

**RECEIVED**

**By Docket Room at 2:08 pm, May 21, 2024**



May 21, 2024

**VIA ELECTRONIC MAIL TO: [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov)**

U.S. Department of Energy  
Office of Fossil Energy  
Office of Oil and Gas Global Security and Supply  
Division of Natural Gas Regulatory Activities  
P.O. Box 44375  
Washington, D.C. 20026-4375  
Attention: Amy Sweeney, Director

**RE:** Freeport LNG Expansion, L.P., FLNG Liquefaction, LLC, FLNG Liquefaction 2, LLC, and FLNG Liquefaction 3, LLC  
FE Docket Nos. 10-160-LNG, 10-161-LNG, 11-161-LNG, 12-06-LNG and 16- 108-LNG  
DOE/FE Order Nos. 2913-A, 3282-C, 3357-B, 3066-A and 3957  
Filing of Long-Term Agreements Under Seal and Public Summaries for JERA Energy America LLC

Dear Ms. Sweeney,

In accordance with (i) Ordering Paragraph D of DOE/FE Order No. 2913 (issued February 10, 2011); (ii) Ordering Paragraph I of DOE/FE Order Nos. 3282-C and 3357-B (issued November 14, 2014); and (iii) Ordering Paragraph I of DOE/FE Order No. 3957 (issued December 19, 2016), JERA Energy Americas LLC (“JERA”) hereby informs DOE/FE of the two below listed Contracts associated with the long-term supply of natural gas to the Freeport LNG terminal. Accordingly, JERA hereby submits for filing a summary of the Contract's major provisions for public posting (See Exhibit A) and, is separately submitting under seal, a non-redacted copy of the Contract (sent via electronic mail to [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov) simultaneously with this letter).

**CONTRACTS:**

- 1.) Base Contract for Sale and Purchase of Natural Gas dated February 1, 2015 between ConocoPhillips Company (“COP”) and JERA Energy Americas LLC (fka Chubu US Gas Trading LLC) (“JERA”) (the “COP Base Contract”) and associated

JERA Energy Americas LLC  
1000 Main St. Suite 3100, Houston, TX 77002

Transaction Confirmation dated as of December 4, 2023, between COP and JERA EA("COP TC") (collectively, the COP Base Contract and COP TC being referred to as the "COP LT Gas Supply Contract"); and

- 2.) Base Contract for Sale and Purchase of Natural Gas dated November 7, 2014 between PennEnergy Resources, LLC (fka R.E. Gas Development LLC)("PennEnergy") and JERA Energy Americas LLC (fka Chubu US Gas Trading LLC)("JERA") (the "PE Base Contract") and associated Transaction Confirmation having a Delivery Period of April 1, 2024 through March 31, 2029, dated as of December 14, 2023, between PennEnergy and JERA EA ("PennEnergy TC") (collectively, the PE Base Contract and the PennEnergy TC being referred to as the "PennEnergy LT Gas Supply Contract").

Collectively, each of the COP LT Gas Supply Contract and PennEnergy LT Gas Supply Contract being referred to as the "Contracts".

JERA respectfully requests the DOE/FE to keep the non-redacted Contract documents confidential. JERA submits that the Contracts meet the six criteria set forth in 10 C.F.R. § 1004.11 (f) of the DOE regulations for determining whether information is exempt from mandatory disclosure pursuant to Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4):

1. The Contracts have been held in confidence by JERA and JERA's counterparties, and the Contracts a confidentiality provision (the confidentiality provision for the Transaction Confirmations is contained in the COP Base Contract and special provisions and the PE Base Contract and special provisions);
2. The Contracts contain information of a type that is customarily held in confidence by the parties, and there is a reasonable basis to keep sensitive commercial, technical, and financial terms, including but not limited to pricing terms, confidential to avoid competitive harm. The LNG market is an intensely competitive global market. Disclosure of the contents of the Contracts could make JERA or its affiliates' proprietary business policies and procedures, commercial strategies, and trade secrets, including how JERA's and its affiliates' purchase and sales transactions are structured, known to JERA and its affiliates' business competitors;
3. JERA is submitting the Contracts to the DOE/FE under seal, with a request to keep the Contracts confidential;
4. The Contracts are not publicly available;
5. Public disclosure of the Contracts by DOE/FE is likely to cause other export license holders or registrants to be reluctant to submit non-redacted copies of their gas supply

agreements to DOE/FE; thus, public disclosure could impair DOE/FE's ability to obtain similar information from others in the future; and


6. Public disclosure of the Contracts is likely to cause substantial harm to the competitive position of JERA. If JERA or its affiliates' confidential commercial, financial and technical information is allowed to enter the public domain, it would allow JERA and its affiliates' competitors to gain an unfair competitive advantage over JERA and its affiliates in national and global markets.

For the foregoing reasons, JERA respectfully requests that the non-redacted copies of the Contracts be kept confidential by DOE/FE. The Contracts contains pricing and other competitively sensitive commercial information that is exempt from disclosure under the Freedom of Information Act, 5 U.S.C. § 552(b)(4), and under the DOE regulations, IO C.F.R. §§ 590.202(e) and 1004.11.

JERA acknowledges our failure to timely file the Contracts, in accordance with Order No. 2913; which failure was due to an administrative oversight. We are happy to answer any questions that you may have with respect to this oversight.

Thank you for your attention in this matter. If you have any questions concerning this filing, please do not hesitate to contact the undersigned.

Sincerely,

DocuSigned by:  
  
FF2C02E155934FE  
David Selbst, President  
JERA Energy Americas LLC  
Email: David.Selbst@jereaamericas.com

## **EXHIBIT A**

### **PUBLIC SUMMARIES OF MAJOR CONTRACT PROVISIONS**

**1. DOE Order/ Docket No(s):**

DOE Order No(s). 2913, 3282-C, 3357-B AND 3957

DOE/FE Docket No(s): 10-160-LNG, 10-161-LNG, 11-161-LNG, 12-06-LNG and 16-108-LNG

**2. LNG Liquefaction/Export Facility and Location:**

Freeport LNG facility located near Freeport, Texas in Brazoria County, Texas.

**3. Describe affiliation with LNG Liquefaction Export Facility (e.g., owner, capacity holder, etc.):** JERA Energy America LLC ("JERA") is an affiliate of a partial owner of FLNG Liquefaction, LLC, which owns the Freeport LNG liquefaction/export facility. JERA has entered into a Liquefaction Tolling Agreement with FLNG Liquefaction, LLC for the provision of liquefaction services and is therefore also a capacity holder in the Freeport LNG facility.

**3. Exact Legal Name of Parties/Counterparties to Contracts:**

(a) Contract 1:

**Seller:** ConocoPhillips Company

**Buyer:** JERA Energy Americas LLC

(b) Contract 2:

**Seller:** PennEnergy Resources, LLC

**Buyer:** JERA Energy Americas LLC

**4. Contract Type:**

(a) Contract 1:

- Firm Gas Supply Agreement

(b) Contract 2:

- Firm Gas Supply Agreement

**5. Date of the Contract:**

(a) Contract 1:

- Base Contract for Sale and Purchase of Natural Gas (NAESB): February 1, 2015
- Transaction Confirmation: Term begins April 1, 2024. Trade date December 4, 2023

(b) Contract 2:

- Base Contract for Sale and Purchase of Natural Gas (NAESB): November 7, 2014
- Transaction Confirmation: Term begins April 1, 2024. Trade date December 14, 2023

**6. Supply Period:**

(a) Contract 1:

- 5 years

(b) Contract 2:

- 5 years

**7. Annual Contract Quantity:**

(a) Contract 1:

- 30,000 MMBtus/Day

(b) Contract 2:

- 20,000 MMBtus/Day (April 1, 2024 – October 31, 2024)
- 40,000 MMBtus/Day (November 1, 2024 – March 31, 2029)

**8. Take or Pay Provisions:**

(a) Contract 1:

- None

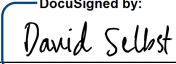
(b) Contract 2:

- None

I affirm that the foregoing is true and accurate to the best of my knowledge.

Dated: May 21, 2024

SUBMITTED BY:

DocuSigned by:  
  
FF2602F456934FE  
David Selbst, President  
JERA Energy Americas LLC