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UNITED STATES OF AMERICA  
BEFORE THE  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY

OFFICE OF FOSSIL ENERGY  
U.S. DEPARTMENT OF ENERGY

Entergy-Koch Trading Canada, ULC )

FE Docket No.

04-18-26

APPLICATION OF  
ENERGY-KOCH TRADING CANADA, ULC  
FOR AN ORDER AUTHORIZING THE  
IMPORTATION AND EXPORTATION  
OF NATURAL GAS TO AND FROM CANADA

Pursuant to Section 3 of the Natural Gas Act, 15 U.S.C. Section 717b, Entergy-Koch Trading Canada, ULC (hereinafter "EKTC"), hereby respectfully submits this application for blanket authorization to import and export natural gas to and from Canada on a short-term basis for various points on the international border between the United States and Canada. EKTC states the following:

I.

The exact legal name of the applicant is Entergy-Koch Trading Canada, ULC. EKTC is an unlimited liability company incorporated under the laws of Nova Scotia, Canada with its principle place of business at c/o Entergy-Koch Trading, LP, 20 E. Greenway Plaza Suite 700, Houston, Texas 77046. All communications regarding this application should be addressed to:

Monica Jordan Richards  
Corporate Counsel  
Entergy-Koch Trading Canada, ULC  
c/o Entergy-Koch Trading, LP  
20 E. Greenway Plaza, Suite 700  
Houston, TX 77046  
713-544-4436 - Phone  
713-544-5551 - Fax

EKTC is a wholly-owned subsidiary of Entergy Koch, LP. EKTC proposes to buy gas from its affiliate Entergy-Koch Trading, LP at the international border and transport natural gas into Canada. EKTC is a marketer and broker of natural gas throughout Canada and its affiliate, Entergy-Koch Trading, LP is a marketer and broker of natural gas throughout the United States.

## II.

By this application, EKTC requests blanket authority pursuant to Section 3 of the Natural Gas Act to import and export a total of up to 100 Bcf of natural gas to and from Canada during a two-year period commencing on the date of first import or export. With the exception of the aggregate 100 Bcf volume limitation and the two-year term, EKTC requests unrestricted blanket import and export authority.

## III.

Specific information regarding participants and terms and conditions of the proposed imports and exports cannot presently be provided. These details will only become known after EKTC has been granted the requests blanket certificate so that it may negotiate individual contracts with the particular purchasers and suppliers. The terms and conditions of contracts executed under this authority will vary with market

conditions. However, consistent with the goal of flexibility, such contracts will likely be short-term. Consequently, these contracts will reflect the market sensitive price of gas at the point of sale.

The importation and exportation of natural gas contemplated by this application would not require construction of new pipeline facilities. EKTC intends to deliver the volumes to be imported and exported at existing pipeline interconnections between the United States and Canada.

#### IV.

This blanket import and export authorization is not inconsistent with the public interest, as required by Section 3 of the Natural Gas Act. As that section states, the importation of natural gas “from a nation which there is in effect a free trade agreement requiring national treatment for trade in natural gas,” shall be deemed to be consistent with public interest, and applications for such importation and exportation shall be granted “without modification or delay.” Canada is a country with which the United States has a free trade agreement requiring national treatment for trade in natural gas. The natural gas imports and exports proposed herein should, therefore, be presumed to be in national interest, and this application for authorization to affect such imports and exports should be granted without modification or delay.

#### V.

EKTC will comply fully with the DOE/FE’s reporting requirements after imports and/or exports are made. To facilitate the timely review of any sales transacted under this

authorization, EKTC will file with DOE/FE, within one month following each calendar quarter, a summary of all import and export transactions made during the previous quarter under the authorization sought herein.

#### VI.

Approval of this application will not constitute a major federal action significantly affecting the quality of the human environment, and thus no environmental impact statement is required. EKTC intends to use existing transmission systems for the proposed import and export transactions. Since no new facilities will be constructed, EKTC expects that no significant environmental impact will result.

#### VII.

In support of its application, EKTC submits the attached Opinion of Counsel. Further in compliance with Section 590.207 of the DOE/FE regulations, EKTC includes with this application a filing fee in the amount of \$50.00.

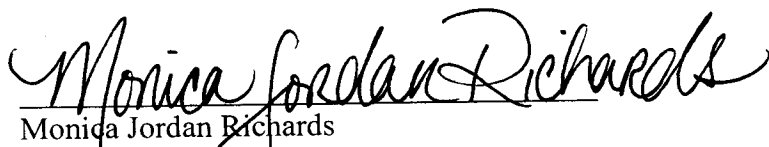
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IX.

WHEREFORE, EKTC respectfully submits this application for blanket authorization to import and export natural gas to and from Canada for a period of two years on the terms and conditions set forth herein.

Respectfully submitted,

ENERGY-KOCH TRADING CANADA, ULC



Monica Jordan Richards  
Corporate Counsel

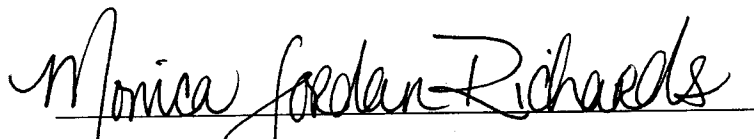
c/o Entergy-Koch Trading, LP  
20 E. Greenway Plaza, Suite 700  
Houston, Texas 77046  
(713) 544-4436

Dated : February 13, 2004

## LEGAL OPINION AND STATEMENT OF COUNSEL

The following opinion is given in support of the Application of Entergy-Koch Trading Canada, ULC (hereinafter "EKTC") dated February 13, 2004.

- (1) I am an attorney at law, authorized to practice law in the State of Texas.
- (2) I serve as counsel to EKTC, a duly formed and validly existing unlimited liability company, which is in good standing under the laws of the province of Nova Scotia, Canada.
- (3) The proposed import and export of natural gas is within the corporate powers of EKTC and;
- (4) To the best of my knowledge, EKTC has complied with applicable federal and state and provincial laws and regulatory authorities regarding the imports and exports of natural gas.



Monica Jordan Richards  
Corporate Counsel