

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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CONSTELLATION ENERGY GAS CHOICE, INC. )  
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FE DOCKET NO. 12-79-NG

ORDER GRANTING BLANKET AUTHORIZATION TO  
IMPORT NATURAL GAS FROM CANADA  
AND VACATING PRIOR AUTHORIZATION

DOE/FE ORDER NO. 3131

AUGUST 14, 2012

## I. DESCRIPTION OF REQUEST

On July 19, 2012, Constellation Energy Gas Choice, Inc. (Constellation) 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)<sup>1</sup> for blanket authorization to import up to 0.10 billion cubic feet (Bcf) of natural gas from Canada. The applicant requests the authorization be granted for a two-year term beginning on June 1, 2012. Constellation is a Delaware corporation with its principal place of business in Annapolis Junction, Maryland.

Additionally, on April 11, 2011, MXenergy Inc. (MXEI) was granted authorization in DOE/FE Order No. 2943 to import natural gas from Canada for a two-year term beginning April 11, 2011. On July 19, 2012, DOE was notified that MXEI was acquired by Constellation. As a result, MXEI changed its name to reflect that acquisition. Constellation requests that DOE/FE Order No. 2943 be vacated, effective June 1, 2012.

## II. FINDING

The application has been evaluated to determine if the proposed import 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 applications for such imports or exports must be granted without modification or delay. The authorization sought by Constellation to import natural gas from Canada, a nation with which a free trade agreement is in effect, meets the section 3(c) criterion and, therefore, is

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<sup>1</sup>/ The authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. §717b) has been delegated to the Assistant Secretary for FE in Redelegation Order No. 00-002.04E issued on April 29, 2011.

consistent with the public interest. This Order authorizes transactions with terms of no longer than two years.

### ORDER

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

A. Constellation is authorized to import up to 0.10 Bcf of natural gas from Canada, pursuant to transactions that have terms of no longer than two years. This authorization shall be effective for a two-year term which began on June 1, 2012, and extends through May 31, 2014.

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

C. **Monthly Reports:** With respect to the natural gas imports authorized by this Order, Constellation 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 of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports have been made, a report of “no activity” for that month must be filed. If imports of natural gas have occurred, the report must give the following details: (1) the country of origin; (2) the point(s) of entry; (3) the volume in thousand cubic feet (Mcf); (4) the average purchase price of gas per million British thermal units (MMBtu) at the international border; (5) the name of the supplier(s); (6) the name of the U.S. transporter(s); (7) the estimated or actual duration of the supply agreement(s); and (8) the geographic markets(s) served (list State(s), U.S. Census Region(s), or general U.S. geographic area(s)).

(Approved by the Office of Management and Budget under OMB Control No. 1901-0294)

D. The first monthly report required by this Order is due not later than August 30, 2012, and should cover the reporting period from June 1, 2012, through July 31, 2012.

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](mailto:Yvonne.caudillo@hq.doe.gov) or [ngreports@hq.doe.gov](mailto:ngreports@hq.doe.gov), or may be faxed to Ms. Caudillo at (202) 586-6050.

F. MXEI's blanket authorization to import natural gas from Canada granted in DOE/FE Order No. 2943, issued on April 11, 2011, is hereby vacated upon issuance of this order.

Issued in Washington, D.C., on August 14, 2012.



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John A. Anderson  
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Office of Oil and Gas Global Security and Supply  
Office of Fossil Energy