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August 5, 2013

Harry L. Clark  
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**VIA E-MAIL AND REGULAR MAIL**

U.S. Department of Energy (FE-34)  
Office of Natural Gas Regulatory Activities  
Office of Fossil Energy  
P.O. Box 44375  
Washington, DC 20026-4375

Re: Freeport-McMoRan Energy LLC - FE Docket No. 13-26-LNG

To whom it may concern:

Please find enclosed an original and three copies of *America's Energy Advantage, Inc.'s Motion to Intervene*, which was filed in the above-referenced proceeding, by electronic mail, on the date hereof.

Please contact the undersigned if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Harry L. Clark", written over a blue circular stamp.

Harry L. Clark

*Counsel for America's Energy Advantage, Inc.*

Enclosures

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

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**FREEMPORT-MCMORAN  
ENERGY LLC**  
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)  
) FE Docket No. 13-26-LNG  
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**AMERICA'S ENERGY ADVANTAGE, INC.'S  
MOTION TO INTERVENE**

Pursuant to 10 C.F.R. § 590.303, America's Energy Advantage, Inc. ("AEA") hereby moves to intervene in the above-captioned proceeding on the application of Freeport-McMoRan Energy LLC ("Freeport-McMoRan"). Freeport-McMoRan has applied under section 3 of the Natural Gas Act (15 U.S.C. § 717b) for long-term authorization to export liquefied natural gas ("LNG") to countries with which the United States does not have a free trade agreement ("FTA"). In support of its motion, AEA states as follows:

**COMMUNICATIONS**

Any communications regarding this pleading or this proceeding should be addressed to:

Harry L. Clark  
Partner  
Orrick, Herrington & Sutcliffe, LLP  
1152 15th Street, N.W.  
Washington, D.C. 20005-1706

**STATEMENT OF INTEREST**

AEA is a trade association representing many of the world's leading manufacturers and commodity producers, as well as the United States' publicly owned natural gas local distribution companies. AEA's members provide thousands of products to American consumers, and tens of thousands of high-wage jobs for American workers. AEA is dedicated to raising awareness of the renaissance in American manufacturing made possible by our country's new abundant and

affordable supplies of natural gas, which has created more than 500,000 manufacturing jobs in the United States since 2010.

AEA's member companies directly employ nearly 200,000 people worldwide and its members are active purchasers of natural gas who use natural gas and natural gas liquids to provide indispensable services to all segments of American society. These services include supplying energy to consumers, producing vital commodities such as steel and aluminum, and manufacturing chemicals, plastics, and other products essential to national commerce. Accordingly, AEA and its members have substantial interests in U.S. distribution and sale of natural gas.

Freeport-McMoRan's application could affect those interests. Freeport-McMoRan is requesting authorization to export up to 1,176 billion cubic feet of LNG produced from domestic resources each year over a term of 30 years. Exporting such a significant quantity of LNG could materially affect the supply and pricing of natural gas available to American consumers and manufactures in the domestic market, particularly when Freeport-McMoRan's request is viewed, as it must be, in conjunction with the LNG export authorizations the Office of Fossil Energy of the Department of Energy ("DOE/FE") granted to Sabine Pass Liquefaction, LLC and to Freeport LNG Expansion, L.P. and FLNG Liquefaction LLC,<sup>1</sup> as well as the 19 other applications for LNG export authorization that are under review by DOE/FE.

AEA, as an association, is specifically dedicated to the interests of energy-intensive natural gas consumers or natural gas distributors, with particular concern for how those interests

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<sup>1</sup> DOE/FE Order No. 2961, *Sabine Pass Liquefaction, LLC*, FE Docket No. 10-111-LNG (May 20, 2011); DOE/FE Order No. 3282, *Freeport LNG Expansion, L.P. and FLNG Liquefaction LLC*, FE Docket No. 10-161-LNG (May 17, 2013). These authorizations cover countries with which the United States does not have a FTA that provides for national treatment of trade in natural gas.

are affected by increased exportation of LNG. No other party to this proceeding can adequately represent the interests of AEA and its members.

### **STATEMENT OF POSITION**

At this time, AEA is still developing its position on Freeport-McMoRan's application. *Cf.* 10 C.F.R. § 590.303(c) (requiring a movant to state its position "to the extent known"). As a general matter, AEA's members support expanded trade and U.S. exports. AEA has questions, however, about the cumulative effect that LNG exports planned by Freeport-McMoRan and other current and future LNG export applicants would have on the public interest, including considerations that are directly relevant to AEA's members. AEA also has questions concerning the absence of adequate policy criteria and metrics to guide DOE/FE's review of whether requested LNG export authorizations are inconsistent with the public interest.

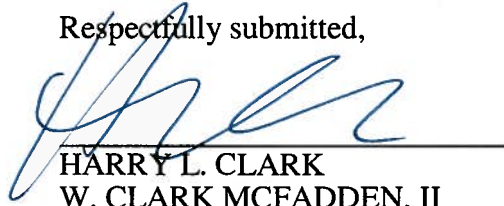
AEA anticipates that it will submit a more detailed summary of its position on Freeport-McMoRan's application at a later date. In the interim, AEA hereby reserves all of its rights, including, without limitation, its rights to file comments with respect to Freeport-McMoRan's application.

### **CONCLUSION**

Based on the foregoing, AEA respectfully requests that its motion to intervene be granted.

Dated: August 5, 2013

Respectfully submitted,



HARRY L. CLARK  
W. CLARK MCFADDEN, II  
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*Counsel for America's Energy Advantage, Inc.*

UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY

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FREEPORT-MCMORAN )  
ENERGY LLC )  
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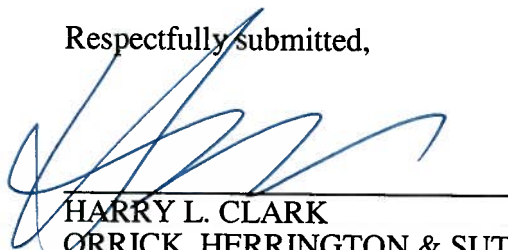
FE Docket No. 13-26-LNG

**CERTIFIED STATEMENT OF AUTHORIZED REPRESENTATIVE**

Pursuant to 10 C.F.R. § 590.103, I, Harry L. Clark, hereby certify that I am a duly authorized representative of America's Energy Advantage, Inc. ("AEA"), and that I am authorized to sign and file with the Office of Fossil Energy of the Department of Energy, on behalf of AEA, the foregoing document in connection with the above-captioned proceeding.

Dated: August 5, 2013

Respectfully submitted,



HARRY L. CLARK  
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*Counsel for America's Energy Advantage, Inc.*

UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY

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FREEPORT-MCMORAN )  
ENERGY LLC )  
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FE Docket No. 13-26-LNG

VERIFICATION

WASHINGTON §


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DISTRICT OF COLUMBIA §

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§

Pursuant to 10 C.F.R. § 590.103, Harry L. Clark, being duly sworn, affirms that he is authorized to execute this verification, that he has read the foregoing document, and that all facts stated therein are true and correct to the best of his knowledge, information, and belief.

  
\_\_\_\_\_  
HARRY L. CLARK  
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Subscribed and sworn to before me this 5th day of August, 2013.

  
\_\_\_\_\_  
Michelle A. Jordan  
Notary Public

My commission expires:



UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY

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FREEPORT-MCMORAN )  
ENERGY LLC )  
\_\_\_\_\_) )

FE Docket No. 13-26-LNG


**CERTIFICATE OF SERVICE**

I, Harry L. Clark, hereby certify that, in accordance with 10 C.F.R. § 590.107, I have this day served the foregoing document upon the Office of Fossil Energy of the Department of Energy, by electronic mail, for inclusion in the docket for the above-captioned proceeding and upon the applicant, Freeport-McMoRan Energy LLC, by certified mail and electronic mail, at the following addresses:

David C. Landry  
Freeport-McMoRan Energy LLC  
1615 Poydras Street  
New Orleans, LA 70112  
Dave\_Landry@fmi.com

Dated: August 5, 2013

Respectfully submitted,

  
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*Counsel for America's Energy Advantage, Inc.*