June 3, 2016

Ms. Amy Sweeney Director, Division of Natural Gas Regulation Office of Fossil Energy FE-34 U.S. Department of Energy 1000 Independence Avenue, S.W. Room 3E-052 Washington, D.C. 20585

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## Re: In the Matter of Sabine Pass Liquefaction, LLC FE Docket Nos. 13-30-LNG, 13-42-LNG & 13-121-LNG Withdrawal of Filing and Request for Clarification

Dear Ms. Sweeney:

The U.S. Department of Energy ("DOE"), Office of Fossil Energy ("DOE/FE") issued orders in the above-referenced dockets granting Sabine Pass Liquefaction, LLC ("SPL") long-term, multicontract authorization to export liquefied natural gas ("LNG") by vessel to (i) nations with which the United States has entered into a free trade agreement ("FTA") providing for national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy;<sup>1</sup> and (ii) any other country with which trade is not prohibited by U.S. law or policy.<sup>2</sup> The Stage 3 Orders authorized SPL to engage in exports of domestically produced LNG from the

<sup>&</sup>lt;sup>1</sup> Sabine Pass Liquefaction, LLC, Order Granting Authorization to Export Liquefied Natural Gas by Vessel Pursuant to the Long-Term Contract with Total Gas & Power North America, Inc. from the Sabine Pass LNG Terminal to Free Trade Agreement Nations, DOE/FE Order No. 3306, FE Docket No. 13-30-LNG (Jul. 11, 2013) ("Total FTA Order"); Sabine Pass Liquefaction, LLC, Order Granting Authorization to Export Liquefied Natural Gas by Vessel Pursuant to the Long-Term Contract with Centrica plc from the Sabine Pass LNG Terminal to Free Trade Agreement Nations, DOE/FE Order No. 3307, FE Docket No. 13-42-LNG (Jul. 12, 2013) ("Centrica FTA Order"); Sabine Pass Liquefaction, LLC, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal to Free Trade Agreement Nations, DOE/FE Order No. 3384, FE Docket No. 13-121-LNG (Jan. 22, 2014), Errata (Feb. 24, 2015) (collectively, the "FTA Orders").

<sup>&</sup>lt;sup>2</sup> Sabine Pass Liquefaction, LLC, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations, DOE/FE Order No. 3669, FE Docket Nos. 13-30-LNG, 13-42-LNG, 13-121-LNG (consolidated) (June 26, 2015); Sabine Pass Liquefaction, LLC, Opinion and Order Denying Request for Rehearing of Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron and Calcasieu Parishes, Louisiana, to Non-Free Trade Agreement Nations, DOE/FE Order No. 3669-A, FE Docket Nos. 13-30-LNG, 13-42-LNG, 13-121-LNG (consolidated) (May 26, 2016) (collectively, the "DOE/FE Stage 3 Non-FTA Order"; and together with the FTA Orders, collectively, the "Stage 3 Orders").

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Liquefaction Project.<sup>3</sup> With the exception of the authorizations granted in FE Docket No. 13-121-LNG, the Stage 3 Orders authorized the export of LNG, pursuant to the terms of a particular LNG Sale and Purchase Agreement ("SPA").<sup>4</sup>

On September 23, 2015, in order to address certain requirements associated with the financing of the Liquefaction Expansion Project, SPL filed a request to amend and consolidate the authorizations granted in the Stage 3 Orders to enable SPL to engage in long-term multi-contract exports, on its own behalf and as agent for third-parties, without reference to such exports occurring in accordance with the terms of a particular SPA. ("September 23 Request").

Through this filing, SPL seeks to withdraw the September 23 Request and instead respectfully requests that DOE/FE clarify that the export authorizations granted in the Stage 3 Orders are not contingent on exports occurring solely in accordance with the terms of the particular SPAs referenced in the Stage 3 Orders. In this regard, SPL requests that DOE/FE clarify that the export authorizations granted in the Stage 3 Orders may be utilized in conjunction with any SPA filed in the above-captioned dockets so long as the volume and term of the SPA(s) is consistent with the scope of the authorizations granted by the Stage 3 Orders.

Should you have any questions about the foregoing, please feel free to contact the undersigned at (212) 318-3009.

Respectfully submitted,

<u>/s/ Lisa M. Tonery</u> Lisa M. Tonery Mariah T. Johnston *Attorneys for Sabine Pass Liquefaction, LLC* 

cc: John Anderson Edward Myers

<sup>&</sup>lt;sup>3</sup> Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P., Order Granting Section 3 Authorization, 139 FERC ¶ 61,039 (2012), reh'g & stay denied, 140 FERC ¶ 61,076 (2012); Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P., Order Amending Section 3 Authorization, 144 FERC ¶ 61,099 (2013); Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P., Order Amending Section 3 Authorization, 146 FERC ¶ 61,117 (2014), reh'g denied, 148 FERC ¶ 61,200 (2014). See also Sabine Pass Liquefaction Expansion, LLC, Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P., & Cheniere Creole Trail Pipeline, L.P., Order Granting Authorization Under Section 3 of the Natural Gas Act and Issuing Certificate, 151 FERC ¶ 61,012 (2015), reh'g denied, 151 FERC ¶ 61,253 (2015).

<sup>&</sup>lt;sup>4</sup> See Total FTA Order, Ordering Paragraph A; Centrica FTA Order, Ordering Paragraph A; See also DOE/FE Stage 3 Non-FTA Order, Ordering Paragraph A (each authorizing exports pursuant to the SPA between SPL and Centrica plc and/or the SPA between SPL and Total Gas and Power North America, Inc.).

## Certificate of Service

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list in this proceeding.

Dated at New York, N.Y. this 3rd day of June, 2016.

/s/ Dionne McCallum-George

Dionne McCallum-George Legal Secretary on behalf of Sabine Pass Liquefaction, LLC