

Vincent DeVito

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June 15, 2015

Mr. John Anderson
U.S. Department of Energy (FE-34)
Office of Oil and Gas Global Security and Supply
Office of Fossil Energy
Forrestal Building, Room 3E-042
1000 Independence Avenue, S.W.
Washington, DC 20585

**Re: *In the Matter of Bear Head LNG Corporation and Bear Head
LNG (USA), LLC FE Docket 15-14-NG
Motion of Northeast Energy Solutions, Inc. to Intervene***

Dear Mr. Anderson:

Enclosed for filing on behalf of Northeast Energy Solutions, Inc. ("NEES"), please find NEES's motion to intervene in the above-referenced matter. Please call if you have any questions or concerns.

My very best,



Vincent DeVito

VD:

Enclosure

cc:

*Bar Admissions: District of Columbia – Commonwealth of Massachusetts – State of New York

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

In the Matter of)	
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)	
Bear Head LNG Corporation)	FE Docket 15-14-NG
Bear Head LNG (USA), LLC)	
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**MOTION OF
NORTHEAST ENERGY SOLUTIONS, INC.
TO INTERVENE**

Northeast Energy Solutions, Inc. ("NEES") hereby moves to intervene as a full participant, pursuant to Section 590.303(b) of the Administrative Procedures with Respect to the Import and Export of Natural Gas, in the Application for Authorization to Import Natural Gas From, for Subsequent Export to, Canada filed by Bear Head LNG Corporation ("Bear Head Corp.") and Bear Head LNG (USA), LLC ("Bear Head USA," collectively "Bear Head LNG"). For the reasons stated herein, NEES respectfully requests that the Department of Energy, Office of Fossil Energy (the "DOE/FE") grant NEES's motion to intervene in full in the proceeding.

I. COMMUNICATIONS

Any communications regarding this pleading or this proceeding should be addressed to:

Vincent DeVito, Esq.
Bowditch & Dewey, LLP
300 New Jersey Avenue NW, Suite 900
Washington, DC 20001
vdevito@bowditch.com
202.465.8785

II. INTERVENTION

A. In support of this motion, NEES states, as follows: The exact legal name of movant is Northeast Energy Solutions, Inc.

B. NEES is a multi-jurisdictional nonprofit corporation compromised of energy, land, environmental, end-user, and related economic interests.

C. NEES is an educational resource and advocacy group (before state and federal government officials) that works to ensure that economically viable and environmentally responsible energy projects account for its member's collective and respective interests.

D. NEES is currently a formal intervenor before the FERC, Maine PUC, and MA DPU with regards to supply, capacity, and infrastructure proposals in the Northeast.

E. On January 23, 2015, Bear Head LNG filed an application for long-term, multi-contract authorization to engage in imports from, and for subsequent export to, Canada of up to 250 billion standard cubic feet per year of natural gas by pipeline (the "Application"), which involves the transportation of gas via the Maritimes & Northeast Pipeline (the "M&NP") at the U.S.-Canada border. The Application relates to the development of the proposed Bear Head LNG export terminal to be located in Nova Scotia, Canada (the "Project"). Through DOE/FE's authorization, the Application would allow Bear Head LNG access to Canadian gas supplies to be imported by pipeline from Canada to the United States to enable the natural gas to reach Nova Scotia through the M&NP. On April 16, 2015, DOE/FE issued a Notice of Application and set a deadline of June 15, 2015 for petitions for leave to intervene in the proceeding.

F. On page 2 of its application, Bear Head LNG provides that the Application "must be granted without modification or delay [...] pursuant to the standard set forth in Section 3(c) of the NGA." This standard provides that "the import and export of natural gas from and to Canada, a nation with which the United States has a free trade agreement, is deemed to be in the public interest." However, Bear Head LNG contradicts itself as it sets forth in its Application that the Project shall have the ability to transport LNG onto "ocean-going vessels for delivery to export markets." And even more, Bear Head LNG states that the overall purpose of the Project is to export "North American LNG to foreign markets." These foreign markets are never defined in the Application.

G. In view of the aforementioned, NEES has interests that will be directly affected by the outcome of this proceeding. NEES' interests cannot be adequately represented or protected by any other party. NEES has a direct and substantial interest in this proceeding that cannot be adequately represented by any other party. NEES respectfully submits that good cause exists to grant its motion to intervene.

II. STANDARD OF REVIEW

DOE/FE is examining what is the appropriate standard of review for the Application: (1) consistency with the public interest, under section 3(a) of the Natural Gas Act ("NGA"), codified under 15 U.S.C. 717b(a), or (2) whether the Application should be granted without modification or delay, under Section 3(c) of the NGA. Bear Head LNG Corporation and Bear Head LNG (USA), LLC; Application for Long-Term, Multi-Contract Authorization To Implement Natural Gas From, for Subsequent Export to, Canada for a 25-Year Term, 80 FR 20485, at 20485 (April 16, 2015). In making such examination, Bear Head LNG must show that the Application is for the importation of natural gas into the United States from with which there is a free trade agreement in place or the exportation of natural gas from the United States to a country with which there is a free trade agreement in place. Bear Head LNG has failed to establish such due

to its ambiguous reference of delivery to undefined "export" and "foreign" markets. Without further clarification, Bear Head LNG has failed to meet the standard of review under section 3(c) of the NGA. Because the Application is filed in connection with the Project, which is involved with unspecified export markets, there is not enough information provided in the Application with respect to the identity of the foreign markets to establish Section 3(c) of the NGA is the appropriate standard of review.

III. DOE/FE Should Authorize Additional Procedures or Grant NEES' Motion for Additional Procedures

DOE/FE, under Section 590.206, should direct additional procedures concerning Bear Head LNG's application consisting of the filing of supplemental written comments, written interrogatories and/or other discovery procedures, a conference, verbal presentation, and/or adjudication. Alternatively, NEES, under Section 590.310, requests an opportunity to submit and to receive answers to written interrogatories.

NEES believes that there are numerous unanswered assertions in Bear Head LNG's application, including the vagueness with respect to the underlying purpose of Bear Head LNG's application and its inclusion of unspecified foreign markets in its project scope. Such a lack of information does not allow for and, in fact, hinders the viability of a thoroughly deliberative process in this matter. NEES firmly believes that with the opportunity for additional procedures, including interrogatories, DOE/FE will be better enabled to make a determination in this matter.

NEES also reserves all rights appurtenant to status as an Intervenor.

V. CONCLUSION

WHEREFORE, based on the foregoing, NEES respectfully requests that the DOE/FE (1) grant its motion to intervene in this proceeding with all rights appurtenant to that status, and (2) provide for additional procedures in this matter; or, grant NEES' motion for additional procedures, with respect to Bear Head LNG's application for authorization to import natural gas from, for subsequent export to, Canada.

Respectfully Submitted,

NORTHEAST ENERGY SOLUTIONS, INC.



BY: Vincent DeVito, Esq.
Bowditch & Dewey, LLP
300 New Jersey Avenue NW, Suite 900
Washington, DC 20001
vdevito@bowditch.com
202.465.8785

Dated: June 15, 2015

UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

In the Matter of)
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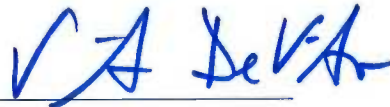
Bear Head LNG Corporation)
Bear Head LNG (USA), LLC)
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FE Docket 15-14-NG

VERIFICATION

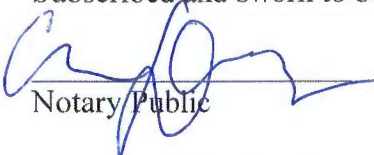
BOSTON, MASSACHUSETTS

Pursuant to 10 C.F.R. § 590.103 (b) (2014), Vincent DeVito, being duly sworn, affirms that he is authorized to execute this verification, that he has read the foregoing document, and that all facts stated herein are true and correct to the best of his knowledge, information, and belief.



Vincent DeVito, Esq.
Bowditch & Dewey, LLP
300 New Jersey Avenue NW, Suite 900
Washington, DC 20001
vdevito@bowditch.com
202.465.8785

Subscribed and sworn to before me this 15th day of June, 2015.


Notary Public

My Commission Expires: September 26, 2019

(seal)



CAROLINE V. DEBARROS
Notary Public
Commonwealth of Massachusetts
My Commission Expires September 26, 2019

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

In the Matter of

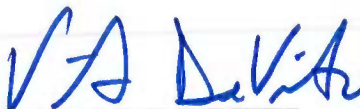
**Bear Head LNG Corporation
Bear Head LNG (USA), LLC**

FE Docket 15-14-NG

CERTIFIED STATEMENT OF AUTHORIZED REPRESENTATIVE

Pursuant to 10 C.F.R. § 590.103(b) (2014), I, Vincent DeVito, hereby certify that I am a duly authorized representative of Northeast Energy Solutions, and that I am authorized to sign and file with the Department of Energy, Office of Fossil Energy, on behalf of the Northeast Energy Solutions, the foregoing document and in the above-captioned proceeding.

Dated at Boston, MA, this 15th day of June, 2015.



Vincent DeVito, Esq.
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Washington, DC 20001
vdevito@bowditch.com
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**UNITED STATES OF AMERICA
BEFORE THE
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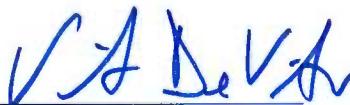
FE Docket 15-14-NG

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon on the applicant and on DOE/FE for inclusion in the FE docket in the proceeding in accordance with 10 C.F.R. § 590.107(b).

Dated at Boston, MA, this 15th day of June, 2015

By: _____



Vincent DeVito, Esq.
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