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August 31, 2018

U.S. Department of Energy, Office of Electricity
1000 Independence Avenue SW
Washington, DC 20585-0350
Electricity.Exports@hq.doe.gov

OE Docket No. EA-459

Motion to Intervene and Protest of Public Citizen, Inc.

Public Citizen, Inc. submits this motion to intervene and protest in OE Docket No. EA-459.

Public Citizen is an incorporated not-for-profit research and advocacy organization representing the interests of household consumers in energy market regulation matters. We have more than 400,000 members and supporters across the United States. Public Citizen is an active participant in dozens of active dockets at the Federal Energy Regulatory Commission, and Public Citizen's Energy Program Director Tyson Slocum serves on two federal advisory committees for the U.S. Commodity Futures Trading Commission.¹

Public Citizen protests the application of Mercuria Energy America, Inc. for authorization to export electricity because the application is incomplete.

The *beneficial owners organizational chart* listed in Appendix A (dated January 19, 2018) of the Mercuria application does not reflect the recent increase in the ownership stake by ChemChina, a corporation controlled by a foreign government.

Appendix A of the Mercuria application shows CCPC (Hong Kong) Limited with a 12% ownership stake in Mercuria Energy Group Holding Ltd, bestowing voting rights for CCPC.

CCPC is more commonly known as ChemChina, a corporation controlled by the national government of the People's Republic of China.

In April 2018, ChemChina and Mercuria reached an agreement to increase ChemChina's ownership stake from 12% to an undetermined number.² As a result, Mercuria's application to export electricity fails to reflect the current *beneficial owners organizational chart* revealing ChemChina's increased voting share.

¹ Mr. Slocum serves on the Energy and Environmental Markets Advisory Committee, and on the Market Risk Advisory Committee.

² www.reuters.com/article/us-mercuria-china-chemical/mercuria-agrees-to-take-stake-in-chemchinas-oil-refining-system-sources-idUSKBN1HLOXT

Furthermore, in June 2018 it was announced that ChemChina is merging with Sinochem, another corporation controlled by the national government of the People's Republic of China.³ It is unclear how this merger impacts ChemChina's voting rights in Mercuria.

Mercuria's application to export electricity in OE Docket No. EA-459 should be considered incomplete until an accurate figure reflecting the voting rights of ChemChina or other agents of the national government of the People's Republic of China is provided in a revised application.

Respectfully submitted,

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³ www.reuters.com/article/us-chemchina-m-a-sinochem/chinas-chemchina-sinochem-set-to-merge-caixin-idUSKBN1JQ0PJ

Troy, Angela (CONTR)

From: Tyson Slocum <tslocum@citizen.org>
Sent: Friday, August 31, 2018 7:58 AM
To: Electricity.Exports; ccromarty@mercuria.com; mgreenberg@mercuria.com
Subject: Protest in OE Docket No. EA-459
Attachments: Mercuria.doc

Public Citizen protests the application of Mercuria Energy America, Inc. for authorization to export electricity because the application is incomplete. The protest is attached.

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