
United States
Department of Energy

Grid Deployment Office

NRG Business Marketing LLC
GDO Docket No. EA-497-A



Order Authorizing Electricity Exports to Mexico

Order No. EA-497-A

March 18, 2024

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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 Redelelegation 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. Procedural History

On September 21, 2023, DOE issued Order No. EA-497 to Direct Energy Business Marketing, LLC (DEBM) authorizing electricity exports to Mexico for a five-year term. On December 29, 2023, DOE was notified that, effective July 31, 2023, DEBM, had changed its name to NRG Business Marketing LLC (NRGBM), and requested authorization to export electricity under its new name.

On February 9, 2024, DOE published notice of NRGBM’s Application for Amended Authorization (Application) in the Federal Register (89 Fed. Reg. 9137) and asked for any interested parties to submit comments on the Application by February 26, 2024.

B. Public Comments

On February 20, 2024, DOE received an anonymous comment that did not address the substantive aspects of the Department’s two-part determination under FPA § 202(e).

II. FINDINGS AND DECISION

DOE finds that the action requested by the renamed NRGBM would have no effect on DOE's sufficiency of supply and electric reliability determinations contained in Docket No. EA-497.

Similarly, DOE finds that it has adequately satisfied its responsibility under the National Environmental Policy Act of 1969 through the documentation of a categorical exclusion in Docket No. EA-497.

III. ORDER

Accordingly, pursuant to FPA § 202(e) and the Rules and Regulations issued thereunder (10 C.F.R. §§ 205.300-309), the export authorization issued to Direct Energy Business Marketing, LLC on September 21, 2023, is hereby amended by changing the name of the exporter to NRG Business Marketing LLC.

All other terms and conditions of Order No. EA-497 remain unchanged.

Issued in Washington, DC, on March 18, 2024.

**Maria D.
Robinson**

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Director
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