

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

CHENIERE MARKETING, INC.)
_____)

FE DOCKET NO. 08-77-LNG

**ORDER GRANTING AUTHORIZATION
TO EXPORT
LIQUEFIED NATURAL GAS**

DOE Opinion and Order No. 2651

JUNE 8, 2009

TABLE OF CONTENTS

| | <u>Page</u> |
|---|--------------------|
| GLOSSARY OF TERMS AND ABBREVIATIONS | |
| I. SUMMARY..... | 1 |
| II. PROCEDURAL HISTORY..... | 2 |
| III. BACKGROUND..... | 3 |
| IV. DECISION..... | 8 |
| A. Dismissal Of Application To Export LNG To The Commonwealth Of Puerto Rico | |
| B. Standard Of Review | |
| C. Domestic Need | |
| D. Other Public Interest Considerations | |
| 1. International Effects | |
| 2. The Environment | |
| E. Conclusion | |
| ORDER..... | 15 |

GLOSSARY OF TERMS AND ABBREVIATIONS

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| Applicant | Cheniere Marketing, Inc. |
| Bcf | Billion cubic feet |
| Btu | British thermal unit |
| DOE | Department of Energy |
| EIA | Energy Information Administration, DOE |
| LNG | Liquefied Natural Gas |
| NEPA | National Environmental Policy Act |
| NGA | Natural Gas Act of 1938 |
| OFE | Office of Fossil Energy, DOE |
| TBtu | Trillion British thermal units |
| Tcf | Trillion cubic feet |

I. SUMMARY

Following an examination of all record evidence in this proceeding in conformity with the requirements of section 3 of the Natural Gas Act, 15 USC 717b (NGA); Part 590 of DOE's regulations, 10 CFR Part 590 (2008); and applicable delegations and redelegations of authority,¹ the Office of Fossil Energy (OFE) of the Department of Energy (DOE) is herein granting in part the application of Cheniere Marketing, Inc. (CMI) for authorization on its own behalf or as agent for others to export liquefied natural gas (LNG) that previously had been imported from foreign sources in an amount up to the equivalent of 64 billion cubic feet (Bcf) of natural gas on a cumulative basis. This authorization permits such exports on a short-term or spot market basis from the Sabine Pass LNG terminal owned by CMI's affiliate, Sabine Pass LNG, L.P. (Sabine LNG), in Cameron Parish, Louisiana to the United Kingdom, Belgium, Spain, France, Italy, Portugal, Turkey, Brazil, Argentina, Chile, Mexico, the Dominican Republic, Japan, South Korea, India, China, and/or Taiwan over a two-year period commencing on the date of this authorization. For the reasons set forth below, OFE finds that insofar as CMI has requested export authorization to export previously imported LNG to the Commonwealth of Puerto Rico, the application will be dismissed. In all other respects, however, OFE finds that the requested authorization will not be inconsistent with the public interest and the application should be granted.

¹ See, DOE Delegation Order No. 00-002.00H (Dec. 30, 2008) and DOE Redelegation Order No. 00-002.04D (Nov. 6, 2007).

II. PROCEDURAL HISTORY

CMI filed an “Application for Blanket Authorization to Export Imported Liquefied Natural Gas” (Application) with OFE on August 15, 2008. The Application was submitted pursuant to section 3 of the NGA and Part 590 of DOE’s regulations. As clarified by a letter dated August 28, 2008, CMI sought blanket authorization to export LNG that previously had been imported from foreign sources in an amount up to the equivalent of 64 Bcf of natural gas on its own behalf or as agent for others on a short-term or spot market basis from the Sabine Pass LNG terminal in Cameron Parish, Louisiana to the United Kingdom, Belgium, Spain, France, Italy, Portugal, Turkey, Brazil, Argentina, Chile, Mexico, the Dominican Republic, Japan, South Korea, India, China, Taiwan, and/or the Commonwealth of Puerto Rico over a two-year period commencing on the date of the authorization.

On September 10, 2008, DOE/OFE published a Notice of Application (Notice) in the Federal Register. 73 FR 52649. The Notice stated that protests, motions and notices to intervene, and requests for additional procedures would be due no later than October 10, 2008.

United States Senator Ron Wyden submitted a letter commenting on the application on September 9, 2008. Senator Wyden asked how DOE intends to apply the statutory standards set forth in section 3 of the NGA and what actions DOE is going to take to ensure that the proceeding is decided on complete and accurate information. Senator Wyden also asked that his letter be placed in the official record of this proceeding. In response, DOE/OFE placed the Senator’s letter in the official public record of this proceeding. However, the Senator has not asked to intervene in and,

therefore, is not a party to the current proceeding within the meaning of DOE's regulations at 10 CFR 590.102(l).

Shell NA LNG LLC (Shell LNG), an affiliate of Shell Oil Company engaged in the DOE-authorized importation of LNG into the United States, filed a motion to intervene on September 11, 2008. No pleadings in opposition to Shell LNG's motion were filed within 15 days of the filing of the motion and, therefore, pursuant to 10 CFR 590.303(g), that motion was automatically deemed granted.

BG LNG Services, LLC (BGLS), another DOE-authorized importer of LNG, filed a motion to intervene out of time on October 27, 2008. The lateness of BGLS's motion was due to administrative error. DOE/OFE received no pleadings in opposition to the BGLS motion to intervene and, on November 25, 2008, I granted BGLS's motion to intervene out of time for the reasons stated therein.

Neither of the interveners have filed comments or protests in opposition to CMI's application and the application accordingly is unopposed.

III. BACKGROUND

CMI is a Delaware corporation with its principal place of business in Houston, TX. CMI and Sabine LNG are wholly-owned subsidiaries of Cheniere Energy, Inc. (Cheniere Energy). Cheniere Energy, also a Delaware corporation with its primary place of business in Houston, TX, is a developer of LNG import terminals and natural gas pipelines on the U.S. Gulf Coast.

As described above, the current proceeding involves CMI's application for DOE/OFE authority to export previously imported LNG from Sabine LNG's Cameron Parish terminal. In order for this effort to be successful, the Federal Energy Regulatory

Commission (FERC) must authorize a design modification of Sabine LNG's Cameron Parish terminal. For the export of LNG, DOE/FE must authorize CMI to export previously imported LNG from the Cameron Parish terminal. As explained below, FERC has issued the requisite authority and DOE/OFE is issuing the requested export authorization in part by means of this order.

Sabine LNG constructed the Cameron Parish terminal pursuant to authority granted to it by the FERC for the purpose of receiving and regasifying LNG imported into the United States. The FERC authorized Sabine LNG to site, construct, and operate an LNG import, storage, and vaporization terminal with a total send-out capacity of 4 Bcf/day to be completed in two phases. Phase I was authorized in 2004. *Sabine Pass LNG, L.P., et al., 109 FERC P 61,324 (2004)*. Phase II was authorized in 2006. *Sabine Pass LNG, L.P., 115 F.E.R.C. P61,330; 2006*.

According to CMI's application, Phase I consists of 2.6 Bcf/day of send-out capacity that is due to be placed into service in the near term; however, 2.0 Bcf/day of the Phase I capacity is subscribed under long-term contracts for service that was not expected to commence until April 2009, at the earliest. Phase II, consisting of 1.4 Bcf/day of capacity, is currently under construction and is anticipated to be placed into service during the second quarter of 2009.

On October 21, 2008, Sabine LNG filed an application before the FERC to amend its Phase I and Phase II authorizations. FERC Docket No. CP04-47-001 and CP05-396-001. Sabine LNG's October 21 application, *inter alia*, sought authority to make physical modifications to the Cameron Parish terminal to make it capable of reversing the

direction of flow so that previously imported LNG in storage at the terminal can also be delivered for export.

On November 21, 2008, FERC issued a “Notice of Intent to Prepare an Environmental Assessment for the Proposed Sabine Pass LNG Export Project and Request for Comments on Environmental Issues” (NOI). The NOI was sent for comment to affected landowners; federal, state, and local government agencies; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. The FERC received one comment in response to the NOI. The commenter, the Lafayette, LA Field Office of the US Fish and Wildlife Service (FWS), indicated that it did not anticipate that any impacts would occur to FWS’s trust resources from a grant of the proposed facilities modifications.

Pursuant to section 1501.6 of the regulations of the Council on Environmental Quality (CEQ), 40 CFR 1501.6, DOE participated as a cooperating agency with the FERC in the preparation of the Environmental Assessment (EA). On February 23, 2009, FERC issued a “Notice of Availability of the Environmental Assessment for the Proposed Sabine Pass LNG Export Project.” The Notice of Availability was sent for comment to federal, state, and local agencies; public interest groups; and newspapers and libraries. The FERC received three comments in response to the EA, including comments from the Louisiana Department of Fish and Wildlife; the United States Coast Guard; and the FWS. None of these comments, however, objected to the proposed facilities modifications and none alleged significant impacts to the environment as a consequence of those modifications. Accordingly, the EA found that approval of the proposed facilities modifications would not constitute a major federal action significantly affecting the

quality of the human environment but recommended that FERC include a number of mitigation measures as conditions to any certificate authorizing the Sabine LNG proposal.

As a cooperating agency in the environmental phase of FERC's review of the Sabine LNG application, DOE/OFE has reviewed and supports the EA's conclusions and recommendations. Accordingly, on June 5, 2009, DOE issued a Finding of No Significant Impact (FONSI) in the present docket. As discussed therein, the EA examined potential impacts in the following areas and found that with appropriate mitigating measures, none would constitute a major federal action significantly affecting the quality of the human environment: geology and soils; water resources; wetlands; vegetation and wildlife; endangered, threatened, and other species of concern; land use, recreation, and visual resources; coastal zone management area; cultural resources; air and noise quality, including greenhouse gas emissions; and reliability and safety.

Copies of the EA and FONSI will be available on the DOE website at www.gc.energy.gov/NEPA, under DOE NEPA Documents.

On May 29, 2009, the FERC issued an order granting Sabine LNG's application to amend its certificate, thereby permitting it to modify its facilities to make them capable of exporting LNG. In the May 29 order, the FERC reviewed the comments received in response to the NOI and the Notice of Availability and determined that if Sabine LNG constructs facilities in accordance with its FERC application and the additional conditions set forth in the May 29 order, a grant of the Sabine LNG application would not constitute a major federal action significantly affecting the quality of the human environment. The FERC's May 29 order in effect authorized Sabine LNG to make the

modifications to the Cameron Parish terminal necessary to support the export of LNG proposed by CMI in the current proceeding before DOE/OFE.

CMI is before this agency in the current DOE/OFE proceeding in order to broaden its existing LNG export authority beyond Canada and Mexico so as to permit exports to numerous other countries, as described above. Heretofore, CMI has had only very limited authority from DOE/OFE to export LNG. Specifically, DOE issued CMI's existing authorization on January 29, 2009 as a two-year blanket authorization to import and export natural gas from and to Canada and Mexico, to export LNG to Canada and Mexico, and to import LNG from various international sources up to a combined total of the equivalent of 1,500 Bcf of natural gas. *Cheniere Marketing, Inc.*, OFE/DOE Order No. 2606, Order Granting Blanket Authorization to Import and Export Natural Gas from and to Canada and Mexico, to Export Liquefied Natural Gas to Canada and Mexico, and to Import Liquefied Natural Gas from Various International Sources (Jan. 23, 2009). This authorization extends through January 28, 2011.

In support of the current application, CMI asserts that the proposed export authorization is in the public interest. CMI further states that there is no domestic reliance on the LNG that it seeks to export. It indicates that the LNG which it seeks to export is restricted to foreign sourced LNG. CMI adds that, due to global LNG market conditions, U.S. natural gas demand and prices do not currently support the importation of LNG into the U.S., and the export authorization sought herein would provide U.S. gas consumers two principal benefits: (1) It would foster the continuing operation of U.S. energy infrastructure by enabling the applicant to economically import LNG for the maintenance and continual operation of the Sabine LNG facilities during periods when

market conditions may not otherwise favor deliveries of LNG into the U.S.; and (2) to the extent imported LNG may be needed to meet U.S. gas demand, the authorization would help to ensure that such supply is available and ready for delivery to U.S. markets. CMI, therefore, asserts in its application that a grant of the proposed authorization would not reduce U.S. natural gas supplies but, in fact, would actually increase domestic supplies because it would encourage CMI to obtain and store spot-market LNG cargoes, thereby making additional gas available to supply domestic markets when conditions support it and also serving to moderate U.S. natural gas prices.

IV. DECISION

A. **Dismissal of Application to Export LNG to the Commonwealth of Puerto Rico**

CMI seeks authorization to export previously imported LNG to several foreign nations and/or the Commonwealth of Puerto Rico. Puerto Rico is a territory of the United States with its own elected government. As such, it falls within the definition of “State,” as that term is defined in section 2 of the Natural Gas Act, 15 USC 717a(4).² While DOE/OFE has previously granted authorizations to import LNG into Puerto Rico just as it elsewhere has permitted imports into other States,³ DOE is without authority to sanction the shipment of LNG from one State such as Louisiana to Puerto Rico. The shipment of natural gas from Louisiana to Puerto Rico constitutes “interstate commerce,” as the latter term is defined in section 2 of the NGA.⁴ In this regard, it is well-established

² “‘State’ means a State admitted to the Union, the District of Columbia, and any organized Territory of the United States.”

³ See e.g., *EcoElectrica, L.P.*, DOE/OFE Order No. 1042 (April 19, 1995).

⁴ “‘Interstate commerce’ means commerce between any point in a State and any point outside thereof, or between points within the same State but through any place outside thereof, but only insofar as such commerce takes place within the United States.”

that for purposes of the Natural Gas Act, “interstate commerce” cannot also be considered “foreign commerce” subject to the export jurisdiction of DOE/OFE under NGA section 3. *See, Border Pipe Line Co. v. Federal Power Commission*, 171 F.2d 149 (DC Cir. 1948); and *Distrigas Corporation, et al. v. Federal Power Commission, et al.*, 495 F.2d 1057 (DC Cir. 1974). Consequently, I find that the shipment of previously imported LNG from Louisiana to Puerto Rico, as described in CMI’s application, is not subject to the NGA section 3 jurisdiction of DOE/OFE over exports. For this reason, the application for authorization to export previously imported LNG to Puerto Rico will be dismissed.

B. Standard of Review

Section 3 of the Natural Gas Act sets forth the statutory criteria for review of the instant export application. Pursuant to the transfer of authorities under sections 301(b) and 402 of the DOE Organization Act, 42 USC 7151(b) and 42 USC 7172, Section 3 provides:

[N]o person shall export any natural gas from the United States to a foreign country or import any natural gas from a foreign country without first having secured an order of the [Secretary of Energy] authorizing it to do so. The [Secretary] shall issue such order upon application, unless after opportunity for hearing, [he] finds that the proposed exportation or importation will not be consistent with the public interest. The [Secretary] may by [the Secretary’s] order grant such application, in whole or part, with such modification and upon such terms and conditions as the [Secretary] may find necessary or appropriate.

15 USC 717b(a).

In DOE/OFE Order No. 1473, OFE found that Section 3 creates a rebuttable presumption that a proposed export of natural gas is in the public interest and that DOE

must grant such an application unless those who oppose the application overcome that presumption.⁶ Also in Order No. 1473, OFE stated that the burden on the opponents of the requested authority was “heavy” due to the long-standing nature of the authority and the fact that, prior thereto, no party had contested the export. Order No. 1473 at 13.

In implementing section 3 of the NGA, the Department issued a set of policy and regulatory guidelines (Guidelines) at 49 FR 6684 (February 22, 1984). The goals of the Guidelines are to minimize federal control and involvement in energy markets and to promote a balanced and mixed energy resource system. The Guidelines provide that

[t]he market, not government, should determine the price and other contract terms of imported [or exported] natural gas. The federal government’s primary responsibility in authorizing imports [or exports] will be to evaluate the need for the gas and whether the import [or export] arrangement will provide the gas on a competitively priced basis for the duration of the contract while minimizing regulatory impediments to a freely operating market.

Id.

While nominally applicable only to natural gas import cases, OFE held in Order No. 1473 and in subsequent cases that the same policies will be applied to natural gas export applications.⁷

In reviewing the proposed LNG export under the Guidelines in Order No. 1473, OFE indicated that it also was guided by DOE Delegation Order No. 0204-111. That delegation order, which authorized the Administrator of the Economic Regulatory Administration (ERA) to exercise the agency’s review authority under NGA section 3, also directed the Administrator to regulate exports “based on a consideration of the

⁶ As we observed in Order No. 1473, in order to overcome the rebuttable presumption favoring export authorizations, opponents of an export license must make an affirmative showing of inconsistency with the public interest. Order No. 1473, note 42 at 13, *citing Panhandle Producers and Royalty Owners Association v. ERA*, 822 F.2d 1105, 1111 (DC Cir. 1987).

⁷ Order No. 1473 at 14, *citing Yukon Pacific*, Opinion and Order No. 350, 1 FE 70,259 at 71,128.

domestic need for the gas to be exported and such other matters as the Administrator finds in the circumstances of a particular case to be appropriate.”

While DOE Delegation Order No. 0204-111 is no longer in effect, the principal focus of this agency’s review of export applications in decisions under current delegated authority has continued to be the domestic need for the natural gas proposed to be exported. Therefore, DOE considers domestic need for the gas and any other issue determined to be appropriate, including whether the arrangement is consistent with DOE’s policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements, as the critical legal considerations to be weighed in reviewing the instant application for export authority.

In addition to the review and approvals required under the NGA, the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321 *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed decisions.

C. Domestic Need

In evaluating domestic need in the context of an application to export natural gas, including LNG, OFE typically examines the various domestic impacts arising from a loss of domestically produced natural gas to foreign markets. See, for example, *ConocoPhillips Alaska Natural Gas Corporation and Marathon Oil Company*, OFE/DOE Order No. 2500, Order Granting Authorization To Export Liquefied Natural Gas From Alaska (June 3, 2008).

The current proceeding is atypical because the gas for which export authority is sought was not produced in the United States. Accordingly, exporting the gas will not reduce the availability of domestically produced gas. On the other hand, exporting

previously imported LNG will still affect the domestic market because, for a two-year period, the exports will reduce the volume of natural gas potentially available for domestic consumption.

The fundamental question, therefore, remains whether the LNG which CMI seeks to export in this case is needed to meet domestic demand. Based on a review of the complete record, DOE/OFE finds that the LNG to be exported is not needed in order to meet the market demand for natural gas/LNG on a competitively priced basis. Several factors support this determination:

First, CMI has represented without challenge in this proceeding that United States consumers presently have access to substantial quantities of natural gas sufficient to meet demand from multiple other sources at competitive prices without drawing on the LNG which CMI seeks to export.

Second, a significant body of independently produced publicly available data gathered and published by the Energy Information Administration (EIA) within DOE buttresses CMI's assertion. DOE/OFE hereby takes administrative notice of the following relevant information:

According to the EIA, the United States produced 19.1 Tcf of dry natural gas and imported 4.6 Tcf of natural gas and 771 Bcf of LNG during 2007. In addition, storage reservoirs in the United States held approximately 3.6 Tcf of natural gas by the commencement of the Winter heating season in October 2007. By comparison, natural gas consumption in the United States during 2007 equaled 23 Tcf.⁸ It is clear from the foregoing supply and demand figures that United States domestic consumption needs

⁸ See, www.eia.doe.gov/neic/inforsheets/natgassupply.html and www.eia.doe.gov/neic/inforsheets/natgasconsumption.html

were met in 2007 and that if the export proposed in the current application had been authorized at that time, there would have been no significant impact on the market's ability to meet the demand for natural gas domestically.

Other statistics for calendar year 2008 likewise bear out the availability of natural gas supplies sufficient to meet current demand without the increment of previously imported LNG which CMI seeks authority to export. For example, notwithstanding significant interruptions of producing activities in the Gulf of Mexico due to hurricanes in the Fall of 2008, the EIA has reported that "the natural gas market did not show the supply-demand tightness that characterized the market in 2005" when other hurricanes hit the Gulf in significant numbers. The EIA observes that as a consequence, a downward trend in natural gas prices that had begun in July 2008 continued through the end of November 2008.⁹

More recent data confirm that this downward trend has continued to the present day due in large measure to the slowed United States economy. In particular, the estimated average city-gate price for natural gas in January 2009 was \$7.93 per thousand cubic feet (Mcf). This compares to an estimated average annual city-gate price for calendar year 2008 of \$9.15 per Mcf.¹⁰

Under these circumstances, I conclude that the current domestic need for natural gas, including LNG, is being met satisfactorily and, therefore, the proposed export is not inconsistent with the public interest. In drawing this conclusion, I am mindful that CMI has stated in its application that, if market conditions change, it will consider selling the

⁹ "Impact of the 2008 Hurricanes on the Natural Gas Industry," EIA (Jan. 2009), at http://www.eia.doe.gov/pub/oil_gas/natural_gas/feature_articles/2009/nghurricanes08/nghurricanes08.pdf.

¹⁰ "Selected Average National Natural Gas Prices, 2004-2009," Table 3, *Natural Gas Monthly* (EIA, March 2009) at http://www.eia.doe.gov/pub/oil_gas/natural_gas/data_publications/natural_gas_monthly/current/pdf/table_03.pdf.

LNG into the domestic market rather than export it. While not a firm commitment to participate in domestic sales of the LNG in question, CMI's willingness to entertain such sales if market conditions warrant it is in keeping with the market-oriented policy of DOE's prevailing Guidelines.

D. Other Public Interest Considerations

Domestic need is the only explicit public interest consideration identified by DOE Delegation Order No. 0204-111. However, consistent with DOE's Guidelines and applicable precedent, *e.g.*, Order No. 1473, the Department considers the potential effects of proposed exports on other aspects of the public interest. These other considerations include international effects and the environment.

1. International Effects

CMI asserts that the exportation of LNG will help to improve the United States' balance of payments with the destination countries named in the application during the two-year term of the proposed blanket authorization. No intervener disputed the likelihood of this benefit and I find that mitigation of balance of payment issues may result from a grant of the application.

2. The Environment

DOE has considered the National Environmental Policy Act (NEPA) compliance aspects of the requested LNG export authorization. As described above, DOE is a cooperating agency in the development of the EA issued by FERC in response to Sabine LNG's application to modify the Cameron Parish terminal. I hereby accept and adopt the recommendations and conclusions contained in the EA and the FONSI issued by DOE on

June 5, 2009. Therefore, I find that the proposed export requires no further environmental review.

E. Conclusion

After due consideration based on all facts and evidence of record, DOE/OFE finds that a grant of the export application is not inconsistent with the public interest. In particular, the record shows there is sufficient domestic supply of natural gas to satisfy local demand through the authorization timeframe. Furthermore, DOE/OFE believes the blanket authorization will benefit the balance of payment interests of the United States in international trade. Therefore, DOE/OFE will grant the application in part in order to permit CMI to export LNG from the Sabine Pass LNG terminal to the United Kingdom, Belgium, Spain, France, Italy, Portugal, Turkey, Brazil, Argentina, Chile, Mexico, Dominican Republic, Japan, South Korea, India, China, and/or Taiwan commencing on the date of this authorization for a two-year period in the cumulative amount of 64 Tcf. For the reasons set forth above, DOE/OFE will dismiss the application to export LNG to the Commonwealth of Puerto Rico.

ORDER

Pursuant to section 3 of the Natural Gas Act, and for the reasons set forth above, it is ordered that:

A. Cheniere Marketing, Inc. is authorized to export on its own behalf or as agent for others liquefied natural gas that previously had been imported from foreign sources in an amount up to the equivalent of 64 Bcf of natural gas on a cumulative basis on a short-term or spot market basis from the Sabine Pass LNG terminal owned by Sabine Pass LNG, L.P. in Cameron Parish, Louisiana to the United Kingdom, Belgium, Spain,

France, Italy, Portugal, Turkey, Brazil, Argentina, Chile, Mexico, Dominican Republic, Japan, South Korea, India, China, and/or Taiwan over a two-year period commencing on the date of this authorization.

B. This LNG may only be exported from the Sabine Pass LNG terminal in Cameron Parish, LA.

C. The application for authorization to export LNG to the Commonwealth of Puerto Rico is dismissed.

C. Monthly Reports: With respect to the export of LNG authorized by this Order, Cheniere Marketing, Inc. 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 exports of LNG have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no exports have been made, a report of “no activity” for that month must be filed. If exports of LNG have occurred, the report must give the following details of each LNG cargo: (1) the name of the U.S. export terminal; (2) the name of the LNG tanker; (3) the date of departure from the U.S. export terminal; (4) the country of destination; (5) the name of the supplier/seller; (6) the volume in thousand cubic feet (Mcf); (7) the delivered price per million British thermal units (MMBtu); (8) the duration of the supply agreement (indicate spot sales); and (9) the name(s) of the purchaser(s).

D. The first monthly report required by this Order is due not later than July 30, 2009, and should cover the reporting period from June 8, 2009 through June 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 June 8, 2009.



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