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By Docket Room at 12:00 pm, Aug 23, 2013

August 19th, 2013

Mr. John Anderson
Office of Fuels Programs, Fossil Energy
U.S. Department of Energy
Docket Room 3E-042
Forrestal Building
1000 Independence Avenue, S.W.
Washington, D.C. 20585

13-104-LNG

**Re: Advanced Energy Solutions, L.L.C.
 Application for Long-term Authorization to Export Liquefied Natural Gas
 To Free Trade Agreement Countries**

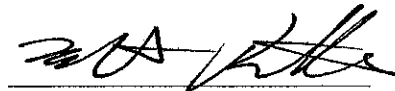
Dear Mr. Anderson:

We hereby submit, on behalf of Advanced Energy Solutions LLC ("AES"), one original and five copies of an application (the "Application") for long-term authorization to export up to a total of 8 billion standard cubic feet per year of domestically produced liquefied natural gas ("LNG") over a twenty-five year period commencing the earlier of the date of the first export or four years from the date the requested authorization is granted.

As reflected in the enclosed application, AES is requesting that such long-term authorization permit it to export to any country located within Central America and/or the Caribbean, which has or in the future develops the capacity to import LNG via approved ISO containers transported on ocean-going carriers, and with which the United States currently has, or in the future will have, a Free Trade Agreement.

Enclosed is a check in the amount of \$50.00, the applicable filing fee. Please acknowledge receipt of the Application by date-stamping the enclosed extra copy of this filing and returning it in the pre-addressed postage-paid envelope included with this package.

Respectfully submitted,



Nickolas Prittis
Attorney
The Legal Advocates Group, P.C.
1300 Jefferson St, Ste #303
Des Plaines IL 60016
Phone: (847) 759-1730
Facsimile: (847) 759-1740

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

ADVANCED ENERGY SOLUTIONS LLC

**APPLICATION OF
ADVANCED ENERGY SOLUTIONS LLC
FOR LONG-TERM AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS
TO FREE TRADE AGREEMENT COUNTRIES**

Address communications
Regarding this application to:

Antonio G. De Sensi, C.P.A.
President
Advanced Energy Solutions LLC
6838 West North Avenue
Chicago, IL 60707

Nickolas Prittis
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August 19, 2013

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

Advanced Energy Solutions LLC

**APPLICATION OF ADVANCED ENERGY SOLUTIONS LLC
FOR LONG-TERM AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS
TO FREE TRADE AGREEMENT COUNTRIES**

Pursuant to Section 3 of the Natural Gas Act¹ and Part 590 of the regulations of the Department of Energy ("DOE"),² Advanced Energy Solutions LLC ("AES") submits this application ("Application") to the DOE Office of Fossil Energy ("DOE/FE") for long-term, multi-contract authorization to export up to a total of 8 billion cubic feet per annum (8,000,000 MMBtu equivalent)³ of liquefied natural gas ("LNG") for a 25-year period, commencing on the earlier of the date of first export or four years from the date the requested authorization is granted. AES requests that such authorization allow it to export domestically sourced LNG to any country located within Central America and/or the Caribbean, which has, or in the future develops the capacity to import LNG via approved ISO containers transported on ocean-going carriers, and with which the United States currently has, or in the future will have a Free Trade Agreement ("FTA")⁴. AES has a primary focus in the Honduran market surrounding a select group

¹ 15 U.S.C. § 717b (2011).

² 10 C.F.R. § 590 (2011).

³ This represents the maximum amount of LNG that AES will export to Free Trade Agreement countries. Initial LNG export amounts will be less than 8 billion cubic feet per annum (8,000,000 MMBtu equivalent).

⁴ Within this region, the United States currently has free trade agreements requiring national treatment for trade in natural gas and LNG with Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. The FTA with Costa Rica does not require national treatment for trade in natural gas. A list of all FTA countries can be found at <http://www.ustr.gov/trade-agreements/free-trade-agreements>.

of small co-generation power plants that supply industrial and commercial customers. These co-generation plants are currently fueled with higher priced fuel sources such as heavy fuel oil supplied by AES affiliated entities.

In applications such as this one, that request export authorization to countries with which the United States has an FTA, a review pursuant to the standards established by the Energy Policy Act of 1992 is conducted. Section 3 of the Natural Gas Act, as amended by § 201 of the Energy Policy Act of 1992, established a statutory presumption that exports to FTA countries must be authorized. Such exports are “deemed to be within the public interest,” and applications for such exportation “shall be granted without modification or delay.”⁵

In support of this Application, AES respectfully states the following:

I.

DESCRIPTION OF APPLICANT

The exact legal name of the applicant is Advanced Energy Solutions, LLC. AES is a limited liability company organized under the laws of the State of Wyoming. The principal place of business of AES is located at 6838 W North Avenue, Chicago, Illinois, 60707.

Advanced Energy Solutions LLC is owned by AES Holdings Group LLC, a Wyoming LLC, that is primarily owned by Antonio G. De Sensi. Mr. De Sensi is a Certified Public Accountant that has approximately 13-years of experience in tax compliance and as a director of finance. In addition, Mr. De

⁵ 15 U.S.C. § 717b(c) (2010). (“For purposes of [15 U.S.C. § 717b(a)] of this section, the importation of the natural gas referred to in [15 U.S.C. § 717b(b)] of this section, or the exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, shall be deemed to be consistent with the public interest, and applications for such importation or exportation shall be granted without modification or delay.”)

Sensi has multiple international relationships in the energy distribution business via the consulting facet of his practice that serve as a conduit in international markets.

AES's primary function will be to serve a select group of power plants throughout Honduras based upon prior business relationships. AES serves as the US supply source for a select group of small co-generation power plants throughout Honduras. AES will substitute higher cost products such as heavy fuel oil that are currently used as fuel sources for these power plants with LNG. The AES business model is set to grow organically within this particular group, as well as in FTA countries in Central America and the Caribbean.

II.

COMMUNICATIONS

Direct all communication regarding this application to the following:

Antonio G. De Sensi, C.P.A.
President
Advanced Energy Solutions LLC
6838 West North Avenue
Chicago, IL 60707

Nickolas Prittis
Attorney
The Legal Advocates Group, P.C.
1300 Jefferson St, Ste #303
Des Plaines IL 60016
Phone: (847) 759-1730
Facsimile: (847) 759-1740

III.

AUTHORIZATION REQUESTED

AES requests long-term, multi-contract authorization to export up to a total of 8 Billion cubic feet (8,000,000 MMBtu equivalent) of domestically produced LNG per year for a period of

25-years beginning the earlier of the date of first export, or the fourth anniversary of the date authorization is granted by DOE/FE. At present time, the facility that will process the LNG that AES will purchase is not yet constructed and is planned to be operational by the end of 2015. AES has a contract in process to purchase LNG from BP Energy Company ("BP")⁶ at the Floridian Natural Gas Storage Co., LLC ("FLORIDIAN") facilities.⁷ BP will own firm capacity for the liquefaction, storage, and truck loading of LNG at the FLORIDIAN facility and will sell LNG at the outlet of the FLORIDIAN facility to firms such as AES.

FLORIDIAN, is approved by FERC for location in Martin County, Florida. FLORIDIAN is authorized to construct full containment storage tank capacity up to an amount of 8 billion cubic feet and a liquidation system with liquefaction capacity of 25 MMcf/d from each of four side-by-side liquefaction trains for a total of 100 MMcf/d of natural gas liquefaction from the overall plant. FLORIDIAN's train one send out capacity for truck loading as approved by FERC is 40 MMcf/d or equivalent of up to 40 truck loads per day. Furthermore, FLORIDIAN has approval for a vaporization system with capacity of 800 MMcf/d of natural gas and a natural

⁶ BP Energy Company is a subsidiary of BP Plc and information pertaining to the financial strength and operational expertise may be found at the parent company's website: www.bp.com

⁷ Floridian Natural Gas Storage Company, LLC – CPCN was granted under FERC Docket No. CP08-13-000 issued August 29, 2008 and amended August 31, 2012 under Docket NO. CP12-100-1000. A PDF version of the updated amended FERC authorization can be found at: www.ferc.gov/EventCalendar/Files/20120831131538-CP12-100-000.pdf. Further information about Floridian Natural Gas Storage Company, LLC and its operations can be found at <http://www.floridiangasstorage.com>

gas liquids storage system that can store up to 240,000 gallons of heavy hydrocarbons that can be extracted from the pipeline delivered gas.⁸

Through AES's long-term liquefied natural gas supply agreement that is in process with BP, natural gas will be made readily available from pipelines operated by Florida Gas Transmission Company⁹ and Gulfstream Natural Gas System¹⁰ prior to liquefaction at the Floridian facility. AES will export the LNG from the Port of Palm Beach to its customers.

AES will transport the LNG from the FLORIDIAN facility within the United States over highways and/or via rail, and will transport LNG to buyers in Central America and the Caribbean such as Honduras, using approved ISO containers transported on ocean-going carriers. Containers used for transportation within the United States will comply with all Association of American Railroads and the United States Department of Transportation regulations, and the third party transporters with which AES will contract to handle such transportation will comply with all hazardous materials and cryogenic handling regulations and requirements, including employee training, in addition to obtaining any federal, state, and local permits for transportation of LNG.

The source of natural gas supply proposed for export by AES is the United States natural gas market, which now includes natural gas produced from shale deposits. The FLORIDIAN

⁸ A full review of the FLORIDIAN FERC approval can be found at www.ferc.gov/EventCalendar/Files/20120831131538-CP12-100-000.pdf, which outlines the structured logistical channels in place for the facility.

⁹ Florida Gas Transmission Company operations and an index of current business partners can be found at <http://infopost.panhandleenergy.com/HotTap/>

¹⁰ Gulfstream Natural Gas System, LLC operations and an index of current business partners can be found at <http://www.gulfstreamgas.com>

facility will be fed natural gas from FGT Zone 3 via the Gulfstream and Florida Gas pipelines. The capacity available to serve FLORIDIAN demand is in excess of 3.5 billion cubic feet per day.¹¹ The financial wherewithal of BP and FLORIDIAN ensures the viability of gas supply to this facility - thus minimizing any interruptions in the supply chain that will feed AES's needs.

AES will purchase domestically sourced LNG under long-term purchase agreements from BP. DOE/FE has previously found that this commitment conforms to the requirements of 10 C.F.R. § 590.202(b), which calls upon applicants to supply transaction-specific information "to the extent applicable."¹² AES proposed and expects to begin exporting domestically sourced LNG purchased under such long-term agreements that are in process from BP by the end of 2015 unless the FLORIDIAN facility is operational prior.

As noted above, this application is submitted pursuant to the standard established by the Energy Policy Act of 1992, under which applications for export to FTA countries are deemed to be in the public interest, and must be granted without modification or delay.¹³ AES's application is presumptively in the public interest, and the long-term authorization requested

¹¹ To view capacity calculations, visit <http://infopost.panhandleenergy.com/HotTap/> and concentrate on Zone 3 and aggregate with capacity found at <http://www.gulfstreamgas.com/fastfacts.htm>.

¹² Sabine Pass Liquefaction, LLC, FE Docket No. 10-85-LNG, Order No. 2833 (Sept. 7, 2010). 10 C.F.R. 590.202(b) requests certain information, "to the extent applicable," and "supported to the extent practicable by necessary data or documents," in reference to the source and security for natural gas supply planned for export, including contract volume and a description of the gas reserves supporting the project during the time of the requested export authorization; see also, Freeport LNG Expansion, L.P. and FLNG Liquefaction, LLC, FE Docket No. 10-160-LNG, Order No. 2913 (February 10, 2011).

¹³ 15 U.S.C. § 717b(c) (2010), *supra* note 5.

by AES is also compatible with the principles established by DOE/FE's Policy Guidelines,¹⁴ which promotes free and open trade by minimizing federal control and involvement in energy markets, and DOE Delegation Order No. 0204-111, which requires "consideration of the domestic need for the gas to be exported."

As DOE/FE recognized, United States consumers have access to substantial quantities of natural gas, as a result of, among other things, technological advances that have allowed for development of previously undeveloped reserves of domestic shale gas.¹⁵ In 2011, total annual domestic natural gas production was 23 trillion cubic feet and on the rise.¹⁶ The EIA's 2013 early Release Overview of its Annual Energy Outlook (AEO2013 Reference Case) states that the aggregated production of dry natural gas starting in 2011 through 2035 is approximately 8 percent higher than exemplified in the Annual Energy Outlook of 2012. This would indicate a continued increase in shale gas production resulting from dual application of horizontal drilling and hydraulic fracturing.¹⁷ In 2011, a Deloitte study surrounding the impact of LNG exports from the US stated that the proposed annual LNG exports are "fairly insignificant" when compared to technically recoverable gas in the United States.¹⁸

¹⁴ Policy Guidelines and Delegation Orders relating to the Regulation of Imported Natural Gas, 49 Fed. Reg. 6,684 (Feb. 22, 1984).

¹⁵ Cheniere Marketing, LLC, FE Docket No. 10-31-LNG, Order No. 2795 (June 1, 2010).

¹⁶ U.S. Energy Information Administration, Annual Energy Outlook 2012 Early Release (Jan. 2012), available at <http://www.eia.gov/forecasts/aeo/er/excel/overview.fig02.data.xls>

¹⁷ U.S. Energy Information Administration, Annual Energy Outlook 2013 Early Release Overview, Energy Production and Imports (Dec. 2012), available at http://www.eia.gov/forecasts/aeo/er/early_production.cfm.

¹⁸ Deloitte Center for Energy Solutions and Deloitte MarketPoint LLC, *Made in America - The Economic Impact of LNG Exports from the United States* at 17, available at <http://www.deloitte.com/assets/Dcom-United>

AES will purchase the quantities of LNG it proposes to export from BP, which the quantities are of lesser volume when compared to those included in recent export applications received by the DOE/FE. By allowing AES to purchase from BP at FLORIDIAN, a FERC regulated liquefaction facility, DOE/FE's approval of this application will benefit various domestic firms, in addition to supporting President Obama's National Export Initiative signed in 2010.¹⁹

AES will file with the Office of Natural Gas Regulatory Activities all executed long-term agreements that allow AES to purchase LNG for loading in approved ISO containers for exportation via ocean-going vessels. AES shall also file with the Office of Natural Gas Regulatory Activities all executed long-term LNG agreements in which AES supplies LNG to entities located in countries identified as FTA countries in Central America and/or the Caribbean. All such contracts identified in this section shall be filed within 30-days following their full execution. Furthermore, AES will file required monthly reports indicating the total amount of deliveries for the period in question whether or not a delivery has been made or not commencing the month following DOE/FE authorization to export LNG. If no deliveries have been made in that period, a "no activity report" will be filed for that month. If exports of LNG have taken place, a report will be filed with the following details of each LNG shipment: (1) the name of the U.S. export port or terminal; (2) the name of the ocean-going vessel; (3) the date of the departure from the U.S. export port or terminal; (4) the country of destination; (5) the name of the supplier/seller; (6) the volume in Mcf; (7) the price at point of export per million

States/Local%20Assets/Documents?Energy_us_er/us_er_MadeinAmerica_LNGPaper_122011.pdf("Deloitte Study").

¹⁹ Exec. Order No. 13534, 75 Fed. Reg. 12433 (March 11, 2010)

British thermal units (MMBtu); (8) the duration of the supply agreement (indicative spot sales); and (9) the name(s) of the purchaser(s).

IV.

ENVIRONMENTAL IMPACT

The FLORIDIAN facility, as approved by FERC is capable of providing the service to BP that would enable BP to sell to AES the LNG that AES proposes to export. In approving the facility, FERC completed the requisite evaluation of environmental impacts. Accordingly, approval of this Application would not constitute a federal action significantly affecting the human environment within the meaning of National Environmental Policy Act.²⁰

V.

APPENDICES

The following exhibits are submitted as part of this Application:

Appendix A Verification

Appendix B Opinion of Counsel

²⁰ 42 U.S.C. § 4231, et seq.; categorical Exclusion B5.7, 10 C.F.R. Part 1021, Subpart D, Appendix B.

VI.


CONCLUSION

WHEREFORE, for the reasons set forth above, AES respectfully requests that DOE/FE grant long-term, multi-contract authorization to export domestically sourced liquefied natural gas to free trade agreement nations in Central America and/or the Caribbean by ocean-going vessel in approved ISO containers.

Dated: August 19, 2013

Respectfully submitted,

Advanced Energy Solutions LLC

By:  _____

Nickolas Prittis

Its Counsel

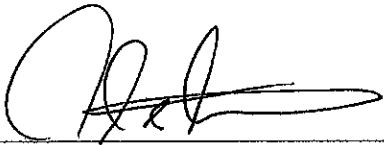
APPENDIX A

CERTIFIED STATEMENT

County of Cook

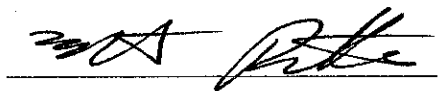
State of Illinois

I, Antonio G. De Sensi, being duly sworn on this oath, do hereby affirm that I am President of Advanced Energy Solutions LLC; that I am familiar with the contents of this application: and that the matters set forth therein are true and correct to be the best of my knowledge, information and belief.

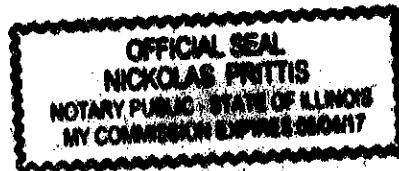


Antonio G. De Sensi, C.P.A.

Sworn to and subscribed before me, A Notary Public, in and for the State of Illinois, this 19th day of August 2013.



[Name], Notary Public



APPENDIX B

August 19, 2013

Mr. John Anderson
Office of Fossil Energy
U.S. Department of Energy
Docket Room 3F-056, FE-50
Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Advanced Energy Solutions LLC
Application for Long-Term Authorization to Export Liquefied Natural Gas

Dear Mr. Anderson:

This opinion is submitted pursuant to 10 C.F.R. 590.202(c) of the Department of Energy Administrative procedures. We have acted as counsel to Advanced Energy Solutions LLC, a Wyoming limited liability company (the "Company"), in connection with the above stated application to the U.S. Department of Energy (the "Application").

In rendering this opinion, we have reviewed and relied upon originals or copies of the Certificate of Formation of the Company, as filed on August 21st of 2012 with Wyoming Secretary of State, the Limited Liability Company Agreement of the Company, dated as of August 21st of 2012, and the Application.

The opinion set forth below is limited to the Wyoming Limited Liability Company Act as in effect of this date. We express no opinion as the applicability or effect of any other laws of such jurisdiction or the laws of any other jurisdictions.

Based upon the foregoing, we are of the opinion that the proposed export of liquefied natural gas, as described in the Application, is within the limited liability company powers of the Company.

Very truly yours,



Nickolas Prittis

Its Counsel



BP Energy Company
North America Gas & Power
201 Helios Way
Houston TX 77079

November 20, 2012

Mr. Anthony De Sensi
Advanced Energy Solutions LLC
6842 West North Avenue
Chicago, Illinois 60707

Subject: LNG Purchase by Advanced Energy Solutions LLC

Dear Mr. De Sensi:

This is to summarize our activities associated with the proposed purchase of LNG supply by Advanced Energy Solutions LLC ("Advanced") from BP Energy Company ("BPEC").

The purchase of LNG supply from BPEC would be under a long term contract providing for the firm purchase of LNG via truck loading delivery to Advanced at the Floridian Natural Gas Storage Company, LLC ("FGS") facility being developed under its FERC CPCN in Martin County, FL. The contract term would be for ten years with contract extension provisions, beginning with the commercial in-service date of FGS projected to be in late 2014. The contract quantity would be for up to 80,000 LNG gallons per day or approximately 6,600 MMBtu/day of natural gas equivalent.

It is our understanding that Advanced intends to utilize the LNG supplies from BPEC for its export markets.

If there are questions, please do not hesitate to contact me. We appreciate the opportunity to work with Advanced on this activity.

Best Regards,

A handwritten signature in cursive script that reads "David Fairley".

David Fairley

David Fairley
Managing Director, Origination
BP Energy Company
North America Gas & Power
201 Helios Way
Houston TX 77079

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david.fairley@bp.com