



Department of Energy  
Washington, DC 20585

December 16, 2021

**By Certified Mail**

David P. Smith, President  
Alturas LLC  
2355 Main Street, Suite 210  
Irvine, CA 92614

**RE: Notice of Dismissal of Pending Application**  
**Docket No. 14-55-LNG**

Dear Mr. Smith:

On April 18, 2014, Alturas LLC (Alturas) submitted an application (Application)<sup>1</sup> to the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management<sup>2</sup> requesting long-term authorization to export liquefied natural gas (LNG) to free trade agreement countries under section 3(c) of the Natural Gas Act.<sup>3</sup>

On August 19, 2021, we sent to you by certified mail a "Notice of Deficiency of Pending Application" (Notice).<sup>4</sup> In the Notice, DOE observed that Alturas's then-counsel had withdrawn from representing Alturas effective July 8, 2021, citing the inability to secure a company point of contact.<sup>5</sup> DOE asked Alturas to "amend the Application to provide new points of contact for the official DOE service list, a new signed opinion of legal counsel, and any other updates to the material facts or conditions upon which the Application is based."<sup>6</sup> DOE stated that, until Alturas submits this information in writing, the Application would be deemed deficient.<sup>7</sup>

---

<sup>1</sup> Alturas LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement Countries, Docket No. 14-55-LNG (Apr. 18, 2014).

<sup>2</sup> On July 4, 2021, DOE's Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management.

<sup>3</sup> 15 U.S.C. § 717b(c).

<sup>4</sup> U.S. Dep't of Energy, Notice of Deficiency of Pending Application, Docket No. 14-55-LNG (Aug. 19, 2021), available at: <https://www.energy.gov/sites/default/files/2021-08/Alturas%20Letter%20-%20DOE.pdf>. DOE's attempts to contact you (as Alturas's listed contact) through other means were not successful.

<sup>5</sup> Notice of Withdrawal of Counsel, Docket No. 14-55-LNG (July 8, 2021), available at: <https://www.energy.gov/sites/default/files/2021-07/Alturas%20Withdrawal%20of%20Counsel%20July%202021.pdf>.

<sup>6</sup> Notice of Deficiency of Pending Application, at 1 (citing 10 C.F.R. §§ 590.202, 590.204(a)).

<sup>7</sup> See *id.*

Further, DOE stated that, “[i]f DOE does not receive the requested information within 30 days [*i.e.*, by Monday, September 20, 2021], DOE will dismiss the Application without prejudice to Alturas filing a new application in the future.”<sup>8</sup>

At this time—more than 45 days after the 30-day deadline—Alturas has not responded to the Notice or contacted DOE. Additionally, we note that Alturas has not filed anything in the docket in nearly six years—since December 18, 2015.<sup>9</sup> Based on Alturas’s lack of action in remedying the deficient Application or otherwise seeking to communicate with DOE regarding this matter, DOE concludes that Alturas is no longer interested in pursuing the Application.

Accordingly, pursuant to 10 C.F.R. § 590.203, Alturas’s pending Application in Docket No. 14-55-LNG is dismissed. This dismissal is without prejudice to Alturas filing a new export application in the future.<sup>10</sup>

If you have any questions, please contact me at [amy.sweeney@hq.doe.gov](mailto:amy.sweeney@hq.doe.gov) or Jennifer Wade at [jennifer.wade@hq.doe.gov](mailto:jennifer.wade@hq.doe.gov).

Sincerely,

Amy R. Sweeney  
Director, Office of Regulation, Analysis, and Engagement  
Office of Resource Sustainability

---

<sup>8</sup> *Id.* at 2.

<sup>9</sup> See Alturas LLC, Docket 14-55-LNG, available at: <https://www.energy.gov/fecm/articles/alturas-llc-fe-dkt-no-14-55-lng-fta>.

<sup>10</sup> 10 C.F.R. § 590.203.