

From: [FERGAS](#)
To: [FERGAS](#); [Furdyna, Tim J.](#)
Cc: [Wochner, David L.](#); [Wade, Jennifer L.](#); [jbaguley@magnolia LNG.com](#); [kdoris@LNGlimited.com](#); [rhernandez@magnolia LNG.com](#); [david.wochner@klgates.com](#); [tim.furdyna@klgates.com](#); [tom.gosselin@sierraclub.org](#); [lisa.diaz@sierraclub.org](#); [nathan.Matthews@sierraclub.org](#); [dschryver@apga.org](#); [jgregg@mccarter.com](#); [wagner@api.org](#); [Cicio, Paul](#); [Naomi Yoder](#); ["james@labucketbrigade.org"](#); [vesselproject@gmail.com](#); [cindy@micah69mission.org](#)
Subject: RE: Magnolia LNG, LLC - Answer in Opposition to Motion to Intervene and Protest of Sierra Club et al, and Supplement to Request to Extend Commencement Deadline [KLG-USE_Active01.FID2224355]
Date: Tuesday, June 20, 2023 11:52:30 AM
Attachments: [image002.png](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hello,

FECM has reviewed this filing entitled, "Answer in Opposition to the Motion to Intervene and Protest of Sierra Club, *et al.*, and Supplement to Request to Extend Commencement Deadline," filed on May 30, 2023. We note that this filing is "clarifying that [Magnolia] is seeking an extension of 60 months (5 years), until November 30, 2028, to commence commercial operations" (pages 2, 21).

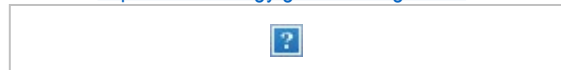
Specifically, in Magnolia's pending "Request for Limited Extension to Start Date of Term of Authorization" (Request) filed on March 20, 2023, Magnolia is seeking a commencement extension to April 15, 2026 (an extension of 28.5 months). Under Magnolia's stated "clarification" in its new filing, Magnolia is now seeking a commencement extension to November 30, 2028—an extension of 60 months. Under DOE's regulations, this is a material change in the requested commencement extension (from 28.5 months to 60 months), and thus requires an amendment of Magnolia's pending Request. *See* 10 C.F.R. § 590.204.

Therefore, in order for FECM to consider Magnolia's new extension request through November 30, 2028, the request will need to be filed as an amendment to the pending Request, pursuant to 10 C.F.R. § 590.204 (or, in the alternative, as a new request for an extension, with the original Request withdrawn). In either case, the filing will be submitted for notice in the *Federal Register*, consistent with DOE precedent.

This correspondence is within a contested proceeding (*see* 10 C.F.R. §§ 590.102(b), (o)). Accordingly, please respond to this email with any questions.

Sincerely,

Division of Natural Gas Regulation
Office of Resource Sustainability
Office of Fossil Energy and Carbon Management
U.S. Department of Energy
1000 Independence Ave, SW
Washington, DC 20585
Phone: 202-586-9478
Email: fergas@hq.doe.gov
Website: <https://www.energy.gov/fecm/regulation>



Engage and subscribe.



From: FERGAS <fergas@hq.doe.gov>

Sent: Wednesday, May 31, 2023 8:16 AM

To: Furdyna, Tim J. <Tim.Furdyna@klgates.com>; FERGAS <fergas@hq.doe.gov>

Cc: Wochner, David L. <David.Wochner@klgates.com>; Wade, Jennifer L. <jennifer.wade@hq.doe.gov>

Subject: RE: Magnolia LNG, LLC - Answer in Opposition to Motion to Intervene and Protest of Sierra Club et al, and Supplement to Request to Extend Commencement Deadline [KLG-USE_Active01.FID2224355]

Good morning,

Attached please find receipt of your submission.

Thank you,

Division of Natural Gas Regulation

Office of Resource Sustainability

Office of Fossil Energy and Carbon Management

U.S. Department of Energy

1000 Independence Ave, SW

Washington, DC 20585

Phone: 202-586-9478

Email: fergas@hq.doe.gov

Website: <https://www.energy.gov/fecm/regulation>



From: Furdyna, Tim J. <Tim.Furdyna@klgates.com>

Sent: Tuesday, May 30, 2023 4:24 PM

To: FERGAS <fergas@hq.doe.gov>

Cc: Wochner, David L. <David.Wochner@klgates.com>

Subject: [EXTERNAL] Magnolia LNG, LLC - Answer in Opposition to Motion to Intervene and Protest of Sierra Club et al, and Supplement to Request to Extend Commencement Deadline [KLG-USE_Active01.FID2224355]

All,

Attached for filing, please see Magnolia LNG, LLC's Answer in Opposition to the May 15, 2023 Motion to Intervene and Protest of Sierra Club, et al., and Supplement to its March 20, 2023 Request to Extend Commencement Deadline. Please let me know if you have any questions, or require anything additional.

Best,



Tim Furdyna

Associate

K&L Gates LLP

1601 K Street, N.W.

Washington, D.C. 20006

Phone: [202-778-9168]

Fax: [202-778-9100]

tim.furdyna@klgates.com

www.klgates.com

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Tim.Furdyna@klgates.com.

This message does not originate from a known Department of Energy email system.
Use caution if this message contains attachments, links or requests for information.
