

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

PROGAS USA, INC.

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FE DOCKET NO. 08-141-NG

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

DOE/FE ORDER NO. 2595

DECEMBER 18, 2008

I. DESCRIPTION OF REQUEST

On November 27, 2008, ProGas USA, Inc. (ProGas) 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 up to 800 billion cubic feet (Bcf) from Canada, and to export up to 200 billion Bcf of natural gas to Canada. The applicant requests the authorization be granted for a two-year term beginning on April 1, 2009.² ProGas is a Delaware corporation with its principal place of business in Calgary, Alberta.

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 liquefied natural gas (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 ProGas 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 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 Redlegation Order No. 00.002.04C (January 30, 2007).

²/ ProGas was granted blanket authorization to import and export natural gas from and to Canada in DOE/FE Order No. 2339 on March 29, 2007, which extends through March 31, 2009 (2 FE ¶ 71,431).

ORDER

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

A. ProGas is authorized to import up to 800 Bcf of natural gas from Canada and to export up to 200 Bcf of natural gas to Canada pursuant to transactions that have terms of no longer than two years. This authorization shall be effective for a two-year term beginning on April 1, 2009, and extending through March 31, 2011.

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

C. **Monthly Reports:** With respect to the natural gas imports and exports authorized by this Order, ProGas shall file with the Office of Natural Gas Regulatory Activities, within 30 days following the last day of each calendar month, a report indicating whether imports or exports of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports and/or exports have been made, 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 markets(s) served (list State(s), U.S. Census Region(s), or general U.S. geographic area(s)). [OMB No.: 1901-0294]

D. The first monthly report required by this Order is due not later than May 30, 2009, and should cover the reporting period from April 1, 2009 through April 30, 2009.

E. 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 December 18, 2008.



R. F. Corbin
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Office of Oil and Gas Global Security and Supply
Office of Fossil Energy