

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

DARTMOUTH POWER ASSOCIATES)
LIMITED PARTNERSHIP)

FE DOCKET NO. 03-18-NG

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 1865

APRIL 28, 2003

I. DESCRIPTION OF REQUEST

On April 25, 2003, Dartmouth Power Associates Limited Partnership (Dartmouth) 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/} for blanket authority to import up to 11.68 billion cubic feet (Bcf) of natural gas from Canada, beginning on May 7, 2003.^{2/} Dartmouth is a limited partnership with its principal place of business in Houston, Texas. Dartmouth owns and operates a cogeneration facility located in North Dartmouth, Massachusetts. Dartmouth will import the gas under existing competitive market conditions to be used in its facility. The requested authorization does not involve the construction of new pipeline facilities.

II. FINDING

The application filed by Dartmouth 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 Dartmouth 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

^{1/} 15 U.S.C. § 717b. This authority is delegated to the Assistant Secretary for Fossil Energy pursuant to Redlegation Order No. 00-002.04 (January 8, 2002).

^{2/} Dartmouth's current blanket authorization to import natural gas granted by DOE/FE Order No. 1689, issued June 13, 2001 (2 FE ¶ 70,636), expires May 6, 2003.

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. Dartmouth Power Associates Limited Partnership (Dartmouth) is authorized to import up to 11.68 Bcf of natural gas from Canada over a two-year term beginning May 7, 2003, and extending through May 6, 2005.

B. This natural gas may be imported at any point on the international border between the United States and Canada.

C. With respect to the natural gas imports authorized by this Order, Dartmouth will 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, Dartmouth must report total monthly volumes in Mcf and the average purchase price of gas per MMBtu at the international border. The reports will 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 market(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 reports required by this Order will be filed with the Office of Natural Gas & Petroleum Import & Export Activities, Fossil Energy, Room 3E-042, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

E. The first quarterly report required by this Order is due not later than July 30, 2003, and should cover the period from May 7, 2003, until the end of the second calendar quarter, June 30, 2003.

Issued in Washington, D.C., on April 28, 2003.

Clifford P. Tomaszewski
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