

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

FREEPORT LNG EXPANSION, L.P.)
FLNG LIQUEFACTION, LLC)
FLNG LIQUEFACTION 2, LLC)
FLNG LIQUEFACTION 3, LLC)

FE DOCKET NO. 11-161-LNG

ORDER GRANTING
REQUEST FOR REHEARING
AND
MOTION FOR LEAVE TO ANSWER
FOR THE PURPOSE OF FURTHER CONSIDERATION

DECEMBER 22, 2014

On November 14, 2014, the U.S. Department of Energy, Office of Fossil Energy (DOE/FE), issued a final opinion and order to Freeport LNG Expansion, L.P., FLNG Liquefaction, LLC, FLNG Liquefaction 2, LLC, and FLNG Liquefaction 3, LLC (collectively, Freeport), captioned DOE/FE Order No. 3357-B. Order No. 3357-B authorized the export of liquefied natural gas (LNG) by vessel from the Freeport LNG Terminal on Quintana Island, Texas, to nations with which the United States has not entered into a free trade agreement (FTA) providing for national treatment for trade in natural gas (non-FTA nations).¹

Subsequently, on December 15, 2014, intervener-protestor Sierra Club submitted a Request for Rehearing of DOE/FE Order No. 3357-B. Sierra Club's Request for Rehearing also sought rehearing of two related documents: the Record of Decision for the Freeport LNG Expansion, L.P. Export Application, published at 79 Fed. Reg. 69,101 (Nov. 20, 2014); and the conditional authorization issued by DOE/FE to Freeport in this proceeding on November 13, 2013 (DOE/FE Order No. 3357), to the extent relied upon or incorporated by reference in DOE/FE Order No. 3357-B. Pursuant to DOE regulations at 10 C.F.R. §590.404, Sierra Club's Request for Rehearing would be denied by operation of law on January 14, 2015, in the absence of agency action.

On December 19, 2014, Freeport filed a Motion for Leave to Answer and Answer to Sierra Club's Request for Rehearing. Pursuant to DOE regulations at 10 C.F.R. § 590.302(c), the Motion for Leave to Answer would be denied by operation of law on January 19, 2015, in the absence of agency action.

¹*Freeport LNG Expansion, L.P., FLNG Liquefaction, LLC, FLNG Liquefaction 2, LLC, and FLNG Liquefaction 3, LLC*, DOE/FE Order No. 3357-B, FE Docket No. 11-161-LNG, Final Opinion and Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Freeport LNG Terminal on Quintana Island, Texas, to Non-Free Trade Agreement Nations (Nov. 14, 2014).

In order to afford additional time for DOE/FE to consider the merits of Sierra Club's Request for Rehearing and Freeport's Motion for Leave to Answer and Answer, Sierra Club's Request and Freeport's Motion are hereby granted solely for purposes of further consideration. Accordingly, Sierra Club's Request for Rehearing and Freeport's Motion for Leave to Answer will not be deemed denied by operation of law pursuant to 10 C.F.R. §§ 590.504 and 590.302(c), and the matters addressed in those pleadings will be addressed in a future order.

Issued in Washington, DC, on December 22, 2014.



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