RECEIVED By Docket Room at 3:35 pm, Sep 30, 2022

LATHAM & WATKINS LLP

September 30, 2022

By Electronic Mail

U.S. Department of Energy Office of Fossil Energy and Carbon Management Office of Regulation, Analysis, and Engagement fergas@hq.doe.gov 1000 Independence Avenue, S.W. Washington, D.C. 20585 555 Eleventh Street, N.W., Suite 1000 Washington, D.C. 20004-1304 Tel: +1.202.637.2200 Fax: +1.202.637.2201 www.lw.com

FIRM / AFFILIATE OFFICES Beijing Moscow Boston Munich New York Brussels Century City Orange County Paris Chicago Dubai Riyadh San Diego Düsseldorf Frankfurt San Francisco Hamburg Seoul Hong Kong Shanghai Houston Silicon Valley London Singapore Los Angeles Tokyo Washington, D.C. Madrid Milan

Attention: Venture Global Plaquemines LNG, LLC FE Docket No. 16-28-LNG Order Nos. 4446 and 3866 – Semi-annual Status Report

Dear Sirs & Madams:

Venture Global Plaquemines LNG, LLC ("Plaquemines LNG") hereby submits to the Department of Energy, Office of Fossil Energy and Carbon Management ("DOE/FECM") this semi-annual status report in compliance with: (1) ordering paragraph M of Order No. 4446 issued in FE Docket No. 16-28-LNG on October 16, 2019, which granted long-term, multi-contract authorization to export liquefied natural gas ("LNG") to Non-Free Trade Agreement ("non-FTA") nations and (2) ordering paragraph J of Order No. 3866 issued in the same docket on July 21, 2016, which authorized LNG exports to Free-Trade Agreement ("FTA") countries.

a) Progress of the Project:

- The Federal Energy Regulatory Commission ("FERC") issued its "Order Granting Authorizations Under Sections 3 and 7 of the Natural Gas Act" for the Plaquemines LNG Project, and the related Gator Express pipeline project, on September 30, 2019.¹ No requests for rehearing were filed.
- The DOE/FECM issued its Order No. 4446, "Opinion and Order Granting Long-term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations" for Plaquemines LNG on October 16, 2019. No requests for rehearing were filed.
- On August 12, 2020, Plaquemines LNG submitted to DOE/FECM an application, requesting extension of the term in its long-term export authorizations, pursuant to DOE/FECM's final

¹ Venture Global Plaquemines LNG, LLC and Venture Global Gator Express, LLC, 168 FERC ¶ 61,204 (2019) (the "FERC Order").

LATHAM & WATKINS LLP

policy statement issued on July 29, 2020, entitled "Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050." On October 21, 2020, DOE/FECM granted that request, amending DOE/FECM Order Nos. 3866 and 4446 to extend the export term in each authorization through December 31, 2050 (inclusive of any make-up period).

- On December 18, 2020, DOE/FECM issued a Policy Statement establishing a practice that certain long-term authorizations to export domestically produced natural gas include additional authority to export the same approved volume pursuant to transactions with terms of less than two years on a non-additive basis (including non-additive commissioning volumes). DOE concurrently issued a blanket order, Order No. 4641, amending Plaquemines LNG's existing long-term authorizations (as well as others) to add short-term export authority, including for commissioning volumes.
- Plaquemines LNG commenced construction of the Export Terminal on August 18, 2021, and is now proceeding with construction so as to commence operations as quickly as feasible. Since issuance of the FERC Order, Plaguemines LNG has submitted over 40 implementation plan filings requesting various authorizations from FERC Staff and demonstrating compliance with the applicable conditions in the FERC Order. FERC Staff has authorized activities such as additional site preparation; installation of the piles and jackets that will support (1) the levee crossing, the pipe manifold and (2) the pipeway modules and pipeway crossovers for the Marine Terminal; installation of piles for the East/West Interconnecting Pipe Rack Modules; installation of the piles, pile cap foundations, and pedestals for the Gas Insulated Switchgear; installation of piles in the Power Island Area for the North/South Pipe Rack Module; installation of piles in the Power Island Area for the North/South Pipe Rack Module; and installation of piles in the Power Island Area for the Heat Recovery Steam Generator Finger Racks. Additional requested notices to proceed are pending, and Plaguemines LNG will proceed with each of the planned activities as authorization from FERC Staff is received. In accordance with the FERC Order. Plaquemines LNG files in FERC Docket No. CP17-66-000 monthly reports, summarizing its implementation filings, the status of those filings, Project permitting status, and other matters. The most recent monthly report was filed on September 12, 2022, and is available on FERC's e-Library as Accession No. 20220912-5100.
- On May 25, 2022, Venture Global LNG, Inc. announced its final investment decision and the closing of the project financing for the initial 13.33 million metric tonnes per annum ("mtpa") phase of the Plaquemines LNG Project (and the affiliated Gator Express Pipeline). The lender group providing debt for the \$13.2 billion construction financing includes many of the world's leading Asian, European, and North American project finance banks.²
- On March 11, 2022, Plaquemines LNG submitted to DOE/FECM an application for a limited amendment to its existing long-term, multi-contract authorizations, requesting that its authorized volumes for exports to both FTA and non-FTA nations be increased from 1,240 billion cubic feet ("Bcf") per year to 1,405.33 Bcf per year. The increase reflects a refined

² See Press Release, Venture Global Announces Final Investment Decision and Financial Close for Plaquemines LNG, May 25, 2022, available at: <u>https://venturegloballng.com/press/venture-global-</u> announces-final-investment-decision-and-financial-close-for-plaquemines-lng/.

analysis of the peak liquefaction capacity of the already authorized facilities under optimal circumstances (with no new construction or modification of those facilities), as detailed in an application with FERC that was also submitted on March 11, 2022, and is now pending in FERC Docket No. CP22-92. On June 13, 2022, DOE/FECM granted Plaquemines LNG's requested amendment to the authorized volumes with respect to exports to FTA countries. On August 26, 2022, FERC issued a Notice of Schedule that provides for the Environmental Assessment for the amendment to be issued by January 6, 2023.

b) Date the Project is expected to be operational:

• Plaquemines LNG currently anticipates that it will begin a phased operational start-up of its Project with the first export of LNG targeted by the end of 2024 and the commencement of commercial operations in approximately mid-2025.

c) Status of the long-term contracts associated with the long-term export of LNG and any long-term supply contracts:

- Plaquemines LNG has entered into 10 binding, long-term LNG Sales and Purchase Agreements for a total of 17.75 mtpa of the Project's nameplate capacity (inclusive of the recent agreements described below), as well as a binding, long-term LNG Sales and Purchase Agreements for the available annual quantities in excess of the nameplate capacity. Plaquemines LNG has submitted to DOE/FECM full and non-redacted copies of each of these agreements on a confidential basis, along with public summaries of the material terms of the agreements. The long-term offtake agreements entered into since Plaquemines LNG's previous semi-annual report are summarized below.
- On May 10, 2022, Plaquemines LNG submitted to DOE/FECM on a confidential basis a long-term LNG off-take agreement entered into with ExxonMobil LNG Asia Pacific, a registered business name of ExxonMobil Asia Pacific Pte. Ltd. ("Exxon"), dated as of April 29, 2022, along with a summary for public posting of the major non-proprietary provisions of such agreement. The Exxon agreement is an LNG Sales and Purchase Agreement (FOB) for fifty-two million (52,000,000) Metric Million British Thermal Units ("MMBtu"), or approximately 1 mtpa, for a primary term of twenty (20) years.
- On May 19, 2022, Plaquemines LNG submitted to DOE/FECM on a confidential basis a long-term LNG off-take agreement entered into with Petronas LNG Ltd. ("Petronas"), dated as of April 29, 2022, along with a summary for public posting of the major non-proprietary provisions of such agreement. The Petronas agreement is an LNG Sales and Purchase Agreement (FOB) for fifty-one million (51,000,000) MMBtu, or approximately 1 mtpa, for a primary term of twenty (20) years.
- On June 23, 2022, Plaquemines LNG submitted to DOE/FECM on a confidential basis a longterm LNG off-take agreement entered into with EnBW Energie Baden-Württemberg AG ("EnBW"), dated as of June 10, 2022, along with a summary for public posting of the major non-proprietary provisions of such agreement. The EnBW agreement is an LNG Sales and

LATHAM & WATKINS LLP

Purchase Agreement (FOB) for thirty-nine million (39,000,000) MMBtu, or approximately 0.75 mtpa, for a primary term of twenty (20) years.

- On June 23, 2022, Plaquemines LNG submitted to DOE/FECM on a confidential basis a long-term LNG off-take agreement entered into with Chevron U.S.A. Inc. ("Chevron"), dated as of June 15, 2022, along with a summary for public posting of the major non-proprietary provisions of such agreement. The Chevron agreement is an LNG Sales and Purchase Agreement (FOB) for fifty-two million (52,000,000) MMBtu, or approximately 1 mtpa, for a primary term of twenty (20) years.
- Plaquemines LNG continues to negotiate with potential customers additional LNG Sales and Purchase Agreements for the export of LNG from the Project. Plaquemines LNG will file all long-term, binding contracts associated with the export of LNG from its facility within thirty days of execution, in accordance with the requirements of its DOE/FECM authorizations.
- Plaquemines LNG also has filed with DOE/FECM its long-term gas supply contracts, which also are confidential and have been submitted with a summary of the major, non-proprietary contract provisions for public posting. No new long-term gas supply contracts have been executed since Plaquemines LNG's previous semi-annual report.

We hope this update provides you with sufficient detail regarding the status of the Project in compliance with Order Nos. 4446 and 3866. Please feel free to contact the undersigned counsel for Plaquemines LNG if you have any questions or require additional information.

Sincerely,

/s/ J. Patrick Nevins

J. Patrick Nevins Carlos E. Clemente Latham & Watkins LLP <u>Patrick.Nevins@LW.com</u> Carlos.Clemente@LW.com D (202) 637-3363 D (202) 637-2269

Counsel to Venture Global Plaquemines LNG, LLC