

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

_____)
EAP OHIO, LLC)
_____)
_____)

DOCKET NO. 21-103-NG
DOCKET NO. 20-158-NG

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT AND EXPORT NATURAL GAS FROM AND TO CANADA, AND
VACATING PRIOR BLANKET AUTHORIZATION

DOE/FECM ORDER NOS. 4889 AND 4648-A

OCTOBER 7, 2022

I. DESCRIPTION OF REQUEST

On August 29, 2022, EAP Ohio, LLC (EAP Ohio) filed an application with the Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA)¹ for blanket authorization to import and export a combined total of 110 billion cubic feet (Bcf) of natural gas from and to Canada by pipeline. The applicant requests the authorization be granted for a two-year term that began on March 18, 2022.² EAP Ohio is a Delaware limited liability company with its principal place of business in Houston, Texas.

Previously, on January 11, 2021, DOE granted EAP Ohio authorization in DOE/FE Order No. 4648 to import and export a combined total of 54.75 Bcf of natural gas from and to Canada for a two-year term beginning on December 11, 2020, and extending through December 10, 2022.

On August 29, 2022, EAP Ohio requested that DOE vacate its existing authorization in DOE/FE Order No. 4648, effective on March 18, 2022.³

II. FINDING

The application has been evaluated to determine if the proposed import and export arrangements meet the public interest requirement of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under section 3(c), the import and export of natural gas, including liquefied natural gas (LNG), from and to a nation with which

¹ Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FECM in Redelegation Order No. S4-DEL-FE1-2022 issued on June 13, 2022. On July 4, 2021, the Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management.

² EAP Ohio's blanket authorization granted in DOE/FE Order No. 4648, extends through December 10, 2022. *See also* E-mail from Annette Satterwhite, Contract Administrator, Encino Energy/EAP Ohio, LLC, to DOE (Aug. 29, 2022) (requesting March 18, 2022, as the effective date).

³ *See* E-mail from Annette Satterwhite, Contract Administrator, Encino Energy/EAP Ohio, LLC to DOE (Aug. 29, 2022).

there is in effect a free trade agreement requiring national treatment for trade in natural gas and the import of LNG from other international sources are deemed to be consistent with the public interest, and applications for such imports and exports must be granted without modification or delay. The authorization sought by EAP Ohio to import and export natural gas from and to Canada, a nation with which a free trade agreement requiring national treatment for trade in natural gas is in effect, meets the section 3(c) criterion and, therefore, is consistent with the public interest. This Order authorizes transactions with terms of not greater than two years.

ORDER

Pursuant to section 3 of the NGA, it is ordered that:

A. EAP Ohio is authorized to import and export a combined total of 110 Bcf of natural gas from and to Canada, pursuant to transactions that have terms of not greater than two years. This authorization shall be effective for a two-year term that began on March 18, 2022, and extends through March 17, 2024.

B. This natural gas may be imported and exported by pipeline at any point on the border between the United States and Canada.

C. **Monthly Reports:** With respect to the natural gas imports and exports authorized by this Order, Sequent Energy Management shall file with the Office of Regulation, Analysis, and Engagement, within 30 days following the last day of each calendar month, a report on Form FE-746R indicating whether imports or exports of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports or exports have been made, a report of “no activity” for that month must be filed. If imports or exports of natural gas have occurred, the report must provide the information specified for each applicable activity and

mode of transportation, as set forth in the Guidelines for Filing Monthly Reports. These Guidelines are available at: <https://www.energy.gov/fecm/guidelines-filing-monthly-reports>.

(Approved by the Office of Management and Budget under OMB Control No. 1901-0294)

D. The first monthly report required by this Order is due not later than October 30, 2022, and should cover the reporting period from March 18, 2022, through September 30, 2022.

E. EAP Ohio's blanket authorization to import and export natural gas from and to Canada, granted in DOE/FE Order No. 4648 on January 11, 2021, is hereby vacated, effective March 18, 2022.

Issued in Washington, D.C., on October 7, 2022.

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