
United States
Department of Energy

Grid Deployment Office

Bruce Power Inc.
GDO Docket No. EA-349-B



Rescission of Electricity Export Authorization

Order No. EA-349-B

June 21, 2023

Bruce Power Inc.
Order No. EA-349-B
Rescinding Electricity Export Authorization to Canada

I. BACKGROUND

The Department of Energy (DOE or Department) regulates electricity exports from the United States to a foreign country in accordance with Federal Power Act (FPA) § 202(e) (16 U.S.C. § 824a(e)) and regulations thereunder (10 C.F.R. §§ 205.300 *et seq.*). This authority was transferred to DOE under §§ 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. §§ 7151(b) and 7172(f)). On April 10, 2023, this authority was delegated to the DOE’s Grid Deployment Office (GDO) by Delegation Order No. S1-DEL-S3-2023, and Redellegation Order No. S3-DEL-GD1-2023.

An entity that seeks to export electricity must obtain an order from DOE authorizing it to do so. Under FPA § 202(e), DOE “shall issue such order upon application unless, after opportunity for hearing, it finds that the proposed transmission would impair the sufficiency of electric supply within the United States or would impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of [DOE].” 16 U.S.C. § 824a(e). DOE has discretion to condition the order as necessary or appropriate; the Department “may by its order grant such application in whole or in part, with such modifications and upon such terms and conditions as [DOE] may find necessary or appropriate, and may from time to time, after opportunity for hearing and for good cause shown, make such supplemental orders in the premises as it may find necessary or appropriate.” *Id.*

A. Application to Rescind Export Authorization

Bruce Power Inc. (Applicant or Bruce Power) is a power marketer seeking to rescind its current authorization to export electric energy to Canada, which was originally granted in Order No. EA-349 on April 22, 2009, and subsequently renewed on April 17, 2014 (Order No. EA-349-A). On April 26, 2023, Bruce Power notified DOE that it is no longer engaged in the export of electricity to Canada and no longer requires authorization to export electricity to Canada. Therefore, Bruce Power requested DOE rescind Order No. EA-349-A.

II. COMPLIANCE

Upon issuance of this Rescission Order, Bruce Power shall no longer have authority to export electricity to Canada.

This Rescission Order is being issued without prejudice and does not preclude Bruce Power, upon proper application, from requesting authority to export electric

energy again in the future. Obtaining a valid order from DOE authorizing the export of electricity under § 202(e) of the FPA is a necessary condition before engaging in the export. Failure to obtain such an order or continuing to export after the expiration or rescission of such an order may result in a denial of authorization to export in the future and subject the exporter to sanctions and penalties under the FPA.

III. ORDER

Accordingly, pursuant to FPA § 202(e) and the rules and regulations issued thereunder (10 C.F.R. §§ 205.300-309), the electricity export authorization granted to Bruce Power in Order No. EA-349-A (issued on April 17, 2014), is hereby rescinded.

Issued in Washington, DC, on June 21, 2023.

Maria D. Robinson
Director
Grid Deployment Office