

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

EXCELERATE LIQUEFACTION SOLUTIONS I, LLC) FE DOCKET NO. 12-61-LNG
) FE DOCKET NO. 12-146-LNG
)

ORDER VACATING LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS TO FREE TRADE AGREEMENT NATIONS, AND NOTICE OF WITHDRAWAL OF APPLICATION REQUESTING LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS TO NON-FREE TRADE AGREEMENT NATIONS

DOE/FE ORDER NO. 3128-A

On May 25, 2012, Excelerate Liquefaction Solutions I, LLC (ELS) filed an application (Application) with the Office of Fossil Energy (FE) of the Department of Energy (DOE) in FE Docket No. 12-61-LNG requesting long-term, multi-contract authorization to export liquefied natural gas (LNG) produced from domestic sources by vessel from the proposed ELS LNG Terminal, to be constructed and operated in Calhoun County, Texas, to any country with which the United States currently has, or in the future will have, a free trade agreement (FTA) requiring national treatment for

trade in natural gas, and with which trade is not prohibited by U.S. law or policy (FTA countries).¹ On August 9, 2012, DOE/FE granted ELS's Application in DOE/FE Order No. 3128.²

Additionally, on October 5, 2012, ELS filed an Application (non-FTA Application) in FE Docket No. 12-146-LNG requesting long-term, multi-contract authorization to export LNG produced from domestic sources by vessel from the proposed ELS LNG Terminal to any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries). Together under both Applications, ELS sought to export LNG in a cumulative volume of 1.38 billion cubic feet per day of natural gas to both FTA and non-FTA countries, for a term of 20 years, on its own behalf and as agent for other entities who hold title to the LNG at the time of export. The non-FTA Application remains pending in FE Docket No. 12-146-LNG.

On September 2, 2015, ELS submitted a letter filing requesting that DOE/FE both: (i) vacate the FTA export authorization in DOE/FE Order No. 3128, and (ii) withdraw the pending non-FTA Application in FE Docket No. 12-146-LNG (Request).³ In support of that Request, ELS states that it will no longer pursue efforts to export LNG under DOE/FE Order No. 3128 or as contemplated under its pending non-FTA Application.

We find good cause to grant ELS's Request in both respects. Therefore, DOE/FE Order No. 3128 is hereby vacated, and we give notice that ELS's pending non-FTA Application in FE

¹ The United States currently has FTAs requiring national treatment for trade in natural gas with Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore. FTAs with Israel and Costa Rica do not require national treatment for trade in natural gas.

² *Excelsior Liquefaction Solutions I, LLC*, DOE/FE Order No. 3128, FE Docket No. 12-61-LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel to Free Trade Agreement Nations (Aug. 9, 2012).

³ Letter from Thomas E. Holmberg, Counsel for ELS, to John Anderson, DOE/FE, FE Docket Nos. 12-61-LNG and 12-146-LNG (Sept. 2, 2015).

Docket No. 12-146-LNG is withdrawn pursuant to 10 C.F.R. 590.204(c).

Issued in Washington, D.C., on October 13, 2015.

A handwritten signature in black ink, appearing to read "John A. Anderson", written over a horizontal line.

John A. Anderson
Director, Office of Regulation and International Engagement
Office of Oil and Natural Gas