

**From:** FER GAS  
**To:** Tyson Slocum; Patrick Nevins@lw.com; FER GAS  
**Cc:** Sweeney, Amy; Wade, Jennifer L.; Ulrey, Peri; Bernstein, Cassandra (Cass); w.daughdrill@defining.com; nathan.matthews@sierraclub.org; tom.gosselin@sierraclub.org; dschryver@apg.org; wmlle@mbolaw.com; jgregg@mccarter.com; Billy.Birdzell@v4ei.org; Baird.Brown@dbr.com; wagner@api.org; alexm@texasalliance.org; Libarle, Harry; rebecca.mccreary@sierraclub.org; jnylander@biologicaldiversity.org; lparker@biologicaldiversity.org  
**Subject:** RE: Delfin LNG LLC (Docket No. 13-147-LNG) -- Notice Tolling Expiration of Non-FTA Authorization Pending DOE Action  
**Date:** Monday, June 3, 2024 11:41:03 AM  
**Attachments:** [FER GAS 2024 06 03 11 41 03 AM.pdf](#)  
[FER GAS 2024 06 03 11 41 03 AM.pdf](#)  
[FER GAS 2024 06 03 11 41 03 AM.pdf](#)  
[FER GAS 2024 06 03 11 41 03 AM.pdf](#)  
[FER GAS 2024 06 03 11 41 03 AM.pdf](#)

Greetings,

We received the emails from Tyson Slocum of Public Citizen and Patrick Nevins, counsel for Delfin, this past Friday, May 31, concerning service of Delfin's answer filed on Friday, May 14, 2024. As indicated in the Notice issued on Friday, DOE has taken no action on Public Citizen's motion to intervene or the portion of Delfin's answer opposing the motion.

DOE's regulation governing interventions and answers ([10 C.F.R. § 590.303](#)) does not provide the right for a reply to an answer opposing a motion to intervene.

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](mailto:fergas@hq.doe.gov)  
Website: <https://www.energy.gov/fecm/regulation>



**From:** Tyson Slocum <tslocum@citizen.org>  
**Sent:** Friday, May 31, 2024 4:22 PM  
**To:** Patrick.Nevins@lw.com; FER GAS <fergas@hq.doe.gov>  
**Cc:** Sweeney, Amy <amy.sweeney@hq.doe.gov>; Wade, Jennifer L. <jennifer.wade@hq.doe.gov>; Ulrey, Peri <peri.ulrey@hq.doe.gov>; Bernstein, Cassandra (Cass) <cassandra.bernstein@hq.doe.gov>; w.daughdrill@defining.com; nathan.matthews@sierraclub.org; tom.gosselin@sierraclub.org; dschryver@apg.org; wmlle@mbolaw.com; jgregg@mccarter.com; Billy.Birdzell@v4ei.org; Baird.Brown@dbr.com; wagner@api.org; alexm@texasalliance.org; Libarle, Harry <harry.libarle@sierraclub.org>; rebecca.mccreary@sierraclub.org; jnylander@biologicaldiversity.org; lparker@biologicaldiversity.org  
**Subject:** [EXTERNAL] Re: Delfin LNG LLC (Docket No. 13-147-LNG) -- Notice Tolling Expiration of Non-FTA Authorization Pending DOE Action

Public Citizen's rights as an intervenor have been significantly harmed. The May 14 filing clearly violated the signed Certificate of Service.

**From:** Patrick.Nevins@lw.com <Patrick.Nevins@lw.com>  
**Sent:** Friday, May 31, 2024 4:15 PM  
**To:** Tyson Slocum <tslocum@citizen.org>; fergas@hq.doe.gov <fergas@hq.doe.gov>  
**Cc:** amy.sweeney@hq.doe.gov <amy.sweeney@hq.doe.gov>; jennifer.wade@hq.doe.gov <jennifer.wade@hq.doe.gov>; peri.ulrey@hq.doe.gov <peri.ulrey@hq.doe.gov>; cassandra.bernstein@hq.doe.gov <cassandra.bernstein@hq.doe.gov>; w.daughdrill@defining.com <w.daughdrill@defining.com>; nathan.matthews@sierraclub.org <nathan.matthews@sierraclub.org>; tom.gosselin@sierraclub.org <tom.gosselin@sierraclub.org>; dschryver@apg.org <dschryver@apg.org>; wmlle@mbolaw.com <wmlle@mbolaw.com>; jgregg@mccarter.com <jgregg@mccarter.com>; Billy.Birdzell@v4ei.org <Billy.Birdzell@v4ei.org>; Baird.Brown@dbr.com <Baird.Brown@dbr.com>; wagner@api.org <wagner@api.org>; alexm@texasalliance.org <alexm@texasalliance.org>; rebecca.mccreary@sierraclub.org <rebecca.mccreary@sierraclub.org>; jnylander@biologicaldiversity.org <jnylander@biologicaldiversity.org>; lparker@biologicaldiversity.org <lparker@biologicaldiversity.org>  
**Subject:** RE: Delfin LNG LLC (Docket No. 13-147-LNG) -- Notice Tolling Expiration of Non-FTA Authorization Pending DOE Action

Mr. Slocum and all,  
Attached is the email providing service of Delfin's answer on May 14. Looking back at it now, I see that you are correct that Public Citizen was not included on the service distribution. It was an inadvertent mistake and unfortunately I have no further explanation of the oversight. For what it's worth, you have my sincere apologies.  
Note however that the pleading has been posted on DOE's website in the docket since it was filed.

Regards,

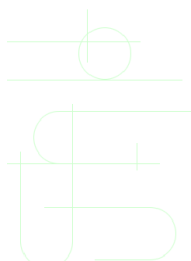
J. Patrick Nevins

**LATHAM & WATKINS LLP**  
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Washington, D.C. 20004-1304  
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<https://www.lw.com>

**From:** Tyson Slocum <tslocum@citizen.org>  
**Sent:** Friday, May 31, 2024 3:56 PM  
**To:** FER GAS <fergas@hq.doe.gov>; w.daughdrill@defining.com <w.daughdrill@defining.com>; Nevins, Patrick (DC) <Patrick.Nevins@lw.com>; nathan.matthews@sierraclub.org <nathan.matthews@sierraclub.org>; tom.gosselin@sierraclub.org <tom.gosselin@sierraclub.org>; dschryver@apg.org <dschryver@apg.org>; wmlle@mbolaw.com <wmlle@mbolaw.com>; jgregg@mccarter.com <jgregg@mccarter.com>; Billy.Birdzell@v4ei.org <Billy.Birdzell@v4ei.org>; Baird.Brown@dbr.com <Baird.Brown@dbr.com>; wagner@api.org <wagner@api.org>; alexm@texasalliance.org <alexm@texasalliance.org>; Libarle, Harry <harry.libarle@sierraclub.org>; rebecca.mccreary@sierraclub.org <rebecca.mccreary@sierraclub.org>; jnylander@biologicaldiversity.org <jnylander@biologicaldiversity.org>; lparker@biologicaldiversity.org <lparker@biologicaldiversity.org>  
**Cc:** Sweeney, Amy <amy.sweeney@hq.doe.gov>; Wade, Jennifer L. <jennifer.wade@hq.doe.gov>; Ulrey, Peri <peri.ulrey@hq.doe.gov>; Bernstein, Cassandra (Cass) <cassandra.bernstein@hq.doe.gov>; FER GAS <fergas@hq.doe.gov>  
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Public Citizen was never served by Delfin LNG's counsel of their May 14 filing. As a result, we were unaware of their challenge to our intervention status, as Delfin never bothered to serve us. Delfin's failure to serve Public Citizen appears to violate the sworn affidavit submitted by Delfin's counsel. Public Citizen asks the Department of Energy to require an explanation of Delfin's failure to serve Public Citizen.

**From:** FER GAS <fergas@hq.doe.gov>  
**Sent:** Friday, May 31, 2024 3:41 PM  
**To:** w.daughdrill@defining.com <w.daughdrill@defining.com>; Patrick.Nevins@LW.com <Patrick.Nevins@LW.com>; nathan.matthews@sierraclub.org <nathan.matthews@sierraclub.org>; tom.gosselin@sierraclub.org <tom.gosselin@sierraclub.org>; dschryver@apg.org <dschryver@apg.org>; wmlle@mbolaw.com <wmlle@mbolaw.com>; jgregg@mccarter.com <jgregg@mccarter.com>; Billy.Birdzell@v4ei.org <Billy.Birdzell@v4ei.org>; Baird.Brown@dbr.com <Baird.Brown@dbr.com>; wagner@api.org <wagner@api.org>; alexm@texasalliance.org <alexm@texasalliance.org>; Libarle, Harry <harry.libarle@sierraclub.org>; rebecca.mccreary@sierraclub.org <rebecca.mccreary@sierraclub.org>; jnylander@biologicaldiversity.org <jnylander@biologicaldiversity.org>; lparker@biologicaldiversity.org <lparker@biologicaldiversity.org>; Tyson Slocum <tslocum@citizen.org>  
**Cc:** Sweeney, Amy <amy.sweeney@hq.doe.gov>; Wade, Jennifer L. <jennifer.wade@hq.doe.gov>; Ulrey, Peri <peri.ulrey@hq.doe.gov>; Bernstein, Cassandra (Cass) <cassandra.bernstein@hq.doe.gov>; FER GAS <fergas@hq.doe.gov>  
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Greetings,

Attached please find the Delfin LNG LLC Notice Tolling Expiration of Non-FTA Authorization Pending DOE Action.

Thank you,

Division of Natural Gas Regulation  
Office of Resource Sustainability  
Office of Fossil Energy and Carbon Management  
U.S. Department of Energy

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