

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

PHIBRO LLC

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FE DOCKET NO. 08-49-NG

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

DOE/FE ORDER NO. 2505

JUNE 13, 2008

I. DESCRIPTION OF REQUEST

On June 3, 2008, Phibro LLC (Phibro) filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA),¹ for blanket authorization to import and export natural gas from and to Canada and Mexico, and to import liquefied natural gas (LNG) from Canada and Mexico, up to a combined total of the equivalent of 800 billion cubic feet (Bcf) of natural gas. The applicant requests the authorization be granted for a two-year term beginning on August 14, 2008.² Phibro is a Delaware corporation with its principal place of business in Westport, Connecticut.

II. FINDING

The application has been evaluated to determine if the proposed import and 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 and export of natural gas, including LNG, from and to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas and the import of LNG from other international sources are deemed to be consistent with the public interest and must be granted without modification or delay. The authorization sought by Phibro to import and export natural gas from and to Canada and Mexico, and to import LNG from Canada and Mexico, meets the section 3(c) criterion and, therefore, is consistent with the public interest. This Order authorizes transactions with terms of no longer than two years.

¹/ 15 U.S.C. § 717b. This authority is delegated to the Assistant Secretary for FE pursuant to Redefinition Order No. 00.002.04C (January 30, 2007).

²/ Phibro was granted blanket authorization to import and export natural gas from and to Canada and Mexico and to import LNG from Canada and Mexico by DOE/FE Order No. 2246 on August 17, 2006, which extends through August 13, 2008 (2 FE ¶ 71,311).

ORDER

Pursuant to section 3 of the NGA, it is ordered that:

A. Phibro is authorized to import and export natural gas from and to Canada and Mexico, and to import LNG from Canada and Mexico, up to a combined total of the equivalent of 800 Bcf of natural gas, pursuant to transactions that have terms of no longer than two years. This authorization shall be effective for a two-year term beginning on August 14, 2008, and extending through August 13, 2010.

B. This natural gas may be imported and exported at any point on the borders between the United States and Canada, and between the United States and Mexico.

C. This LNG may be imported at any LNG receiving facility in the United States and its territories.

D. **Monthly Reports:** With respect to the natural gas imports and exports, and the imports of LNG authorized by this Order, Phibro shall file a report with the Office of Natural Gas Regulatory Activities within 30 days following the last day of each calendar month indicating whether imports and/or exports of natural gas or imports of LNG have been made. Monthly reports must be filed whether or not initial deliveries have begun. If imports and/or exports have not occurred, a report of “no activity” for that month must be filed. If imports and/or exports of natural gas have occurred, the report must give the following details: (1) for imports, the country of origin; (2) for exports, the country of destination; (3) the point(s) of entry and exit; (4) the volume in thousand cubic feet (Mcf); (5) the average purchase price of gas per million British thermal units (MMBtu) at the international border; (6) the name of the supplier(s); (7) the name of the U.S. transporter(s); (8) the estimated or actual duration of the supply agreement(s); and (9) for imports, the geographic market(s) served (list State(s), U.S. Census Region(s), or general U.S. geographic area(s)). If imports of LNG have

occurred, the report must give the following details of each LNG cargo: (1) the name of the U.S. receiving facility; (2) the country of origin; (3) the point(s) of entry; (4) the name(s) of the supplier(s)/seller(s); (5) the name(s) of the LNG transporter(s); (6) the volume in Mcf; (7) the landed price per MMBtu at the point of entry; (8) the duration of the supply agreement (indicate spot purchases); and (9) the geographic market served (list State(s), U.S. Census Region(s), or general U.S. geographic area(s)). [OMB No. 1901-0294]

E. The first monthly report required by this Order is due not later than September 30, 2008, and should cover the reporting period from August 14, 2008 through August 31, 2008.

F. All monthly report filings shall be made to U.S. Department of Energy (FE-34), Office of Fossil Energy, Office of Natural Gas Regulatory Activities, P.O. Box 44375, Washington, D.C. 20026-4375 Attention: Ms. Yvonne Caudillo. Alternatively, reports may be e-mailed to Ms. Caudillo at Yvonne.caudillo@hq.doe.gov or ngreports@hq.doe.gov, or may be faxed to Ms. Caudillo at (202) 586-6050.

Issued in Washington, D.C., on June 13, 2008.



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