

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

**CINERGY MARKETING & TRADING, LLC
(Formerly Producers Energy Marketing, LLC)**

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FE DOCKET NO. 01-16-NG

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

DOE/FE ORDER NO. 1679

MAY 14, 2001

I. DESCRIPTION OF REQUEST

On May 3, 2001, Cinergy Marketing & Trading, LLC (CMT) filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE), under section 3 of the Natural Gas Act^{1/} (NGA) and DOE Delegation Order Nos. 0204-111 and 0204-127, for blanket authorization to import and export up to a combined total of 730 billion cubic feet of natural gas from and to Canada over a two-year term beginning on June 1, 2001.^{2/} CMT, a marketer of natural gas, is a Delaware corporation with its principal place of business in Houston, Texas. CMT is an indirect subsidiary of Cinergy Corp. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING

The application filed by CMT 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 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 CMT 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.

^{1/} 15 U.S.C. § 717b.

^{2/} May 31, 2001, is the expiration date of CMT's current import/export authorization originally granted to Producers Energy Marketing, LLC by DOE/FE Order No. 1189 on July 25, 1996 (1 FE ¶ 71,290).

ORDER

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

A. Cinergy Marketing & Trading, LLC (CMT) is authorized to import and export up to a combined total of 730 billion cubic feet of natural gas from and to Canada over a two-year term beginning on June 1, 2001, and extending through May 31, 2003. This natural gas may be imported and exported at any United States/Canada border point.

B. With respect to the natural gas imports and exports authorized by this Order, CMT shall file with the Office of Natural Gas & Petroleum Import & Export Activities within 30 days following each calendar quarter, 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, CMT 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. [OMB No.: 1901-0294]

C. The first quarterly report required by Ordering Paragraph B of this Order is due not later than July 30, 2001, and should cover the period from June 1, 2001, until the end of the second calendar quarter, June 30, 2001.

D. The quarterly reports required by Ordering Paragraph B 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 May 14, 2001.

Clifford P. Tomaszewski
Manager, Natural Gas Regulation
Office of Natural Gas & Petroleum
Import & Export Activities
Office of Fossil Energy