

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

THE CONSUMERS' GAS COMPANY LTD.)
_____)

FE DOCKET NO. 00-71-NG

ORDER GRANTING BLANKET AUTHORIZATION TO
IMPORT NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 1637

OCTOBER 27, 2000

I. DESCRIPTION OF REQUEST

On October 10, 2000, The Consumers' Gas Company (Enbridge Consumers Gas)^{1/} filed an application with the Office of Fossil Energy of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA),^{2/} and DOE Delegation Order Nos. 0204-111 and 0204-127, for blanket authorization to import up to 100 billion cubic feet of natural gas from Canada over a two-year term beginning on the date of first delivery after October 27, 2000. Enbridge Consumers Gas, an Ontario corporation with its principal place of business in Willowdale, Ontario, is the single largest natural gas distribution utility in Canada. Enbridge Consumers Gas serves residential, commercial, and industrial customers primarily within the Greater Toronto area, Ottawa, and Niagara Peninsula in Ontario. The applicant requests authority to import this gas under spot and short-term sales arrangements. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING

The application filed by Enbridge Consumers Gas 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 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 Enbridge Consumers Gas to import natural gas from Canada, a nation with which a free trade

^{1/} The applicant indicates that the exact legal name is The Consumers' Gas Company Ltd., although the applicant does conduct business as "Enbridge Consumers Gas."

^{2/} 15 U.S.C. § 717b.

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. The Consumers' Gas Company (Enbridge Consumers Gas) is authorized to import up to 100 billion cubic feet of natural gas from Canada over a two-year term beginning on the date of first delivery after October 27, 2000. This natural gas may be imported at any point on the international border between the United States and Canada.

B. Within two weeks after imports begin, Enbridge Consumers Gas shall provide written notification to the Office of Natural Gas & Petroleum Import & Export Activities 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, Enbridge Consumers Gas shall file with the Office of Natural Gas & Petroleum Import & Export Activities, within 30 days following each calendar quarter, reports indicating whether imports of natural gas have been made. Quarterly reports must be filed whether or not initial deliveries have begun. If no imports of natural gas have been made, a report of "no activity" for that calendar quarter must be filed. If imports have occurred, Enbridge Consumers Gas must report total monthly volumes in Mcf and the average purchase price of gas 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 United States transporter(s); (5) the point(s) of entry; (6) the geographic markets(s) served (by state);

(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.

[OMB No.: 1901-0294]

D. The first quarterly report required by Ordering Paragraph C of this Order is due not later than January 30, 2001, and should cover the period from October 28, 2000, through the end of the fourth calendar quarter, December 31, 2000.

E. The notification and reports required by Ordering Paragraphs B and C of this Order shall be filed with the Office of Natural Gas & Petroleum Import & Export Activities, Fossil Energy, Room 3E-042, FE-34, Forrestal Building, 1000 Independence Avenue, S. W., Washington, D.C., 20585.

Issued in Washington, D.C., on October 27, 2000.

John W. Glynn
Manager, Natural Gas Regulation
Office of Natural Gas & Petroleum
Import & Export Activities
Office of Fossil Energy