

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

INDECK OSWEGO LIMITED PARTNERSHIP)
AND)
INDECK YERKES LIMITED PARTNERSHIP)

FE DOCKET NO. 93-18-NG

ORDER GRANTING BLANKET AUTHORIZATION TO IMPORT
NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 779

MARCH 5, 1993

I. DESCRIPTION OF REQUEST _____

On February 9, 1993, a joint application was filed by Indeck Oswego Limited Partnership (Indeck Oswego) and Indeck Yerkes Limited Partnership (Indeck Yerkes) [together Indeck] with the Office of Fossil Energy of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA), requesting blanket authorization to import from Canada up to 9 billion cubic feet (Bcf) of natural gas over a two-year period beginning on the date of first import after March 31, 1993, the date Indeck's current authorization expires. Indeck will import gas from a variety of Canadian suppliers as additional fuel for their cogeneration projects in New York./1 The Indeck companies are wholly owned subsidiaries of Indeck Energy Services, Inc. (Services). Services and its subsidiaries have been engaged in the development, ownership, and operations of cogeneration projects since 1985. Indeck will import the gas under spot and short-term transactions for use in their cogeneration projects and for resale to purchasers, including pipelines, distribution companies, and end-users. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING _____

The application filed by Indeck has been evaluated to determine if the proposed import arrangement meets the public

1/ On September 20, 1990, Indeck Oswego and Indeck Yerkes were authorized to import from Canada a total of 9 Bcf of natural gas annually over a 15-year term to fuel two new cogeneration facilities under construction in Oswego and Tonawanda, New York.

See DOE/FE Order No. 425 (1 FE 70,353).

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interest requirement of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under section 3(c), an import of natural gas from a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas is deemed to be consistent with the public interest and must be granted without modification or delay. The authorization sought by Indeck to import natural gas from Canada, a nation with which a free trade agreement is in effect, meets the section 3(c) criterion and, therefore, is consistent with the public interest.

ORDER

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

A. Indeck Oswego Limited Partnership and Indeck Yerkes Limited Partnership (together Indeck) are authorized to import from Canada, at any point on the international border, up to 9 Bcf of natural gas over a two-year period beginning on the date of the first delivery after March 31, 1993, the date Indeck's current authorization expires.

B. Within two weeks after deliveries begin, Indeck shall notify the Office of Fuels Programs, Fossil Energy, Room 3F-056, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, in writing of the date that the first import of natural gas authorized in Ordering Paragraph A above occurred.

C. With respect to the natural gas imports authorized by this Order, Indeck shall file with the Office of Fuels Programs,

within 30 days following each calendar quarter, quarterly reports indicating whether imports of natural gas have been made. If no imports have been made, a report of "no activity" for that calendar quarter must be filed. If imports have occurred, Indeck must report total monthly volumes in Mcf and the average purchase price per MMBtu at the international border. The reports shall also provide the details of each import transaction, including:

- (1) the name of the seller(s);
- (2) the name of the purchaser(s);
- (3) the estimated or actual duration of the agreement(s);
- (4) the name of the U.S. transporter(s);
- (5) the point(s) of entry;
- (6) the geographic market(s) served;
- (7) whether the sales are being made on an interruptible or firm basis; and, if applicable,
- (8) the per unit (MMBtu) demand/commodity/reservation charge breakdown of the contract price.

D. The first quarterly report required by Paragraph C of this Order is due not later than July 30, 1993, and should cover the period from April 1, 1993, until the end of the calendar quarter, June 30, 1993.

Issued in Washington, D.C., on March 5, 1993.

Anthony J. Como
Acting Deputy Assistant Secretary
for Fuels Programs
Office of Fossil Energy