

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

TEXAS-OHIO ENERGY, INC.

(Formerly Texas-Ohio Gas Inc.)

FE DOCKET NO. 97-95-NG

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 1331

NOVEMBER 6, 1997

I. DESCRIPTION OF REQUEST

On October 31, 1997, Texas-Ohio Energy, Inc. (TOE) 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 import up to 100 Bcf of natural gas from Canada over a two-year term beginning retroactively on the date following the expiration of its previous import authorization.⁽²⁾ TOE, is a Texas corporation with its principal place of business in Burlingame, California. TOE states that it will continue to participate in short-term or spot sales of the imported gas to U.S. customers. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING

The application filed by TOE has been evaluated to determine if the proposed import 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 importation 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 TOE 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. 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. Texas-Ohio Energy, Inc. (TOE) is authorized to import from Canada, at any point on the international border, up to 100 Bcf of natural gas over the two-year term, from July 11, 1997, through July 10, 1999.

B. With respect to the natural gas imports authorized by this Order, TOE 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 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 occur, TOE 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 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.

C. Quarterly reports shall be filed with the Office of Natural Gas & Petroleum Import and Export Activities, Fossil Energy, Room 3F-056, FE-34, Forrestal Building, 1000 Independence Avenue, S.W., Washington, DC 20585.

D. The first quarterly report required by Ordering Paragraph B of this Order is due not later than January 30, 1998, and should cover the period from the October 1, 1997, until the end of the fourth calendar quarter, December 31, 1997.

Issued in Washington, D.C., on November 6, 1997.

Wayne E. Peters
Manager, Natural Gas Regulation
Office of Natural Gas & Petroleum

Import and Export Activities
Office of Fossil Energy

1. 1/ 15 U.S.C. § 717b.

2. 2/ TOE's prior blanket authorization to import and export gas from and to Canada expired on July 10, 1997. See DOE/FE Order No. 1071 (Order 1071) issued July 11, 1995, 1 FE ¶ 71,142. Order 1071 was issued to TOE's predecessor, Texas-Ohio Gas, Inc.