

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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NATIONAL FUEL GAS)	FE DOCKET NO. 97-10-NG
DISTRIBUTION CORPORATION)	
)	_____

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT AND EXPORT NATURAL GAS FROM AND TO CANADA

DOE/FE ORDER NO. 1247

JANUARY 31, 1997

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I. DESCRIPTION OF REQUEST _____

On January 27, 1997, National Fuel Gas Distribution Corporation (National Fuel) 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, for blanket authorization to import and export up to a combined total of 30.5 Bcf of natural gas from and to Canada. The term of the authorization would be for a period of two years beginning on the date of first delivery after January 27, 1997.^{2/} National Fuel, a New York corporation with

its principal place of business in Buffalo, New York, is a wholly-owned subsidiary of National Fuel Gas Company. National Fuel would import and export this gas under spot and short-term sales arrangements on its own behalf and as agent for others. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING _____

The application filed by National Fuel has been evaluated to determine if the proposed import/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 import or export of natural

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

2. This is the expiration date of National Fuel's existing blanket import/export authorization granted by DOE/FE Order No. 1010 dated December 14, 1994 (1 FE 71,062).

gas from or 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 National Fuel to import and export natural gas from and 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 order authorizes transactions under contracts with terms of no longer than two years.

ORDER

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

A. National Fuel Gas Distribution Corporation (National Fuel) is authorized to import and export up to a combined total of 30.5 Bcf of natural gas from and to Canada over a two-year term, beginning on the date of first import or export delivery, whichever occurs first. This natural gas may be imported and exported at any U.S./Canada border point.

B. Within two weeks after deliveries begin, National Fuel shall provide written notification to the Office of Natural Gas & Petroleum Import and Export Activities, Fossil Energy, Room 3F-056, FE-50, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, of the date that the first import or

export delivery of natural gas authorized in Ordering Paragraph A above occurred.

C. With respect to the natural gas imports and exports authorized by this Order, National Fuel shall file with the Office of Natural Gas & Petroleum Import and Export Activities, within 30 days following each calendar quarter, quarterly reports indicating whether imports or exports of natural gas have been made. Quarterly reports must be filed whether or not initial deliveries have begun. If no imports or exports of natural gas have been made, a report of "no activity" for that calendar quarter must be filed. If imports or exports have occurred, National Fuel must report the following: (1) total monthly volumes in Mcf; (2) the average monthly purchase price of gas per MMBtu at the international border; (3) the name of the seller(s); (4) the name of the purchaser(s); (5) the estimated or actual duration of the agreement(s); (6) the name of the United States transporter(s); (7) the point(s) of entry and exit; and (8) the geographic market(s) served (for imports, by State). For import transactions only, the report shall also include: (1) whether sales are being made on an interruptible or firm basis; and, if applicable, (2) the per unit (MMBtu) demand/commodity/reservation charge breakdown of the contract price.

D. The first quarterly report required by Ordering Paragraph C of this Order is due not later than April 30, 1997,

and should cover the period from the date of this Order, until the end of the first calendar quarter, March 31, 1997.

Issued in Washington, D.C., on January 31, 1997.

Wayne E. Peters
Manager, Natural Gas Regulation
Office of Natural Gas & Petroleum
Import and Export Activities
Office of Fossil Energy