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UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

New Fortress Energy Louisiana FLNG LLC

Docket No. 22-39-LNG

Motion to Intervene and Protest of Public Citizen, Inc.

Established in 1971, Public Citizen, Inc. is a national, not-for-profit, non-partisan, research and advocacy organization representing the interests of household consumers. Public Citizen is active before the Federal Energy Regulatory Commission promoting just and reasonable rates, and supporting efforts for utilities to be accountable to the public interest. We frequently intervene in U.S. Department of Energy proceedings involving the export of electricity and natural gas. Our Energy Program Director is an expert on energy market regulatory matters, serving on two federal advisory committees of the U.S. Commodity Futures Trading Commission (the Energy and Environmental Markets and Market Risk advisory committees), and is frequently asked by Congress to testify on matters related to natural gas exports. Financial details of our operations are available at our website.¹

Public Citizen has an interest in any proceeding involving the export of natural gas, as unprecedented volumes of such exports are directly causing record high domestic natural gas prices, resulting in tens of millions of American families to endure sustained energy poverty hardship. We therefore move to intervene in this proceeding.

We protest two aspects of the application. First, the Description of Applicant section omits material information about the upstream ownership of the applicant and New Fortress Energy. The application claims at page 2 that “Applicant was formed for the purpose of developing and owning the Project and is a wholly owned subsidiary of New Fortress Energy Inc., a Nasdaq listed company”.

The 10-k annual report that New Fortress filed with the U.S. Securities and Exchange Commission on March 1, 2022 has a section titled: We are a “controlled company” within the meaning of Nasdaq rules:

Affiliates of certain entities controlled by Wesley R. Edens, Randal A. Nardone and affiliates of Fortress Investment Group LLC (“Founder Entities”) hold a majority of the voting power of our [New Fortress Energy] stock.²

The application therefore omits that it is controlled by and affiliated with Fortress Investment Group LLC.

¹ www.citizen.org/about/annual-report/

² www.sec.gov/ix?doc=/Archives/edgar/data/1749723/000114036122007364/brhc10034476_10k.htm

In 2017, Fortress Investment Group LLC was acquired by SoftBank Group Corp., a financial holding company based in Minato City, Tokyo, Japan.³ Which means that the applicant is ultimately majority-owned and controlled by the SoftBank Group Corp. This material omission of its upstream ownership requires a formal amendment to the application.

Second, the application is not in the public interest because the proposed level of exports to non-Free Trade Agreement nations will exacerbate current trends of record domestic prices for American families. Record LNG exports have radically upended domestic natural gas markets, directly leading to record price spikes for American families and greater energy poverty burdens for low-income households and communities of color. Authorizing additional exports when the U.S. economy cannot handle existing export volumes is not in the public interest. The application pretends as though the current natural gas pricing crisis in the United States does not exist, and fails to even mention the direct impact that today's record LNG exports have in dictating prices for American consumers. We therefore ask the Department of Energy to reject the application to export LNG to non-FTA nations.

Respectfully submitted,

Tyson Slocum

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³ At page 6, www.sec.gov/ix?doc=/Archives/edgar/data/1590364/000159036422000002/ftai-20211231.htm

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the applicant and intervenors for this docketed proceeding in accordance with 10 CFR § 590.107(b). Dated at Washington, DC this 11th day of July 2022.

Signed,

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