UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

TOTAL GAS & POWER NORTH AMERICA, INC.	)	FE DOCKET NO. 08-152-LNG

ORDER GRANTING LONG-TERM AUTHORIZATION TO
IMPORT LIQUEFIED NATURAL GAS FROM QATAR

DOE/FE ORDER NO. 2609

FEBRUARY 9, 2009

I. DESCRIPTION OF REQUEST

On December 23, 2008, Total Gas & Power North America, Inc. (TGPNA) 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 authority to import LNG from the State of Qatar up to the equivalent of 101.3 billion cubic feet (Bcf) of natural gas per year over a term of 25 years beginning on April 1, 2009.[2/] TGPNA, a corporation organized under the laws of the State of Delaware, has its principal place of business in Houston, Texas. TGPNA is an indirect wholly-owned subsidiary of Total S.A. TGPNA proposes to purchase LNG from Qatar Liquefied Gas Company Limited (II) (QGII) pursuant to an executed Sale and Purchase Agreement (SPA) dated July 6, 2006. The importation of LNG under the SPA will commence on the start date of the first cargo departing QGII's project facilities and continue for 25 years. The start date is currently estimated to be on or after June 1, 2009. TGPNA will sell the imported LNG and the natural gas resulting from vaporization of the LNG to buyers in the United States for consumption in the United States.

The point of entry into the United States will primarily be the LNG terminalling and vaporization facilities located near Sabine Pass, Louisiana, as well as other currently existing LNG receiving facilities in the United States or other approved LNG terminals as may be constructed in the future. The requested authorization does not involve the construction of new LNG receiving facilities.

1/ 15 U.S.C. § 717b. This authority is delegated to the Assistant Secretary for Fossil Energy pursuant to Redelegation Order No. 00-002.04D (November 6, 2007).

2/ The annual contract quantity of approximately 96.2 Dth of LNG is equivalent to approximately 101.3 Bcf of LNG per year based on a gross heating value of 950 British thermal units per standard cubic foot.

Under the terms of the SPA, TGPNA will pay QGII for the LNG it purchases according to a formula based on published natural gas index prices appropriate for each receiving terminal. The price will also include an allocation of terminal and transportation costs. The contract price for LNG under the SPA is linked to published natural gas price indices, therefore, the price of LNG supplied during the term of the SPA will remain competitive.

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 TGPNA to import LNG from various international sources, 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.

ORDER

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

A. TGPNA is authorized to import LNG up to the equivalent of 101.3 Bcf of natural gas per year over a term of 25 years beginning April 1, 2009, and extending through March 31, 2034. This LNG will be imported from the State of Qatar.

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

C. **Monthly Reports:** With respect to the import of LNG authorized by this Order, TGPNA 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 of LNG have been made. Monthly reports shall be filed whether or not initial deliveries have begun. If imports have not occurred, a report of "no activity" for that month must be filed. 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 terminal; (2) the name of the LNG tanker; (3) the date of arrival at the U.S. receiving terminal; (4) the country of origin; (5) the name of the supplier/seller; (6) the volume in thousand cubic feet (Mcf); (7) the landed price per million British thermal units (MMBtu) at the point of import; (8) the duration of the supply agreement (indicate spot purchases); (9) the name(s) of the purchaser(s); and (10) the geographic market 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 February 9, 2009.

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Manager, Natural Gas Regulatory Activities
Office of Oil and Gas Global Security and Supply
Office of Fossil Energy