

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

MERRILL LYNCH COMMODITIES CANADA, ULC

DOCKET NO. 12-169-NG

ORDER GRANTING BLANKET AUTHORIZATION TO  
EXPORT NATURAL GAS TO CANADA

DOE/FE ORDER NO. 3214

JANUARY 2, 2013

## I. DESCRIPTION OF REQUEST

On November 23, 2012, Merrill Lynch Commodities Canada, ULC (Merrill Lynch) 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 export up to 11.3 billion cubic feet (Bcf) of natural gas to Canada. The applicant requests the authorization be granted for a two-year term beginning on January 11, 2013.<sup>2</sup> Merrill Lynch is a Canadian unlimited liability company with its principal place of business in Houston, Texas.

## II. FINDING

The application has been evaluated to determine if the proposed export 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 Merrill Lynch to export natural gas to Canada, a nation with which a free trade agreement is in effect, meets the section 3(c) criterion and, therefore, is consistent with the public interest. This Order authorizes transactions with terms of no longer than two years.

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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 Redelelegation Order No. 00-002.04E issued on April 29, 2011.

<sup>2</sup>/ Merrill Lynch's blanket authorization to export natural gas to Canada granted in DOE/FE Order No. 2900 on January 11, 2011, extends through January 10, 2013.

ORDER

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

A. Merrill Lynch is authorized to export up to 11.3 Bcf of natural gas to Canada, pursuant to transactions that have terms of no longer than two years. This authorization shall be effective for a two-year term beginning on January 11, 2013, and extending through January 10, 2015.

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

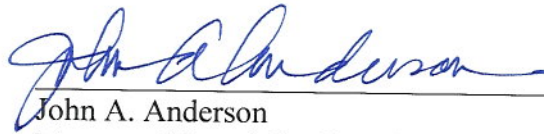
C. **Monthly Reports:** With respect to the natural gas exports authorized by this Order, Merrill Lynch shall file with the Office of Natural Gas Regulatory Activities, within 30 days following the last day of each calendar month, a report indicating whether exports of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no exports have been made, a report of “no activity” for that month must be filed. If exports of natural gas have occurred, the report must give the following details: (1) the country of destination; (2) the point(s) of exit; (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); and (7) the estimated or actual duration of the supply agreement(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 February 28, 2013, and should cover the reporting period from January 11, 2013, through January 31, 2013.

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.

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