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VIA HAND DELIVERY

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

RE: *American LNG Marketing LLC*, Docket No. 16- 33 - LNG
Application for Blanket Authorization to Export Liquefied Natural Gas

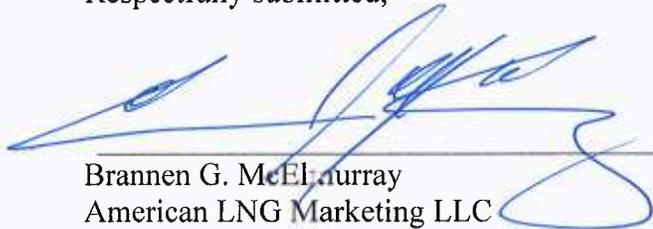
Dear Mr. Anderson:

American LNG Marketing LLC (“American LNG”) seeks authorization for itself or as agent for others under Section 3 of the Natural Gas Act to export up to 6.04 billion cubic feet of natural gas per year as liquefied natural gas (“LNG”) from domestic resources over a two-year period beginning on May 1, 2016. American LNG is seeking authority to export LNG (1) to any country with which the United States has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas and (2) to any country with which the United States does not have a free trade agreement requiring national treatment for trade in natural gas, which currently has or in the future develops the capacity to import LNG and with which trade is not prohibited by United States law or policy.

American LNG’s application is subject to a categorical exclusion from an environmental review. As such, American LNG requests that the Office of Fossil Energy promptly issue the requested authorizations pursuant to the revised procedures for processing export applications.

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. Please contact the undersigned at (212) 515-4644 if you have any questions regarding this filing.

Respectfully submitted,



Brannen G. McElhurray
American LNG Marketing LLC
1345 Avenue of the Americas
New York, New York 10105

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

In The Matter Of:

American LNG Marketing LLC

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Docket No. 16-___-LNG

**APPLICATION OF AMERICAN LNG MARKETING LLC
FOR BLANKET AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS**

Pursuant to Section 3 of the Natural Gas Act (“NGA”),¹ and Part 590 of the Department of Energy’s (“DOE”) regulations,² American LNG Marketing LLC (“American LNG”) hereby requests that DOE, Office of Fossil Energy (“DOE/FE”) issue an order granting blanket authorization for American LNG to engage in short-term exports of liquefied natural gas (“LNG”), from a natural gas liquefaction facility located near Medley, Florida (“Hialeah Facility”). American LNG is herein seeking authorization to export volumes in an amount up to 6.04 billion cubic feet (“Bcf”) cumulatively over a two-year period commencing on May 1, 2016 to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy.

In support of its application, American LNG states as follows:

I.
DESCRIPTION OF THE APPLICANT

The exact legal name of the applicant is American LNG Marketing LLC, which is a limited liability company formed under the laws of Delaware with its principal place of business at 1345 Avenue of the Americas, New York, New York, 10105. American LNG is in the business of marketing liquefied natural gas in and outside the United States. American LNG is controlled by Fortress Equity Partners (A) LP (“FEP”), which is a limited partnership formed

¹ 15 U.S.C. § 717b (2012).

² 10 C.F.R. Part 590 (2015).

under the laws of Delaware and sponsored by entities related to Fortress Investment Group LLC (“Fortress”). Fortress (NYSE: “FIG”) is a leading, highly diversified global investment management firm with approximately \$70.5 billion of assets under management as of December 31, 2015. Fortress’s primary business is to sponsor the formation of, and provide investment management services for, various investment funds and companies, including related managed accounts.

An affiliate of American LNG, LNG Holdings (Florida) LLC (“LNG Holdings”), has constructed and will own and operate the Hialeah Facility. LNG Holdings is a limited liability company formed under the laws of Delaware with its principal place of business at 1345 Avenue of the Americas, New York, New York, 10105. LNG Holdings is a special purpose entity whose primary business is to construct, own, and operate the Hialeah Facility. LNG Holdings is controlled by FEP.

II. **COMMUNICATIONS AND CORRESPONDENCE**

All communications and correspondence regarding this Application should be directed to the following persons:

Brannen G. McElmurray
American LNG Marketing LLC
1345 Avenue of the Americas
New York, New York 10105
Phone: 212-515-4644
Email: bmcelmurray@fortress.com

John S. Decker
Vinson & Elkins L.L.P.
2200 Pennsylvania Avenue, NW
Suite 500 West
Washington, DC 20037
Phone: 202-639-6599
Email: jdecker@velaw.com

Pursuant to Section 590.103(b) of DOE's regulations,³ American LNG hereby certifies that the persons listed above and the undersigned are the duly authorized representatives of American LNG.

III. BACKGROUND

To date, DOE/FE has issued two final orders under NGA Section 3 authorizing American LNG to export LNG from the Hialeah Facility.⁴ In this regard, American LNG is currently authorized to export up to the equivalent of 3.02 Bcf per year of natural gas, for a twenty-year term, to Free Trade Agreement Nations and Non-Free Trade Agreement Nations. The Hialeah Facility was placed in limited service in January 2016, and the first export of LNG occurred on February 5, 2016.

IV. AUTHORIZATION REQUESTED

In anticipation of the start of commercial operations at the Hialeah Facility, American LNG is requesting blanket authorization to engage in short-term exports of LNG if and when appropriate market opportunities arise. American LNG requests such blanket authorization to export volumes in an amount up to 6.04 Bcf cumulatively over a two-year period commencing May 1, 2016 to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy. The export volumes for which authorization is being sought are the same volumes authorized in the Export Orders. The volumes are not additive.

³ *Id.* § 590.103(b).

⁴ *American LNG Marketing LLC*, DOE/FE Order No. 3601, FE Docket No. 14-209-LNG (Mar. 18, 2015); *American LNG Marketing LLC*, DOE/FE Order No. 3690, FE Docket No. 14-209-LNG (Aug. 7, 2015) (collectively, the "Export Orders").

American LNG is requesting this authorization both on its behalf and as agent for other parties who themselves will hold title to the LNG at the time of export pursuant to short-term sale and purchase agreements with American LNG. American LNG will comply with all DOE/FE requirements for exports and agents, including the registration requirements. When acting as agent, American LNG will register with the DOE/FE each LNG title holder for which American LNG seeks to export LNG as agent. American LNG will provide the DOE/FE with registration materials that include an acknowledgement and agreement by the LNG title holder to supply information necessary to permit American LNG to register that person or entity with DOE/FE, including (i) the LNG title holder's agreement to comply with any order issued by DOE/FE pursuant to this Application and all applicable requirements of DOE's regulations at 10 C.F.R. Part 590, including but not limited to destination restrictions; (ii) the exact legal name of the LNG title holder, state/location of incorporation/registration, primary place of doing business, and the LNG title holder's ownership structure, including the ultimate parent entity if the registrant is a subsidiary or affiliate of another entity; (iii) the name, title, mailing address, e-mail address, and telephone number of a corporate officer or employee of the LNG title holder to whom inquiries may be directed; and (iv) within 30 days of execution, a copy, filed with DOE/FE of any long-term contracts, not previously filed with DOE/FE, including both a non-redacted copy for filing under seal and either (x) a redacted version of the contract or (y) major provisions of the contract, for public posting.⁵

⁵ See, e.g., *Dominion Cove Point LNG, LP*, DOE/FE Order No. 3331 (Sept. 11, 2013).

V.
PUBLIC INTEREST

A. Standard of Review

Under Section 3 of the NGA, DOE/FE must authorize exports to a foreign country unless there is a finding that such exports “will not be consistent with the public interest.”⁶ Section 3 thus creates a statutory presumption in favor of approving this application, which opponents bear the burden of overcoming.⁷ Further, the public interest determination is guided by DOE Delegation Order No. 0204-111 (which provides that domestic need for natural gas is the principal factor to be considered when evaluating an export application) and by the Secretary’s natural gas policy guidelines.⁸ As explained below, the blanket authorization to export on a short-term blanket basis meets the public interest standard and is consistent with Section 3 of the NGA and DOE/FE policy.

DOE/FE undertook an extensive public interest analysis of these same export volumes in granting American LNG’s request for long-term multi contract export authorization from the Hialeah Facility.⁹ Granting the short-term blanket export authorization as requested herein would merely provide American LNG with enhanced flexibility to respond to market conditions.

B. There is No Domestic Need for the LNG to be Exported by American LNG

In granting recent applications for short-term blanket export authorization, DOE/FE has taken administrative notice of publicly-available natural gas supply and demand forecasts by the U.S. Energy Information Administration (“EIA”) to conclude:

⁶ 15 U.S.C. 717b.

⁷ In *Panhandle Producers & Royalty Owners Ass’n 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 *Indep. Petroleum Ass’n v. ERA*, 870 F.2d 168, 172 (5th Cir. 1989); *Panhandle Producers and Royalty Owners Ass’n v. ERA*, 847 F.2d 1168, 1176 (5th Cir. 1988).

⁸ See *New Policy Guidelines and Delegation Orders From Secretary of Energy to Economic Regulatory Administration and Federal Energy Regulatory Commission Relating to the Regulation of Imported Natural Gas*, 49 Fed. Reg. 6,684 (Feb. 22, 1984).

⁹ See *Export Orders, supra*, note 4.

Inasmuch as domestic natural gas production levels are projected to reach an amount that well exceeds the amount of natural gas proposed for short-term export in [the] Application, we find 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 [the applicant] seeks to export.¹⁰

The most recent EIA projections confirm the adequacy of domestic natural gas supplies to meet demand during the two-year term for which American LNG seeks blanket export authorization. Specifically, the EIA's *Annual Energy Outlook 2015* projected that total domestic dry natural gas production would increase by 4.76 trillion cubic feet ("Tcf") per year between 2012 and 2020 (from 24.06 to 28.82 Tcf per year), while total domestic natural gas consumption would only increase by 0.61 Tcf per year during the same time period (from 25.53 to 26.14 Tcf per year).¹¹ As such, the requested export authorization is consistent with the public interest.

VI. **ENVIRONMENTAL IMPACT**

No changes to the Hialeah Facility would be required for the short-term exports for which blanket authorization is requested herein. Therefore, consistent with DOE/FE precedent, granting this application would be categorically excluded from National Environmental Policy Act review.¹²

¹⁰ *ConocoPhillips Co.*, DOE/FE Order No. 3754 at 6, FE Docket No. 15-130-LNG (Dec. 16, 2015) ("ConocoPhillips 2015 Blanket Order"); *Eni USA Gas Marketing LLC*, DOE/FE Order No. 3628 at 7, FE Docket No. 15-13-LNG (Apr. 23, 2015) ("Eni USA 2015 Blanket Order"); *Sempra LNG Marketing, LLC*, DOE/FE Order No. 3587 at 6-7, FE Docket No. 14-177-LNG (Jan. 30, 2015) ("Sempra 2015 Blanket Order"); *Chevron U.S.A. Inc.*, DOE/FE Order No. 3567 at 6, FE Docket No. 14-119-LNG (Dec. 22, 2014) ("Chevron 2014 Blanket Order"). See also *Cheniere Marketing, LLC*, DOE/FE Order No. 3442 at 6-7, FE Docket No. 14-31-LNG (June 6, 2014) ("CMI 2014 Blanket Order").

¹¹ EIA, *Annual Energy Outlook 2015 with Projections to 2040*, (Table A13) A-27 (Apr. 2015), available at [http://www.eia.gov/forecasts/aeo/pdf/0383\(2015\).pdf](http://www.eia.gov/forecasts/aeo/pdf/0383(2015).pdf).

¹² See, e.g., *ConocoPhillips 2015 Blanket Order*, *supra* note 10, at 6; *Eni USA 2015 Blanket Order*, *supra* note 10, at 8-9; *Sempra 2015 Blanket Order*, *supra* note 10, at 7; *Chevron 2014 Blanket Order*, *supra* note 10, at 6-7; *CMI 2014 Blanket Order*, *supra* note 10, at 8.

VII.
APPENDICES

The following appendices are attached hereto and incorporated by reference herein:

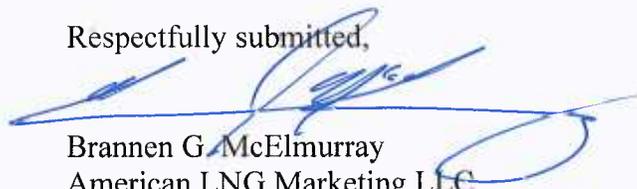
Appendix A: Verification
Appendix B: Opinion of Counsel

VIII.
CONCLUSION

WHEREFORE, for the reasons set forth above, American LNG respectfully requests that DOE/FE grant its request for blanket authorization, as discussed herein, to enable it to export LNG on a short-term basis in an amount up to 6.04 Bcf cumulatively over a two-year period commencing on May 1, 2016 from the Hialeah Facility to any country with the ability to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy. American LNG respectfully requests that DOE/FE grant such authorization as expeditiously as possible but in any event no later than April 30, 2016.

As demonstrated herein, the authorization requested is not inconsistent with the public interest and, accordingly, should be granted pursuant to Section 3 of the NGA.

Respectfully submitted,



Brannen G. McElmurray
American LNG Marketing LLC
1345 Avenue of the Americas
New York, New York 10105
Dated: March 7, 2016

APPENDIX A

VERIFICATION

County of New York

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State of New York

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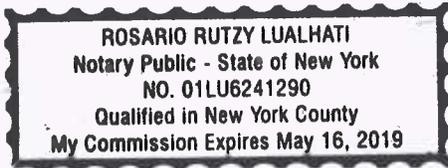
BEFORE ME, the undersigned authority, Brannen G. McElmurray, on this day personally appeared, who, having been by me first duly sworn, on oath says that he is duly authorized to make this Verification on behalf of American LNG Marketing LLC; that he has read the foregoing instrument and that the facts therein stated are true and correct to the best of his knowledge, information and belief.



SWORN TO AND SUBSCRIBED before me on the 7th day of March, 2016.

Rosario Rutzy Lualhati

Notary Public



APPENDIX B

March 7, 2016

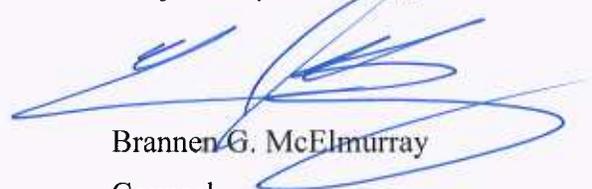
Office for Oil and Gas Global Security and Supply
U.S. Department of Energy, Office of Fossil Energy
FE-34
1000 Independence Avenue, S.W.
Washington, D.C. 20585

**Re: In the Matter of American LNG Marketing LLC
FE Docket No. 16___-LNG
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 regulations of the U.S. Department of Energy, 10 C.F.R. § 590.202(c) (2014). The undersigned is counsel to American LNG Marketing LLC. I have reviewed the corporate documents of American LNG Marketing LLC and it is my opinion that the proposed export of natural gas as described in the application filed by American LNG Marketing LLC to which this Opinion of Counsel is attached as Appendix B, is within the limited liability company powers of American LNG Marketing LLC.

Respectfully submitted,



Brannen G. McElmurray
Counsel