide SDS with maximum operating flexibility I have designated a total authorized volume for the two-year term of 98.5 Bcf of natural gas.

ORDER

For reasons set forth above, pursuant to section 3 of the Natural Gas Act, it is ordered that:

A. SDS Petroleum Products, Inc. (SDS) is authorized to export to Mexico up to 98.5 Bcf of natural gas over a two-year term, beginning on the date of first export delivery.

B. This natural gas may be exported at any point on the international border where existing pipeline facilities are located.

C. Within two weeks after deliveries begin, SDS shall provide written notification to the Office of Fuels Programs, Fossil Energy, Room 3F-056, FE-50, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, of the date that the first delivery of natural gas authorized in Ordering Paragraph A above occurred.

D. Regarding the natural gas exports authorized by this Order, SDS shall file with the Office of Fuels Programs, within

4 Because the proposed export of gas will use existing facilities, DOE has determined that granting this authorization is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act (42 U.S.C. 4321, et seq.) and

therefore an environmental impact statement or an environmental

assessment is not required. See 40 C.F.R. 1508.4 and 57 F.R.
15122 (April 24, 1992).

30 days following each calendar quarter, quarterly reports indicating whether exports of natural gas have been made. If no exports have been made, a report of "no activity" for that calendar quarter must be filed. If exports occurred, SDS must submit monthly total volumes of the exports in Mcf and the average price per MMBtu at the international border. The reports shall also provide the details of each export transaction, including (1) the names of the purchaser(s); (2) the estimated or actual duration of the agreements; (3) the names of the U.S. transporter(s); (4) the points of exit; (5) the geographic market(s) served; and, (6) whether the sales are being made on an interruptible or firm basis. Failure to file quarterly reports may result in termination of this authorization.

E. The first quarterly report required by Paragraph D of this Order is due not later than October 30, 1992, and should cover the period from the date of this order until the end of the current calendar quarter September 30, 1992.

Issued in Washington, D.C., on August 24, 1992.

Charles F. Vacek
Deputy Assistant Secretary
for Fuels Programs
Office of Fossil Energy