

treatment for trade in natural gas (FTA countries), pursuant to NGA section 3(c),³ and

- Under DOE/FE Order No. 4491, as amended,⁴ to any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries), pursuant to NGA section 3(a).⁵

On March 22, 2021, Annova submitted a request for DOE/FE to vacate both of these orders (Request).⁶ In support of this Request, Annova states that, due to changes in the global LNG market, Annova has discontinued its proposed LNG export facility and, therefore, “does not intend to make any exports” pursuant to its authorizations.⁷

Additionally, we take administrative notice that, on April 15, 2021, the Federal Energy Regulatory Commission (FERC) vacated Annova’s authorization to site, construct, and operate the Project, at Annova’s request.⁸

Accordingly, DOE/FE grants Annova’s request to vacate Order No. 3394, as amended, pursuant to NGA section 3(c). DOE/FE further finds good cause to vacate Order No. 4491, as amended, pursuant to NGA section 3(a). Both orders are vacated, effective immediately.

Issued in Washington, D.C., on April 23, 2021.

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³ 15 U.S.C. § 717b(c). 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.

⁴ *Annova LNG Common Infrastructure, LLC*, DOE/FE Order No. 4491, FE Docket No. 19-34-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Feb. 10, 2020), *amended by* DOE/FE Order No. 4491-A (Dec. 30, 2020) (extending export term).

⁵ 15 U.S.C. § 717b(a).

⁶ *Annova LNG Common Infrastructure, LLC*, Request to Vacate FTA and Non-FTA Authorizations, FE Docket Nos. 13-140-LNG and 19-34-LNG (Mar. 22, 2021) [hereinafter Request]; *see also* Email from Brett Snyder, Counsel for Annova, to DOE/FE, FE Docket Nos. 13-140-LNG and 19-34-LNG (Mar. 26, 2021) (confirming effective date).

⁷ Request at 2.

⁸ *Annova LNG Common Infrastructure, LLC*, Order Vacating Authorization, 175 FERC ¶ 61,030 (Apr. 15, 2021); *see also* Request at 2.