

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

ENERGETIX, INC.

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DOCKET NO. 03-61-NG

ORDER GRANTING BLANKET AUTHORIZATION TO
IMPORT NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 1905

OCTOBER 9, 2003

I. DESCRIPTION OF REQUEST

On October 7, 2003, Energetix, Inc. (Energetix) 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 authorization to import up to 15 billion cubic feet of natural gas from Canada. The applicant requests the authorization be granted for a two-year term beginning on October 1, 2003.² Energetix is a New York corporation with its principal place of business in Rochester, New York.

II. FINDING

The application 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 Energetix 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 Order authorizes transactions under contracts with terms of no longer than two years.

^{1/} 15 U.S.C. § 717b. This authority is delegated to the Assistant Secretary for Fossil Energy pursuant to Redefinition Order No. 00-002.4 (January 8, 2002).

^{2/} Energetix's current authorization to import natural gas was granted by DOE/FE Order No. 1707 on September 14, 2001 (2 FE ¶ 70,659). Energetix inadvertently failed to file for a new import authority in a timely manner. However, Energetix continued reporting to FE the details of each import transaction.

ORDER

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

A. Energetix, Inc. (Energetix) is authorized to import up to 15 billion cubic feet of natural gas from Canada. The term of the authority will begin on October 1, 2003, and extend through September 30, 2005.

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

C. With respect to the natural gas imports authorized by this Order, Energetix 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, the report must give details of each transaction, including: (1) the total monthly volumes in thousand cubic feet (Mcf); (2) the average purchase price of gas per million British thermal units (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; (8) the geographic market(s) served; and, if applicable, (9) the per unit (MMBtu) demand/commodity/reservation charge breakdown of the contract price. [OMB No.: 1901-0294]

D. The first quarterly report required by this Order is due not later than January 30, 2004, and should cover the period from October 1, 2003, until the end of the fourth calendar quarter, December 31, 2003.

E. The quarterly reports shall 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.

Issued in Washington, D.C., on October 9, 2003.

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