

The estimated cost of the annualized cost of this burden is: \$4,677.34, which is calculated by taking the annualized burden (194 hours) and multiplying by an hourly rate of \$24.11 (GS-8/Step 5 hourly basic rate).

**Camden Kelliher,**

Senior Associate Counsel, U.S. Election Assistance Commission.

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**BILLING CODE P**

**DEPARTMENT OF ENERGY**

[Docket Nos. 11-128-LNG and 22-22-LNG]

**Change in Control: Cove Point LNG, LP**

**AGENCY:** Office of Fossil Energy and Carbon Management, Department of Energy.

**ACTION:** Notice of change in control.

**SUMMARY:** The Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) gives notice of receipt of a Notification in Accordance with Procedures for Changes in Control (Notification) filed by Cove Point LNG, LP (CPLNG) on July 11, 2023. The Notification describes an expected change in CPLNG's upstream ownership. The Notification was filed under the Natural Gas Act (NGA).

**DATES:** Protests, motions to intervene, or notices of intervention, as applicable, and written comments are to be filed as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, August 16, 2023.

**ADDRESSES:**

*Electronic Filing by email (Strongly encouraged):* [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov).

*Postal Mail, Hand Delivery, or Private Delivery Services (e.g., FedEx, UPS, etc.)* U.S. Department of Energy (FE-34), Office of Regulation, Analysis, and Engagement, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E-056, 1000 Independence Avenue SW, Washington, DC 20585.

Due to potential delays in DOE's receipt and processing of mail sent through the U.S. Postal Service, we encourage respondents to submit filings electronically to ensure timely receipt.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Wade or Peri Ulrey, U.S. Department of Energy (FE-34) Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E-042, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-4749 or (202) 586-7893, [jennifer.wade@hq.doe.gov](mailto:jennifer.wade@hq.doe.gov) or [peri.ulrey@hq.doe.gov](mailto:peri.ulrey@hq.doe.gov).

Cassandra Bernstein, U.S. Department of Energy (GC-76), Office of the Assistant General Counsel for Energy Delivery and Resilience, Forrestal Building, Room 6D-033, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9793, [cassandra.bernstein@hq.doe.gov](mailto:cassandra.bernstein@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:**

**Summary of Change in Control**

CPLNG states that, on July 9, 2023, Berkshire Hathaway Energy Company (BHE), Eastern MLP Holding Company II, LLC (Eastern MLP II), DECP Holdings, Inc. (DECP Holdings), and Dominion Energy, Inc. (DEI) entered into a Purchase and Sale Agreement (PSA) affecting CPLNG's upstream ownership. CPLNG states that it is a Delaware limited partnership that owns and operates the Cove Point Terminal, located in Lusby, Maryland, along with an 88-mile natural gas pipeline corridor connecting the Cove Point Terminal to the interstate pipeline grid. According to CPLNG, Eastern MLP II, a Virginia limited liability company, is a wholly owned indirect subsidiary of BHE, which is an Iowa corporation and a subsidiary of Berkshire Hathaway Inc., a Delaware corporation, and DECP Holdings, a Virginia corporation, is a wholly owned indirect subsidiary of DEI, a Virginia corporation. Prior to the PSA, DECP Holdings held a 50% limited partnership interest in CPLNG, and Eastern MLP II held a 25% limited partnership interest in CPLNG. Under the PSA, DECP Holdings would transfer all of its limited partnership interest in CPLNG to Eastern MLP II. The transaction would increase Eastern MLP II's limited partnership interest in CPLNG (and therefore BHE's indirect ownership) from 25% to 75% and would end DEI's ownership of any interest in CPLNG. CPLNG states that Berkshire Hathaway Inc. indirectly owns 100% of the general partnership interest in CPLNG through its wholly owned indirect subsidiary Cove Point GP Holding Company, LLC, and that the transaction would not affect this ownership stake. CPLNG further states that "[t]he parties anticipate closing the transaction upon receipt of all regulatory approvals."

Charts illustrating the ownership structure of CPLNG before and after the PSA are attached to the Notification as Attachments A-1 and A-2, respectively. Additional details can be found in the Notification, posted on the DOE website at: [www.energy.gov/sites/default/files/2023-07/Final%20BHE%20Cove%20Point%20DOE%20CIC%20Filing%20%287.11.2023%29.pdf](http://www.energy.gov/sites/default/files/2023-07/Final%20BHE%20Cove%20Point%20DOE%20CIC%20Filing%20%287.11.2023%29.pdf).

**DOE Evaluation**

DOE will review the Notification in accordance with its Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas (CIC Procedures).<sup>1</sup> Consistent with the CIC Procedures, this notice addresses CPLNG's existing authorizations to export liquefied natural gas (LNG) to countries with which the United States has not entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries) and with which trade is not prohibited by United States law or policy (non-FTA countries), granted in DOE/FE Order No. 3331-A, as amended, and DOE/FECM Order No. 4849.<sup>2</sup> If no interested person protests the change in control and DOE takes no action on its own motion, the proposed change in control will be deemed granted 30 days after publication in the **Federal Register**. If one or more protests are submitted, DOE will review any motions to intervene, protests, and answers, and will issue a determination as to whether the proposed change in control has been demonstrated to render the underlying authorizations inconsistent with the public interest.

**Public Comment Procedures**

Interested persons will be provided 15 days from the date of publication of this notice in the **Federal Register** to move to intervene, protest, and answer CPLNG's Notification.<sup>3</sup> Protests, motions to intervene, notices of intervention, and written comments are invited in response to this notice only as to the change in control described in the Notification. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by DOE's regulations in 10 CFR part 590, including the service requirements.

Filings may be submitted using one of the following methods:

- (1) Submitting the filing electronically at [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov);
- (2) Mailing the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section; or
- (3) Hand delivering the filing to the Office of Regulation, Analysis, and

<sup>1</sup> 79 FR 65541 (Nov. 5, 2014).

<sup>2</sup> CPLNG's Notification also applies to its existing authorizations to export LNG to FTA countries in Docket No. 11-115-LNG and to import LNG from various international sources for two years in Docket No. 22-155-LNG. DOE will respond to those portions of the filing separately pursuant to the CIC Procedures, 79 FR 65542.

<sup>3</sup> Intervention, if granted, would constitute intervention only in the change in control portion of these proceedings, as described herein.

Engagement at the address listed in the **ADDRESSES** section.

For administrative efficiency, DOE prefers filings to be filed electronically. All filings must include a reference to “Docket No. 11–128–LNG” in the title line, or “Cove Point LNG, LP Change in Control” in the title line.

*For electronic submissions:* Please include all related documents and attachments (e.g., exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner.

The Notification, and any filed protests, motions to intervene, notices of intervention, and comments will be available electronically on the DOE website at [www.energy.gov/fecm/regulation](http://www.energy.gov/fecm/regulation).

Signed in Washington, DC, on July 27, 2023.

**Amy R. Sweeney,**

*Director, Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability.*

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Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act, and the rules and regulations in implementation of that Act.

#### **Signing Authority**

This document of the Department of Energy was signed on July 26, 2023, by Sarah E. Butler, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on July 27, 2023.

**Treena V. Garrett,**

*Federal Register Liaison Officer, U.S. Department of Energy.*

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**BILLING CODE 6450–01–P**

result that the facilities currently are required to be made available for service by September 28, 2023.<sup>2</sup>

In its 2023 Extension of Time Request, Delfin states that it has made significant progress in developing the Project. Delfin states that the Project remains commercially viable with a binding LNG sale and purchase agreement with Vitol Spa for 0.5 million metric tonnes per annum (mtpa) of LNG delivered free on-board at the Delfin LNG deepwater port, for 15 years. Second, Delphin in April 2023, entered into a binding SPA with an affiliate of Hartree Partners, another leading trading firm, for a 20 year term to supply 0.6 MTPA of LNG. Third, on July 11, 2023, Delfin and Centrica the parent company of British Gas, Scottish Gas, and Bord Gais entered a binding agreement for a SPA of 1.0 mtpa of LNG for a 15 year term. Fourth, Delfin expects to execute a binding agreement in late 2023 for 1.0 mtpa to Devon Energy Corporation. Lastly, Delfin states that the four LNG agreements will provide revenue of about 18 billion over the contracted terms.

Delfin explains that since it's July 2022 extension order, it has modular project consisting of 4 separate Floating LNG vessels (FLNGV) and only requires 2.0 to 2.5 mtpa of LNG for the long-term off-take contracts to support a final investment (FID) and begin construction of the first FLNGV. Moreover, Delfin affirms that FID for the first FLNGV is on schedule for the end of the year. Additionally, Delfin states it is in agreement with major infrastructure investors to provide the needed equity for its first two FLNGVs and has begun discussions with a consortium of banks to provide the project debt financing. Accordingly, Delfin requests an extension of time until September 28, 2027, to complete construction of the onshore facilities and place them into service.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on Delfin's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of

<sup>2</sup>Delfin LNG LLC, Docket No. CP15–490–000 (July 8, 2019) (delegated order) (July 2019 Extension Order), Delfin LNG LLC, Docket No. CP15–490–000 (July 15, 2020) (delegated order) (July 2020 Extension Order), Delfin LNG LLC, Docket No. CP15–490–000 (June 30, 2021) (delegated order) (July 21 Extension Order) (July 22 Extension Order).

## **DEPARTMENT OF ENERGY**

### **Basic Energy Sciences Advisory Committee; Charter Renewal**

**AGENCY:** Office of Science, Department of Energy.

**ACTION:** Notice of renewal.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, and the Code of Federal Regulations, and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the Basic Energy Sciences Advisory Committee's (BESAC) charter will be renewed for a two-year period.

**FOR FURTHER INFORMATION CONTACT:** Dr. Linda Horton at (301) 903–3081 or email: [linda.horton@science.doe.gov](mailto:linda.horton@science.doe.gov).

**SUPPLEMENTARY INFORMATION:** The Committee will provide advice and recommendations to the Office of Science on the Basic Energy Sciences program.

Additionally, the renewal of the BESAC has been determined to be essential to conduct business of the Department of Energy (DOE) and to be in the public interest in connection with the performance of duties imposed upon the DOE, by law and agreement. The

## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

**[Docket No. CP15–490–004]**

#### **Delfin LNG LLC; Notice of Request for Extension of Time**

Take notice that on July 21, 2023, Delfin LNG LLC (Delfin) requested that the Federal Energy Regulatory Commission (Commission) grant an extension of time (2023 Extension of Time Request), until September 28, 2027, to construct and place into service the facilities that were authorized in the original certificate authorization issued on September 28, 2017 (Certificate Order).<sup>1</sup> The Certificate Order authorized certain “onshore facilities” that would be used exclusively to transport natural gas to Delfin's deepwater port “offshore facilities” (collectively, the Project) in federal waters offshore Louisiana. The onshore facilities would be used to meet the requirements of the customers of the offshore facilities. The Commission subsequently has granted four, successive one-year extensions of this in-service timing condition, with the

<sup>1</sup>Delfin LNG LLC, 160 FERC ¶ 61,130 (2017).