

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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CMS NOMEKO OIL & GAS CO. ) FE DOCKET NO. 96-36-NG  
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ORDER GRANTING BLANKET AUTHORIZATION  
TO EXPORT NATURAL GAS TO CANADA

DOE/FE ORDER NO. 1176

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JUNE 24, 1996

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I. DESCRIPTION OF REQUEST 

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On June 11, 1996, CMS NOMEKO Oil & Gas Co. (CMS NOMEKO) filed an application with the Office of Fossil Energy of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA)1/ and DOE Delegation Order Nos. 0204-111 and 0204-127, requesting blanket authorization to export to Canada up to 20 Bcf of natural gas over a two-year period beginning on the date of first delivery. CMS NOMEKO, an independent oil and natural gas company, is a Michigan corporation with its principal place of business in Jackson, Michigan. CMS NOMEKO is an indirect subsidiary of CMS Energy Corporation. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING 

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The application filed by CMS NOMEKO has been evaluated to determine if the proposed export arrangement meets the public 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), the export of natural gas to 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 CMS NOMEKO to export natural gas to 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. This blanket

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1. 15 U.S.C. 717.b.

order authorizes transactions under contracts with terms of no longer than two years.

ORDER

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Pursuant to section 3 of the Natural Gas Act, it is ordered that:

A. CMS NOMEKO Oil & Gas Co. (CMS NOMEKO) is authorized to export, at any point on the U.S.-Canada border, up to 20 Bcf of natural gas to Canada over a period of two years beginning on the date of the first delivery.

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

C. With respect to the natural gas exports authorized by this Order, CMS NOMEKO shall file with the Office of Fuels Programs, within 30 days following each calendar quarter, quarterly reports indicating whether exports of natural gas have been made. Quarterly reports must be filed whether or not initial deliveries have begun. If no exports have been made, a report of "no activity" for that calendar quarter must be filed. If exports have occurred, CMS NOMEKO must report monthly total volumes in Mcf and the average purchase price per MMBtu at the international border. The reports shall also provide the details of each export 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 exit; (6) the geographic market(s) served; and (7) whether the sales are being made on an interruptible or firm basis.

D. The first quarterly report required by Ordering Paragraph C of this Order is due not later than July 30, 1996, and should cover the period from the date of this Order until the end of the second calendar quarter, June 30, 1996.

Issued in Washington, D.C., on June 24, 1996.

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Anthony J. Como  
Director  
Office of Coal & Electricity  
Office of Fuels Programs  
Office of Fossil Energy