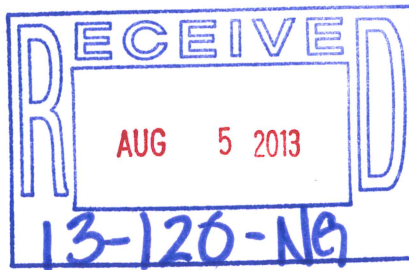


ORIGINAL



August 5, 2013

U.S. Department of Energy  
FE-34  
P.O. Box 44375  
Washington DC 20026-4375

To whom it may concern:

Please receive enclosed our application to renew the Authorization to Export Natural Gas to Mexico for the sole use of supply a Power Generation Plant located in Mexico nearby the U.S. border by Energia Chihuahua, S.A. de C.V.

For such purpose, enclosed you will find the following documentation:

- Overview of the project, including legal name of the company, name of the parent company and form of business organization, company contact information, statement describing the proposed export arrangement, legal name of gas supplier, major provisions of the Fuel Supply Agreement, name of the U.S. transporter and points of exit on the international border.
- Opinion of Counsel.
- Filing fee of fifty dollars (\$50 USD).
- Copy of the Fuel Supply Agreement ("FSA").

Additionally, as per Section 10.5 "Confidentiality" contained in the attached FSA, and considering that such document contains critical commercial information negotiated between ECHI and NAGP, ECHI kindly requests that the copy of the FSA is treated as confidential information and is not published by the DOE. It is important to note that the confidential treatment of the FSA will protect seller and buyer's market competitiveness.

Please contact for any further documentation required.

Sincerely

Carlos Humberto Blanco Villaseñor  
Legal Representative  
Energía Chihuahua, S.A. de C.V.

**Energía Chihuahua, S.A. de C.V.**  
R.F.C. ECI 010320 3R0  
Torre Optima II, piso 5  
Paseo de las Palmas 275  
Col. Lomas de Chapultepec 11000 México, D.F.  
Tel. (52) 55 5279 4850 Fax (52) 55 5202 7776

**Oficina Local:**  
Km 166 Carretera Panamericana  
Tramo Sueco - Cd. Juárez  
Samalayuca, Chihuahua C.P. 32730  
Tel. (52) 656 649 8700 Fax. (52) 659 649 8703

## **LONG-TERM NATURAL GAS EXPORT AUTHORIZATION REQUEST (RENEWAL)**

### **I. BACKGROUND**

On April 28, 2008, Energia Chihuahua, S.A. de C.V. (ECHI) filed an application with the Office of Fossil Energy of the Department of Energy (DOE), under Section 3 of the Natural Gas Act (NGA) (15 U.S.C. § 717b) and under the rules and procedures found in (10 CFR Part 590) of DOE's regulations, for authorization to export up to 49,500 thousand cubic feet (Mcf) per day of natural gas to Mexico.

The Order was granted effective from November 10, 2008 and extended through November 9, 2013. DOE/FE Order No. 2592

### **II. COMPANY PROFILE**

Energia Chihuahua, S.A. de C.V. ("ECHI") is a Business Corporation established, under Mexican laws on March 20<sup>th</sup>, 2001, to develop, construct, own, and operate a natural gas-fired, combined cycle power plant with an output capacity of approximately 270 megawatts ("MW"). The Company is subsidiary of InterGen N.V., a global power generation firm whose principal place of business is Rotterdam, The Netherlands. ECHI's shareholders are Energia Termoelectrica Mexicana S.A. de C.V. (99.999%), and Energia Campeche S.A. de C.V. (0.001%).

### **III. COMPANY AND CONTACT INFORMATION**

Company Name: Energía Chihuahua, S.A. de C.V.

Legal Representative: Carlos Blanco

Title: Commercial Director

Office Address: Paseo de las Palmas 275 Piso 5, Colonia Lomas de Chapultepec, Delegación Miguel Hidalgo, C.P. 11000.

Country: Mexico

City: Mexico City

Telephone: + (52) 55 5279 4850

Mail: [mexcommgrp@intergen.com](mailto:mexcommgrp@intergen.com)

All Correspondence and inquiries regarding the application should be addressed to:

Name: Carlos Blanco

Title: Commercial Director

Office Address: Paseo de las Palmas 275 Piso 5, Colonia Lomas de Chapultepec, Delegación Miguel Hidalgo, C.P. 11000.

Country: Mexico

City: Mexico City

Telephone: + (52) 55 5279 4850

Mail: [mexcommgrp@intergen.com](mailto:mexcommgrp@intergen.com)

#### **IV. POWER PURCHASE AGREEMENT ENTERED INTO BY ENERGIA CHIHUAHUA, S.A. DE C.V. AND COMISION FEDERAL DE ELECTRICIDAD (“CFE”)**

The natural gas will be delivered by NAGP in El Paso Keystone Permian Basin Pool and will be exported by ECHI to Mexico for the sole use of supply a power generation plant located nearby the U.S. border. The company has a permit to generate electrical power as Independent Power Producer from the Energy Regulatory Commission (“CRE”) in accordance with the Electrical Energy Public Service Law Regulations and other applicable laws. The plant began its operations on September 9th, 2003. Pursuant to the terms of 25 years Power Purchase Agreement entered into with CFE, the company is committed to sell 259 MW of capacity and electric power output to the CFE.

#### **V. FUEL SUPPLY AGREEMENT – MAIN PROVISIONS**

ECHI has entered into a Fuel Supply Agreement (“FSA”) with Noble Americas Gas & Power Co. (“NAGP”) dated July 26<sup>th</sup>, 2013. Such gas will be exported as fuel for ECHI’s natural gas-fired power facility near Ciudad Juarez, Chihuahua, Mexico.

##### **a. TERM**

The FSA is effective as of November 01, 2013 through December 31, 2018.

##### **b. GAS EXPORT QUANTITIES**

Up to 50,000 MMbtu / day in 1,000 MMbtu increments.

##### **c. PRICING**

The price paid under the FSA consist of the Gas Daily El Paso Permian Basin Index Midpoint price published in Platt’s Gas Daily under the table titled “Daily Price Survey” and headings “El Paso, Permian” or any successor tables or headings for such delivery point, for the relevant Flow Period. In addition, ECHI will pay NAGP a fixed reservation fee of 15,000 per month.

##### **d. EXPORT POINTS**

<b>Points of Entry and Transporters</b>			
<b>U.S. Point of Entry/Exit</b>	<b>Corresponding Canadian/Mexican Point of Entry/Exit</b>	<b>U.S. Transporter</b>	<b>Foreign Transporter</b>
Clint, Texas	Ciudad Juarez, Chihuahua	Samalayuca Pipeline	Pemex Pipeline

## **VI. CONFIDENTIALITY**

As per Section 10.5 "Confidentiality" contained in the attached FSA, and considering that such document contains critical commercial information negotiated between ECHI and NAGP, ECHI kindly requests that the copy of the FSA is treated as confidential information and is not published by the DOE. In addition, it is important to note that the confidential treatment of the FSA will protect seller and buyer's market competitiveness.

## **VII. EXHIBITS TO APPLICATION**

### **e. EXHIBIT A**

Opinion of Counsel where it is stated the Corporate Powers of ECHI to import gas from the U.S.

### **f. EXHIBIT B**

Copy of the Fuel Supply Agreement (confidential).

### Opinion of Counsel

This opinion is submitted pursuant to 10 C.F.R. 590.202(c) of the Department of Energy administrative procedures. The undersigned is counsel to Energía Chihuahua, S.A de C.V.  
(Company)

I have reviewed the corporate documents and it is my opinion that the proposed import/export of natural gas is/are within the company's corporate powers.

Respectfully submitted.

Romero Viramontes  
(Please Print Your Name)

[Signature]  
(Signature)

Legal Counsel August . 09. 2013  
Title



**From:** [Tracy, Lisa](#)  
**To:** [Moore, Larine](#)  
**Cc:** [Wood, Natalie \(CONTR\)](#)  
**Subject:** FW: Application of Energia Chihuahua, S.A. de C.V. to U.S. Dept. of Energy  
**Date:** Thursday, September 12, 2013 1:49:15 PM

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Supplement to application

-----Original Message-----

From: Ocampo, Jorge [<mailto:jocampo@INTERGEN.com>]  
Sent: Thursday, September 05, 2013 5:00 PM  
To: Tracy, Lisa  
Subject: RE: Application of Energia Chihuahua, S.A. de C.V. to U.S. Dept. of Energy

Hi Lisa,

Of course, we only are concerned about the disclosure of the commercial terms. In past applications all delivery points have been described, so I do not see any issue.

Jorge Ocampo

-----Original Message-----

From: Tracy, Lisa [<mailto:Lisa.Tracy@hq.doe.gov>]  
Sent: jueves, 05 de septiembre de 2013 03:15 p.m.  
To: Ocampo, Jorge  
Subject: RE: Application of Energia Chihuahua, S.A. de C.V. to U.S. Dept. of Energy

Hello Jorge.

May we include this email (NOT the attachment) in the public docket for this application?

Lisa Tracy

-----Original Message-----

From: Ocampo, Jorge [<mailto:jocampo@INTERGEN.com>]  
Sent: Thursday, September 05, 2013 11:20 AM  
To: Tracy, Lisa  
Subject: RE: Application of Energia Chihuahua, S.A. de C.V. to U.S. Dept. of Energy

Hello Lisa,

My apologies. The reason why I did not provide you further info about this section was because it did not change almost anything.

The exported natural gas will be delivered by Seller at Keystone Permian Basin Pool on EPNG's system. When Keystone point is not available, the gas can be delivered at the Secondary Delivery Point (Keystone Waha Basin Pool). In both cases gas will be exported through the same point in the border.

U.S. Point of Entry/Exit: Clint, Texas  
Corresponding Canadian/Mexican Point of Entry/Exit: Ciudad Juarez, Chihuahua  
U.S. Transporter: Samalayuca Pipeline  
Foreign Transporter: Pemex Pipeline

Attached you will find the physical deal confirmation entered into between NAGP and ECHI where you can find all main commercial terms.

If you need further information regarding this topic please do not hesitate to contact me.

Best Regards

Jorge Ocampo | InterGen-México

Office: +52 (55) 5279-4862 | E-mail: [jocampo@intergen.com](mailto:jocampo@intergen.com) Please consider the environment before printing this e-mail.

-----Original Message-----

From: Tracy, Lisa [<mailto:Lisa.Tracy@hq.doe.gov>]

Sent: miércoles, 04 de septiembre de 2013 02:33 p.m.

To: Ocampo, Jorge

Subject: Application of Energia Chihuahua, S.A. de C.V. to U.S. Dept. of Energy

Hello Jorge.

I am the analyst working on the application to export natural gas for Energia Chihuahua, S.A. de C.V.

I have a quick question for you.

In past applications (in the "Delivery Points & Pricing" section), the company provided more details on the basin, pipeline the gas was transported on, and the delivery point (Clint, Texas). The current application does not reference these items.

Could you provide us a few more details on delivery points? Thank you.

Lisa C. Tracy

Natural Gas Analyst

Office of Oil and Gas Global Security and Supply U.S. Department of Energy

(202) 586-4523

[lisa.tracy@hq.doe.gov](mailto:lisa.tracy@hq.doe.gov)