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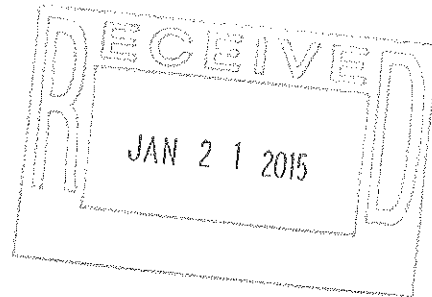
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January 21, 2015

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



Re: **Eni USA Gas Marketing LLC**
FE Docket No. 15-13-LNG
Application for Blanket Authorization to Export Liquefied Natural Gas on a
Short-Term Basis

Dear Mr. Anderson:

Eni USA Gas Marketing LLC ("Eni USA Gas Marketing") hereby submits one original and fifteen copies of an application for blanket authorization to re-export up to a cumulative total of 100 billion cubic feet of foreign-sourced liquefied natural gas ("LNG") over a two-year period. As reflected in the enclosed application, Eni USA Gas Marketing is requesting that such blanket authorization permit it to export LNG to any country with which trade is not prohibited by United States law or policy. This application specifically seeks to renew that blanket export application that was granted to Eni USA Gas Marketing in Order No. 3247, which expires on March 2, 2015. *See Eni USA Gas Marketing LLC*, FE12-161-LNG, DOE Opinion and Order No. 3247 (March 5, 2013).

Enclosed is a check in the amount of \$50.00, in payment of the applicable filing fee pursuant to 10 C.F.R. § 590.207. Thank you for your attention to this matter. If you have any questions regarding this filing, please contact the undersigned at the number provided below.

Very truly yours,

Bracewell & Giuliani LLP

D. Kirk Morgan II

ORIGINAL

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

Eni USA Gas Marketing LLC

Docket No. 15 - B - LNG

**APPLICATION OF ENI USA GAS MARKETING LLC
FOR BLANKET AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS ON A
SHORT-TERM BASIS**

Pursuant to Section 3 of the Natural Gas Act (“NGA”)¹ and Part 590 of the Department of Energy’s (“DOE”) regulations,² Eni USA Gas Marketing LLC (“Eni USA Gas Marketing”) hereby requests that DOE, Office of Fossil Energy (“DOE/FE”), issue an order approving this application (“Application”) for blanket authorization to export up to a total of approximately 100 billion cubic feet (100 Bcf), on a cumulative basis, of previously-imported, foreign-sourced liquefied natural gas (“LNG”) for a two-year period commencing no later than March 3, 2015, which is the date following the date upon which Eni USA Gas Marketing’s current LNG re-export authorization is scheduled to expire. Eni USA Gas Marketing seeks continued authorization to export previously-imported LNG from the Cameron LNG Terminal, owned by Cameron LNG, LLC, in Cameron Parish, Louisiana (the “Cameron Terminal”). Eni USA Gas Marketing requests that such authorization allow it to export foreign-sourced LNG, for itself and as an agent for third parties, to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by United States law or policy. Good cause exists to grant the requested authorization for the reasons stated below.

¹ 15 U.S.C. § 717b.

² 10 C.F.R. Part 590.

I. DESCRIPTION OF APPLICANT

The exact legal name of the applicant is Eni USA Gas Marketing LLC. Eni USA Gas Marketing is a limited liability company organized under the laws of the State of Delaware. Eni USA Gas Marketing is a wholly-owned subsidiary of Eni Petroleum Co. Inc., a Delaware corporation. Eni USA Gas Marketing is engaged in the business of purchasing and marketing supplies of natural gas and LNG.

Eni USA Gas Marketing is a customer of the Cameron Terminal. Contemporaneous with the filing of this Application, Eni USA Gas Marketing filed an application seeking blanket authorization to import LNG up to the equivalent of 400 Bcf of natural gas from various international sources. Eni USA Gas Marketing has requested that this blanket authorization become effective on March 5, 2015. If granted, the blanket authorization will authorize Eni USA Gas Marketing to import LNG at any LNG receiving facility in the United States, and its territories for a two-year period.³

Eni USA Gas Marketing's currently-effective LNG re-export authorization was issued on March 5, 2013, in Order No. 3247.⁴ In that order, DOE/FE granted Eni USA Gas Marketing blanket authorization to export LNG that has previously been imported from foreign sources in an amount up to the equivalent of 100 Bcf of natural gas pursuant to transactions that have terms of no longer than two years. The authorization was granted for a two-year term beginning on March 3, 2013, and extending through March 2, 2015. The authorization permits the export of

³ On April 30, 2012, the DOE/FE issued Order No. 3092, which granted Eni USA Gas Marketing blanket authorization to import LNG up to the equivalent of 400 Bcf of natural gas from various international sources. This authorization expired on May 11, 2014.

⁴ See *Eni USA Gas Marketing LLC*, FE12-161-LNG, DOE Opinion and Order No. 3247 (March 5, 2013). Prior to obtaining this authorization, Eni USA Gas Marketing obtained authorization to re-export LNG for the period from March 3, 2011 through March 2, 2013. See *Eni USA Gas Marketing LLC*, FE10-152-LNG, DOE Opinion and Order No. 2923 (March 3, 2011).

previously-imported LNG from the Cameron Terminal, to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by United States law or policy. To date, Eni USA Gas Marketing has not used its blanket authorization to export previously imported LNG.

II. COMMUNICATIONS AND CORRESPONDENCE

All communications and correspondence concerning this application, including all service of pleadings and notices, should be directed to the following persons:

Renato Squadrone
VP Administrative, Finance and Control
Eni USA Gas Marketing LLC
1200 Smith Street – Suite 1707
77002 Houston
832.325.0249
renato.squadrone@eni.com

D. Kirk Morgan II
Partner
Bracewell & Giuliani LLP
2000 K Street NW Suite 500
Washington, D.C. 20006-1872
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III. REQUESTED AUTHORIZATION

Pursuant to this Application, Eni USA Gas Marketing is seeking to renew the blanket authorization that it was granted in Order No. 3247, which expires on March 2, 2015. Specifically, Eni USA Gas Marketing requests blanket authorization to export, for itself and as an agent for third parties, up to a cumulative total of 100 Bcf of LNG that has been imported into the United States from foreign sources. Eni USA Gas Marketing requests that such blanket authorization provide for the export of previously-imported LNG from the Cameron Terminal to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by United States law or policy. Eni USA Gas Marketing requests that this authorization to export LNG be effective for a two-year period beginning on April 21, 2015. Under the authorization sought here, Eni USA Gas Marketing *does not* request the authority to export any domestically-produced LNG or natural gas.

As explained below, the renewed blanket export authorization requested by Eni USA Gas Marketing is consistent with the public interest because the LNG to be exported is not needed to meet domestic needs and granting the blanket export authorization will provide other benefits. No new construction or facility modifications are required in order for Eni USA Gas Marketing to export volumes of foreign-sourced, imported LNG from the Cameron Terminal.

IV. PUBLIC INTEREST STANDARD

Pursuant to Section 3 of the NGA, FE is required to authorize exports to a foreign country unless there is a finding that such exports “will not be consistent with the public interest.”⁵ Section 3 thus creates a statutory presumption in favor of approval of this application, which opponents bear the burden of overcoming.⁶ Further, in evaluating an export application, FE applies the principles described in DOE Delegation Order No. 0204-111, which focuses primarily on domestic need for the gas to be exported and the Secretary’s natural gas policy guidelines.⁷ As detailed below, Eni USA Gas Marketing’s proposal to export LNG to those countries with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy is consistent with Section 3 of the NGA and FE’s policy.

In recent years, DOE/FE has issued a number of blanket authorizations to export previously-imported LNG, including the one issued to Eni USA Gas Marketing in Order No.

⁵ 15 U.S.C. 717b (2006).

⁶ In *Panhandle Producers and Royalty Owners Association v. ERA*, 822 F.2d 1105, 1111 (D.C. Cir. 1987), the court found that Section 3 of the NGA “requires an affirmative showing of inconsistency with the public interest to deny an application” and that a “presumption favoring ... authorization ... is completely consistent with, if not mandated by, the statutory directive.” See also *Independent Petroleum Association v. ERA*, 870 F.2d 168, 172 (5th Cir. 1989); *Panhandle and Royalty Owners Association v. ERA*, 847 F.2d 1168, 1176 (5th Cir. 1988).

⁷ See 49 Fed. Reg. 6684, February 22, 1984.

3247, finding that such LNG is not needed to meet domestic demand for natural gas.⁸ Most recently, in DOE/FE Order No. 3442 (“Order No. 3442”) issued on June 6, 2014, FE made the same finding in granting Cheniere Marketing, LLC (“Cheniere”) blanket authority to export 500 Bcf of previously imported LNG from the Sabine Pass LNG Terminal, located in Cameron Parish, Louisiana.⁹ In Order No. 3442, FE stated that “United States consumers will continue to have access to substantial quantities of natural gas sufficient to meet domestic demand from multiple other sources at competitive prices without drawing on the LNG which CMI seeks to export.”¹⁰

Similarly, in DOE/FE Order No. 3359 (“Order No. 3359”), as well as in other blanket authorizations issued in recent years, DOE/FE authorized the export of previously imported LNG, in each case citing authoritative data that substantiates U.S. consumer access to ample volumes of natural gas to meet domestic demand from multiple other competitively-priced sources.¹¹ In Order No. 3442, DOE/FE took administrative notice that the Energy Information Administration (“EIA”) Annual Energy Outlook 2013 (“*AEO2013*”) shows annual domestic dry natural gas production increasing from 21.33 trillion cubic feet (“Tcf”) in 2010 to a projection of 26.61 Tcf by 2020,¹² an annual increase of 5.28 Tcf. Consumption over the same period

⁸ See, e.g., *Dominion Cove Point LNG, LP*, DOE/FE Order No. 3055 (Jan. 9, 2012) and *Conoco Phillips Company*, DOE/FE Order No. 3038 (Nov. 22, 2011).

⁹ See *Cheniere Marketing, LLC*, DOE/FE Order No. 3442 (June 6, 2014) (hereinafter “Order No. 3442”).

¹⁰ *Id.* at pp. 6-7.

¹¹ See *ConocoPhillips Company*, DOE/FE Order No. 3359 (Nov. 7, 2013); *Freeport LNG Development, L.P.*, DOE/FE Order No. 3317 (July 19, 2013); *ENI USA Gas Marketing LLC*, DOE/FE Order No. 3247 (March 5, 2013); *Sempra LNG Marketing, LLC*, DOE/FE Order No. 3231 (Feb. 13, 2013); *Chevron U.S.A. Inc.*, DOE/FE Order No. 3221 (Jan 4, 2013); *The Dow Chemical Company*, DOE/FE Order No. 3162 (Oct. 11, 2012).

¹² See Order No. 3442 at 6.

increases only by 2.54 Tcf annually.¹³ In this regard, DOE/FE found that *AEO2013* and the record of evidence supporting each of the similar authorizations granted, support the conclusion that the volumes of foreign sourced LNG that the relevant applicants have sought to export are not needed to meet domestic demand.¹⁴ On May 7, 2014, EIA issued its Annual Energy Outlook 2014 (“*AEO2014*”), in which it increased its forecast of cumulative dry natural gas production between 2012 to 2040 by 23% from that in *AEO2013*.¹⁵

Eni USA Gas Marketing is requesting authorization to export LNG for itself and as agent for third parties who themselves hold title to the LNG at the time of export. Eni USA Gas Marketing will comply with all DOE/FE requirements for exporters and agents, including the registration requirements as first established in *Freeport LNG Development, L.P.*, DOE/FE Order No. 2913, and confirmed in *Gulf Coast LNG Export, LLC*, DOE/FE Order No. 3163.¹⁶ In this regard, Eni USA Gas Marketing, when acting as agent, will register with DOE/FE each LNG title holder for whom it seeks to export as agent, and will provide DOE/FE with a written statement by the title holder acknowledging and agreeing to (i) comply with all requirements in Eni USA Gas Marketing’s export authorization; and (ii) include those requirements in any subsequent purchase or sale agreement entered into by the title holder.

With the requested authorization, Eni USA Gas Marketing would gain the ability to sell foreign-sourced, imported LNG in the most competitive market, either by regassifying the imported LNG and selling it in domestic markets where demand warrants, or by storing imported

¹³ *Id.*

¹⁴ *See id.*; *see also generally supra* n. 7.

¹⁵ *See* EIA, *Annual Energy Outlook 2014* at 152 (Table A1), *available at* [http://www.eia.gov/forecasts/aeo/pdf/0383\(2014\).pdf](http://www.eia.gov/forecasts/aeo/pdf/0383(2014).pdf).

¹⁶ *See Freeport LNG Development, L.P.*, DOE/FE Order No. 2913 (Feb. 17, 2011); *Gulf Coast LNG Export, LLC*, DOE/FE Order No. 3163 (Jan. 10, 2012).

LNG and later selling it in other world markets where demand is higher. Eni USA Gas Marketing will thus be able to better contribute to the efficient allocation of natural gas supplies. When gas supplies are in balance with domestic demand, imported LNG will be used to supplement domestic gas supplies. When there is a surplus of domestic gas supplies, as there is at the present time, granting this authorization to Eni USA Gas Marketing will encourage the continued importation of foreign LNG to the U.S., which will contribute supplies to the domestic market once demand rises.

In light of the sufficiency and diversity of domestic supplies recognized by the DOE/FE in recent orders, as well as the fact that the foreign-sourced LNG that Eni USA Gas Marketing seeks to export would not diminish domestic production or supply of natural gas, and based on the incentive that granting this authorization would give to Eni USA Gas Marketing to continue to import LNG to the U.S., the requested blanket authorization is consistent with the public interest and the Application should be granted.

V. ENVIRONMENTAL IMPACT

No new facilities (or modifications to any existing facilities) at the Cameron Terminal would be required for Eni USA Gas Marketing to export LNG from that facility. Exports of LNG from the Cameron Terminal also would not increase the number of LNG carriers that the Cameron Terminal is designed and authorized to accommodate. Approval of this Application would thus not constitute a federal action significantly affecting the human environment under the National Environmental Policy Act ("NEPA").¹⁷ Accordingly, approval of this Application would not require an environmental impact statement or environmental assessment.

¹⁷ 42 U.S.C. § 4321 *et seq.*

VI. APPENDICES

The following appendices are attached hereto and incorporated by reference in this Application:

Appendix A: Verification

Appendix B: Opinion of Counsel

VII. CONCLUSION

WHEREFORE, for the reasons set forth above, Eni USA Gas Marketing respectfully requests that the DOE/FE issue an order granting Eni USA Gas Marketing a two-year blanket authorization to export from the Cameron Terminal up to approximately 100 Bcf, on a cumulative basis, of previously imported LNG from foreign sources to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by Federal law or policy.

Respectfully submitted,

By: Nicola Maisano

Nicola Maisano
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By: D. Kirk Morgan II

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Attorneys for Eni USA Gas Marketing LLC

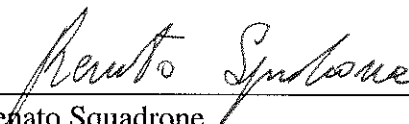
Dated: January 21, 2015

APPENDIX A
VERIFICATION

VERIFICATION

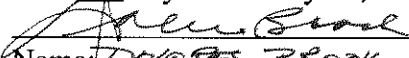
County of Harris)
)
State of Texas)

I, Renato Squadrone, being duly sworn on my oath, do hereby depose and say that I am VP Administrative, Finance and Control of Eni USA Gas Marketing LLC; that I am duly authorized to make this Verification; that I am familiar with the contents of the foregoing application; and that the matters set forth therein are true and correct to the best of my knowledge, information and belief.

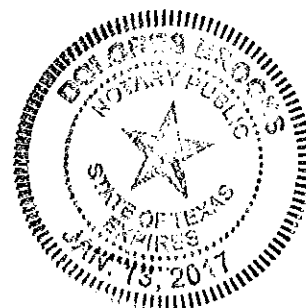


Renato Squadrone

SWORN TO AND SUBSCRIBED before me on the 15 day of January 15, 2015.



Name: DAVID P. BROOKS
Title: Notary Public



APPENDIX B
OPINION OF COUNSEL

January 12, 2015

Office of Fuels Programs, Fossil Energy
U.S. Department of Energy
Docket Room 3F-056, FE-50
Forrestal Building
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Re: Eni USA Gas Marketing LLC Application for Blanket Authorization to Export Liquefied Natural Gas

Dear Sir or Madam:

This opinion of counsel is submitted pursuant to Section 590.202(c) of the U.S. Department of Energy's regulations, 10 C.F.R. §590.202(c). The undersigned is counsel to Eni USA Gas Marketing LLC ("Eni USA Gas Marketing"). I have reviewed the organizational documents and other materials relating to Eni USA Gas Marketing. Based upon such review, it is my opinion that the proposed export of foreign-sourced liquefied natural gas by Eni USA Gas Marketing to any country with which trade is not prohibited by U.S. law or policy is within Eni USA Gas Marketing's powers as a limited liability company. Eni USA Gas Marketing is also authorized to conduct business in the State of Louisiana and to engage in foreign commerce.

Respectfully submitted,



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