



August 28, 2024

Ms. Amy Sweeney
Director, Office of Regulation, Analysis, and Engagement
Office of Fossil Energy and Carbon Management
U.S. Department of Energy
FE-34
1000 Independence Ave S.W.
Washington, DC 20585

Re: Golden Pass LNG Terminal LLC,
Docket Nos. FE12-156-LNG and FE12-88-LNG
Request for Extension of Commencement Deadline

Dear Ms. Sweeney:

Golden Pass LNG Terminal LLC (“GPLNG”), is currently authorized by the Office of Fossil Energy and Carbon Management of the Department of Energy (“DOE/FECM”) to export domestically produced liquefied natural gas (“LNG”) by vessel from the GPLNG Export Terminal in Sabine Pass, Texas, in a volume equivalent to 937 Billion cubic feet per year (“Bcf/yr”) to non-Free Trade Agreement countries (“non-FTAs”)¹ and Free Trade Agreement countries (“FTAs”)² from LNG Export Terminal facilities approved by the Federal Energy Regulatory Commission (“FERC”) and currently under construction near Sabine Pass, Texas.³

¹ *Golden Pass Products LLC*, FE Docket No. 12-156-LNG, DOE/FE Order No. 3978 (April 25, 2017); *amended* DOE/FE Order No. 3978-B (March 4, 2020), DOE/FE Order No. 3978-C (March 24, 2020), DOE/FECM Order No. 3978-E (April 27, 2022), *reh’g denied*, Order No. 3978-F (June 24, 2022), *petition for review dismissed*, *Sierra Club v. Department of Energy*, No. 22-1218 (D.C.Cir. July 16, 2024). Following the issuance of Order No. 3978, GPLNG filed with the DOE/FE a notification that Golden Pass Products, LLC (“GPP”), the prior authorization holder, had merged with and into GPLNG effective June 18, 2019. For ease of reference, this Request will refer to both GPP and GPLNG as “GPLNG.” See *Golden Pass Products LLC*, FE Docket No. 12-156-LNG, DOE/FE Order No. 3978-B (March 4, 2020).

² *Golden Pass Products LLC*, FE Docket No. 12-88-LNG, Order No. 3147 (September 27, 2012); *amended* DOE/FE Order No. 3147-A (March 4, 2020), DOE/FE Order No. 3147-B (March 24, 2020), and DOE/FE Order No. 3147-C (May 22, 2020).

³ *Golden Pass Products LLC and Golden Pass Pipeline LLC*, 157 FERC ¶ 61,222 (2016). FERC order also granted the application of Golden Pass Pipeline LLC (“GPPL”) under Section 7 of the Natural Gas Act and Part



GPLNG's DOE/FECM LNG export authorizations are conditioned upon the commencement of commercial operations of the GPLNG Export Terminal facilities.⁴ DOE/FECM previously extended the deadline for commencement of commercial LNG operation until September 30, 2025.⁵ GPLNG hereby requests that the DOE/FECM extend the deadline for commencement of commercial LNG export operations under both its FTA and non-FTA authorizations from the GPLNG terminal by 18 months to March 31, 2027.⁶ This period accounts for both the delays caused by the bankruptcy filing of the lead construction contractor, Zachry Industrial Inc. ("Zachry"), remaining uncertainties regarding the transition to a new lead contractor, possible unpredictable delays that may occur during the remaining construction activities such as potential hurricane impacts, and for commissioning and start-up activities.

There is good cause to grant the requested extension and the requested extension does not alter DOE/FECM's public interest determination under NGA section 3(a), 15 U.S.C. § 717b(a). GPLNG physically commenced construction of the export facilities in 2019 and has made substantial progress toward completion. However, an extension of the commercial operations deadline is necessary due to extenuating circumstances outside of GPLNG's control—despite providing Zachry, the lead construction contractor, with approximately \$1.2 billion in additional funds to complete the Project within the September 30, 2025, deadline, Zachry began slowing its construction activities in February 2024, furloughing thousands of workers in April, then filed for Chapter 11 Bankruptcy protection in

157 of the FERC's regulations for a certificate of public convenience and necessity to construct and operate compression and looping facilities in Texas and Louisiana to make GPPL's existing pipeline facilities bi-directional and enable it to transport up to 2.5 billion cubic feet per day ("Bcf/d") of natural gas to the proposed GPLNG export facilities. The construction activities and facilities are sometimes referenced herein as the "Project."

⁴ GPLNG understands that "commence[ment] of export operations" is satisfied by the first exported cargo of LNG manufactured by the export facilities, rather than a formal declaration of commercial operations pursuant to an export sales and purchase agreement.

⁵ *Golden Pass LNG Terminal LLC*, FE Docket Nos. 12-88-LNG and 12-156-LNG, Order Granting Request for Extension of Export Commencement Deadlines (March 24, 2020). GPLNG's prior extension request was as a result of the additional time that was needed "to finalize commercial arrangements and reach a final investment decision" "due to the length of time required to obtain the necessary FERC and DOE authorizations, and the 'resulting uncertainty' during this time period." *Id.* p 5. The circumstances leading to this current request occurred after and are unrelated to the circumstances underlying GPLNG's previous request and the March 24, 2020, Order granting the extension request.

⁶ Consistent with the extension request, GPLNG is contemporaneously filing a request with the FERC to extend the current November 30, 2026, in-service deadline. GPLNG notes that FERC's in-service deadline is for completion of the entire Project, whereas DOE's commercial operations deadline will be satisfied with completion of Train 1, which will support commencement of commercial export operations, even while Trains 2 and 3 remain under construction. GPLNG representatives have discussed the need for this extension with FERC Staff and anticipate a prompt consideration of the request.



May,⁷ and terminated its entire craft work force at the site. The delayed construction activities, exacerbated by the automatic bankruptcy stay, which precluded any action to force Zachry continue working on the Project, and time to resolve those proceedings, necessitates an additional extension of the commercial operations deadline. Accordingly, GPLNG submits that its requested extension is entirely consistent with DOE policy regarding extensions for non-FTA authorizations.⁸

GPLNG has Physically Commenced and Continues to Perform Construction, Already Completing a Majority of the Work⁹

Since the issuance of Order No. 3978 (and Order Nos. 3147-B and 3978-C), GPLNG has proceeded diligently with construction of the Project and, ultimately, long-term exportation of LNG from those facilities in the quantities authorized by DOE/FE. GPLNG has not only physically commenced construction of the associated facilities; it has been continuously engaged in construction on an escalating scale for the past five years.

In February 2019, the owners of GPLNG announced their positive final investment decision to proceed with the construction and operation of the export terminal facilities. On April 12, 2019, GPLNG received authorization from the FERC Office of Energy Projects to proceed with initial construction activities. Following receipt of this authorization, GPLNG commenced construction of the export terminal facilities.

GPLNG has been continuously and steadily engaged in construction since that time, including the filing of more than 250 construction implementation plans, deploying thousands of construction personnel, and continuously working the construction tasks, at times 24 hours a day, seven days a week. GPLNG has expedited construction by requesting and receiving authorizations from FERC to extend construction hours and increase workforce present at the site.¹⁰ At peak construction capacity in late

⁷ *In re: Zachry Industrial, Inc., Debtor*, Case No. 24-90385, United States Bankruptcy Court for the Southern District of Texas, Houston Division.

⁸ *Policy Statement on Export Commencement Deadlines in Authorizations To Export Natural Gas to Non-Free Trade Agreement Countries*, 88 Fed. Reg. 25272 (April 26, 2023) (“Policy Statement”). The DOE-FECM has stated that the Policy Statement does not apply to exports to FTA countries under NGA section 3(c), 15 U.S.C. 717b(c). Section 3(c) of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102–486), requires that applications to export natural gas to FTA countries “shall be deemed to be consistent with the public interest” and granted “without modification or delay.” 15 U.S.C. 717b(c).

⁹ Attached as **Exhibit 1** is the Verification of Alex Savva, confirming the facts stated herein and authenticating the attached exhibits.

¹⁰ *Golden Pass LNG Terminal LLC*, 180 FERC ¶ 61,058 (2022) (amendment to prior authorization to increase construction traffic volume and work week/hour limits to allow for continuous construction work 24 hours a day, seven days a week); *See also*, *Golden Pass LNG Terminal LLC*, FERC Docket No. CP14-517-000, *et al.*, OEP Letter Order (June 28, 2019), granting Golden Pass LNG’s request to extend daily and weekly construction hours.



2023, the LNG Facility deployed over 9,000 workers, and utilized the goods and services of approximately 400 contractors, vendors, and suppliers.

Below is an aerial view of the LNG Facility from May of this year:



As of this filing, after four and a half years of planning and construction since FID, the LNG Facility is approximately 80% complete, including design and engineering work, and 65% complete in terms of physical construction. Construction on Train 1, including the utility and export terminal facilities necessary to produce and load LNG, is approximately 83% complete, with construction on Train 2 approximately 46% complete, and Train 3 approximately 31% complete. In addition, Golden Pass Pipeline LLC (“GPPL”)¹¹ is undertaking a related pipeline expansion project to support natural gas supplies for LNG production. That project is approximately 75% complete.

¹¹ GPPL is a joint venture owned, in the same percentages, by the same subsidiaries of Exxon Mobil Corporation and QatarEnergy that own GPLNG.



As another indication of construction progress, GPLNG's most recent Bi-Weekly Report provided to FERC on August 6, 2024, details recent construction activities.¹² As stated in that report, and despite Zachry's bankruptcy filing, GPLNG managed to continue construction activities on the export facilities (within the scope of its other two contractors) while GPPL also continued work on the pipeline expansion project. As further stated in that report, GPLNG and GPPL have received and maintained all of the required federal authorizations for the Project.

In total through June 2024, GPLNG has already invested over \$8 billion in capital expenditures toward construction of the export terminal facilities, while GPPL has expended another \$300+ million for the pipeline expansion.

Even beyond simply construction of the export facilities (and GPPL's pipeline expansion), GPLNG has been actively building an organization for commercial operations, and entering numerous agreements with suppliers, vendors, and service providers needed for start-up activities and operations. GPLNG currently employs over 300 individuals and 185 contractors focused on preparations for commercial operations. At full strength, GPLNG expects to employ about 450 direct employees. GPLNG has already set up a gas supply team and has entered about 125 NAESB contracts and 9 long-term gas supply contracts (of a year or more in duration) as it prepares to buy gas supply for LNG production. GPLNG has also entered over 1200 supplier and service agreements at a value of hundreds of millions of dollars, and almost daily enters more contracts. Since FID, the operating expenses for GPLNG's organization preparing for commercial operations has been over \$100 million, and over \$26 million GPPL.

In short, GPLNG has continuously progressed construction to complete the Project, built its operations team, and put in place the thousands of contracts in order to be prepared for commencing export of LNG from the facilities. Further, as explained in greater detail below, GPLNG has undertaken extraordinary measures to progress construction to meet the current September 30, 2025, commercial operations deadline but was presented with circumstances outside of its control causing construction delays.

Extenuating Circumstances Outside GPLNG's Control Support Extending the Current Deadline

In January 2019, GPLNG, as owner, and Zachry, Chiyoda International Corporation ("Chiyoda") and CB&I LLC ("CB&I," and with Zachry and Chiyoda, the "JV Parties" or the "CCZJV"), executed an engineering, procurement, and construction and commissioning ("EPC") Contract¹³ for construction

¹² **Exhibit 2**, Golden Pass LNG and Golden Pass Pipeline Bi-Weekly Terminal Project Status Report No. 136, FERC Docket Nos. CP14-517-000 & CP14-518-000 Period: July 16 – 31, 2024 (Public Version).

¹³ **Exhibit 3**, Engineering, Procurement & Construction Contract No. GPP-EPC1, Principal Document (January 30, 2019) (and Job Specification Section E, Schedule Basis). To avoid filing unnecessary paper, the voluminous

of the LNG Facility. The EPC Contract is a lump sum, turnkey contract under which CCZJV agreed to construct the LNG Facility within fixed timeframes for completion of certain scope and the lump sum price set forth in the EPC Contract.

The JV Parties divided responsibility for the scope of construction for Train 1, Train 2, and Train 3 (including the associated utilities, offsites, and existing plant modifications required for the production and export of LNG) among Zachry, CB&I and Chiyoda, with Zachry taking on primary construction responsibility as lead contractor. Based on CCZJV's representations and commitments reflected in the EPC Contract, GPLNG reasonably, and with good reason, anticipated that the Project would have been completed well before today.

In the EPC Contract, Zachry, as lead contractor,¹⁴ expressly agreed to begin its work promptly and work diligently until completed,¹⁵ and acknowledged that Zachry understood the EPC Contract, the Project, the scope of the work, and its obligations.¹⁶ Zachry also made express representations that it understood the scope of its obligations, including that:

- Zachry examined the “the location and peculiarities of the PROJECT SITE, [and] the type and magnitude of project management, engineering, procurement and construction services and labor required.”¹⁷
- Zachry “carefully examined this CONTRACT and has obtained a full understanding and knowledge of the nature, quality and scope of the WORK and of its obligations under this CONTRACT.”¹⁸
- Zachry would “perform the work in an expeditious manner” in order to achieve the LNG Facility milestones and expressly acknowledged that “time is of the essence” for the

attachments to the contract not referenced and not relevant to or cited in this request for extension are not included but can be provided on request.

Pursuant to 10 CFR §1004.11(f), GPLNG requests the confidential treatment of the EPC Contract and attachments (other than the sections quoted herein) as they contain commercially sensitive information that is maintained in confidence by the parties to the contract, is not available to the public, is the type of information customarily held in confidence, and the disclosure of which is likely to cause harm to the competitive positions of the parties.

¹⁴ Zachry has been known as a company sophisticated in planning and completing complex lump sum turnkey projects, stating on its website that it “is North America’s pacesetter in turnkey engineering, construction, maintenance, turnaround and fabrication services to the energy, chemicals, power, manufacturing and industrial sectors. <https://zachrygroup.com/about> (last accessed July 13, 2024).

¹⁵ EPC Contract, at § 2.1.2,

¹⁶ *Id.* at § 2.4.1.

¹⁷ *Id.* at § 2.1.4.

¹⁸ *Id.* at § 2.4.1.



completion of each LNG train by the scheduled completion date for each train.¹⁹

Zachry also warranted under the EPC Contract (and reaffirmed with each of three amendments) that it was “financially solvent, able to pay all debts as they mature and possesses sufficient working capital to complete the WORK and perform its obligations” thereunder.²⁰

The EPC Contract also included milestones for completing each of the three trains, including Train 1 by November 30, 2023,²¹ which would have met the original commercial operations deadline by five months²² and the extended commercial operations deadline, requested by GPLNG in October 2019, by 22 months.²³

In other words, Zachry accepted all responsibility for completing the work at the lump sum price and on the schedule set forth in the EPC Contract, comfortably meeting the commercial operations deadline.

In 2022, despite having previously represented that it had fully investigated the Project site and accepted all responsibility for completing its assigned task under a lump sum price, Zachry demanded certain cost and schedule adjustments under the EPC Contract, including for COVID related delays and transportation cost increases. This was the first of four separate occasions culminating in March 2024, where Zachry requested additional money and schedule relief to continue working to complete the Project.

GPLNG agreed three times to amend the EPC Contract to keep the Project progressing in a way to meet the Commercial Operations deadline.²⁴ All told, by way of the three amendments, GPLNG

¹⁹ *Id.* § 2.6.2.

²⁰ *Id.* at § 36.1(F).

²¹ EPC Contract, Job Specification Section E Schedule Basis, Appendix C.

²² *Golden Pass Products LLC*, FE Docket No. 12-156-LNG, DOE/FE Order No. 3978, Ordering Paragraph D (April 25, 2017). Although the FTE authorization provided a deadline September 27, 2022, *Golden Pass Products LLC*, FE Docket No. 12-88-LNG, Order No. 3147, Ordering Paragraph A (September 27, 2012), as the Department recognized, Natural Gas Act section 3(c) deems FTA applications to “to be consistent with the public interest” and granted “without modification or delay.” 15 U.S.C. § 717b(c).

²³ *Golden Pass Products LLC*, FE Docket No. 12-156-LNG, DOE/FE Order No. 3978-C, Ordering Paragraph B (March 24, 2020).

²⁴ See Claims Settlement Agreement (Nov. 16, 2022), attached as **Exhibit 4**; First Amendment to the Engineering, Procurement & Construction Contract No. GPP-EPC1 (January 1, 2023), attached as **Exhibit 5**; Second Amendment to the Engineering, Procurement & Construction Contract No. GPP-EPC1 at ¶ 2(b) (March 21, 2023), attached as **Exhibit 6**; Third Amendment to the Engineering, Procurement & Construction Contract No. GPP-EPC-1 (Dec. 31, 2023), attached as **Exhibit 7**.

Pursuant to 10 CFR §1004.11(f), GPLNG requests the confidential treatment of each of Exhibits 4, 5, 6, and 7

provided approximately **\$1.2 billion** in additional payments plus another \$200 million earnable payments, advanced over \$270 million by July of 2023 for work that had not yet been performed and therefore had not been earned, and agreed to extend the schedule deadlines (but still within the time to meet the commercial operations deadline) to relieve Zachry from liquidated delay damages.

Even though with each Amendment Zachry reaffirmed that it had the knowledge, expertise and financial wherewithal to complete the Project for the agreed upon amounts and schedule, by February of 2024, Zachry had started reducing its work force from a peak of over 6000. In March, for the fourth time, Zachry requested additional funds, finally causing GPLNG to lose all confidence in Zachry's ability to complete the Project as it had promised. In April, Zachry demanded immediate payment of up to \$50 million to continue working for a mere two weeks and indicated it was in arrears on supplier and vendor payments at least \$200 million. Then on April 12, 2024, Zachry sent GPLNG a letter stating it planned to exit the Project.

Despite weeks-long and ongoing efforts by GPLNG and Zachry to negotiate terms for its exit, in the early morning hours of May 21, 2024, Zachry filed for Chapter 11 Bankruptcy protection, terminating all hourly workers that afternoon, leaving only a skeleton crew of 150 workers on site, and refusing to make any additional payments to suppliers, vendors or subcontractors. Although conceding that it could not perform its obligations, Zachry refused to reject the EPC Contract, forcing GPLNG to file with the Bankruptcy Court a Motion to Compel Rejection of the EPC Contract in order to regain control of the Project site.²⁵ This led to additional discussions among the parties, eventually resulting in a settlement agreement to which the Bankruptcy Court preliminarily approved on July 24 and gave final approval on August 12, 2024.²⁶ Pursuant to the terms of settlement, GPLNG agreed to pay hundreds of millions of dollars to suppliers, vendors and subcontractors Zachry had failed to pay and Zachry has exited the Project, allowing GPLNG to move forward with CB&I and Chiyoda to complete the Project.

(other than the sections quoted herein) as they contain commercially sensitive information that is maintained in confidence by the parties to the contract, is not available to the public, is the type of information customarily held in confidence, and the disclosure of which is likely to cause harm to the competitive positions of the parties.

²⁵ **Exhibit 8**, *In re: Zachry Industrial, Inc.*, Document 299, Emergency Motion of Golden Pass LNG Terminal LLC for Entry of an Order Compelling Rejection of EPC Contract; or, in the Alternative Granting Relief from the Automatic Stay (June 18, 2024).

²⁶ **Exhibits 9**, *In re: Zachry Industrial, Inc.*, Document 625, Interim Order (I) Approving the Settlement by and among the Debtors, Golden Pass LNG Terminal LLC, CB&I LLC, Chiyoda International Corporation, and CCZJV (II) Authorizing the Parties to Perform any and all Obligations Contemplated by the Settlement, (III) Scheduling a Final Hearing, and (IV) Granting Related Relief (July 25, 2024); and **Exhibit 10**, *In re: Zachry Industrial, Inc.*, Document 744, Final Order (I) Approving the Settlement by and among the Debtors, Golden Pass LNG Terminal LLC, CB&I LLC, Chiyoda International Corporation, and CCZJV (II) Authorizing the Parties to Perform any and all Obligations Contemplated by the Settlement, (III) Granting Related Relief (August 12, 2024).

Remaining Uncertainties for the Project Construction Schedule

The most obvious circumstance leading to a need for an extension of the commercial operations deadline is Zachry's bankruptcy filing and the delay in GPLNG recovering control of the site. But, as explained above, Zachry began reducing its work force last February, slowing progress, and essentially stopped making any material progress on its scope by mid-April, and then no progress after its bankruptcy filing.

Then, although CB&I has indicated it intends to take over Zachry's scope to complete the Project, it is still undertaking its own assessment of the quantities and qualities of Zachry's work, the remaining work to complete, and the time and cost it will take to complete the Project as the new lead construction contractor. Only when that effort is completed will CB&I and Chiyoda make a proposal to complete construction of the Project.²⁷ Although GPLNG, CB&I, and Chiyoda are working together to complete that process on a compressed schedule, it may still take at least several weeks or months.

Additionally, rehiring over 4000 skilled craft workers to reach a full workforce will take some months, particularly given the very strong demand for skilled construction labor in Southeast Texas and Louisiana.²⁸ Then there remains accounting for the typical unforeseen delays such as supply disruptions and weather events common to the area (with at least two hurricane seasons before Train 1 could be completed). Finally, commissioning activities are always of uncertain lengths, with the inevitable equipment adjustments and even failures discovered only during startup.

All of these factors have been considered in requesting an extension of eighteen months, or to March 31, 2027, to achieve commercial operations. Although GPLNG hopes to achieve that milestone in a much shorter period, allowing sufficient time to complete construction without the necessity to seek yet another extension is not only efficient for the Department, but also provides certainty to GPLNG, its LNG buyers, gas suppliers, and the hundreds of contractors and suppliers that have already contracted for work once the export facility commences commercial operations.

The Requested Extension Does Not Alter DOE/FECM's Public Interest Determination in Granting the Authorization

²⁷ CB&I has already started rehiring the workforce and beginning work on Train 1, but the process is still in the early stages of collecting assessing the necessary information to prepare a new cost and schedule estimate.

²⁸ See, e.g., **Exhibit 11**, Natural Gas Intelligence, [Bechtel Adapting to Workforce Shortage While Tackling Bexy of LNG Projects in Tight Labor Market](#) (March 16, 2023); Reuters, [Rising US labor costs threaten to derail new LNG projects](#) (June 24, 2024) (both last accessed Aug. 26, 2024).



In granting GPLNG's original Non-FTA export authorization,²⁹ the prior extension of the commencement deadline,³⁰ and the volume uprate,³¹ DOE/FECM has three times determined that the Project is in the public interest. There are no facts to suggest that a contrary finding is appropriate now, particular given the advanced construction of the Project, the sale and purchase agreements for 100% the facility's LNG production, and obvious commitment of the owners to complete Project.³²

Moreover, cancelling the Project at this stage would be affirmatively contrary to the public interest. GPLNG and GPPL together have already invested over \$8 billion dollars into the Project and pipeline expansion, the construction of which together are over 75% complete. Completing the Project will support up to nine thousand construction related jobs for multiple years until start-up is complete for all three Trains. In anticipation of operations, GPLNG has already spent over \$100 million to build its organization for commercial operations, has a workforce of over 500 employees, contractors, and secondees devoted to preparing for commercial operations, and anticipates employing about 450 employees during commercial operations. GPLNG has entered about 125 NAESB contracts and nine gas supply contracts for terms of one year or longer. GPLNG currently has over 1200 active contracts with suppliers, vendors and service providers just for commercial operations, having been entering new contracts at a rate of about 15 to 20 per month, with a total value in the hundreds of millions of dollars. Finally, GPLNG has sold 100% of the LNG production, and those buyers have likely made commercial plans, and even commitments, for that supply.

²⁹ *Golden Pass Products LLC*, FE Docket No. 12-156-LNG, DOE/FE Order No. 3978 (April 25, 2017) p. 172 (finding there was no basis to conclude "that a grant of requests authorization will be inconsistent with the public interest.")

³⁰ *Golden Pass LNG Terminal LLC*, FE Docket Nos. 12-88-LNG and 12-156-LNG, Order Granting Request for Extension of Export Commencement Deadlines (March 24, 2020) p. 9 ("find[ing] that granting the Request [for extension] promotes the public interest under NGA section 3(a).").

³¹ *Golden Pass LNG Terminal LLC*, Docket No. 12-156-LNG, DOE/FECM Order No. 3978-E (April 27, 2022) p. 46 (concluding after review of the record evidence and relevant precedent there is not "an adequate basis to conclude that Golden Pass LNG's proposed increase in exports of LNG to non-FTA countries will be inconsistent with the public interest"), *reh'g denied*, Order No. 3978-F (June 24, 2022), *petition for review dismissed*, *Sierra Club v. Department of Energy*, No. 22-1218 (D.C.Cir. July 16, 2024).

³² The Department's pending update of the economic and environmental analyses to inform its determination of whether new or pending applications are contrary to the public interest are not relevant to this request for an extension of the commercial operations deadline. As confirmed by the Department, "[t]here will *not* be a retroactive review of already authorized non-FTA exports," which include the GPLNG Project. **Exhibit 12, [The Temporary Pause on Review of Pending Applications to Export Liquefied Natural Gas](#)** (last accessed Aug. 26, 2024).

The benefits to the economy from granting the extension and avoiding cancellation of the Project are also unmistakable. Perryman Group completed an assessment of the economic benefits of the GPLNG Project in 2019.³³ Among the other conclusions, Perryman calculated that³⁴:

- “[O]ngoing [export] operations lead to total benefits to the US economy including \$612.9 million in gross product each year and 5,177 jobs (almost \$15.0 billion in US gross product and 126,555 job-years of employment cumulatively over the first 25 years).”
- “For the nation as a whole . . . the total cumulative benefits of construction and the first 25 years of operation of the facilities include \$34.0 billion in gross product and 332,278 job-years of employment (including multiplier effects).”
- “Total economic benefits to the primary impact region (Beaumont-Port Arthur and Lake Charles MSAs) include an estimated \$21.4 billion in gross product and 219,061 job years of employment during construction and the first 25 years of operations (including multiplier effects).”
- “Jefferson County could be expected to experience increased business activity of an estimated \$18.7 billion in gross product and 197,763 job years of employment during the construction and first 25 years of operations of Golden Pass LNG (including multiplier effects).”
- “State taxes could be expected to increase by
 - Almost \$648.0 million during construction and \$23.3 million per year once the facilities are fully operational for Texas and
 - \$16.0 million during construction and \$0.8 million per year once the facilities are fully operational for Louisiana.”
- “Receipts to Jefferson County local entities could be expected to rise by an estimated \$98.1 million during the construction phase and \$8.3 million per year once full operations levels are reached.”

Thus, not extending the deadline and forcing cancellation of the Project will cause tremendous economic havoc for thousands of individuals and businesses, and for years to come reduce economic activity and tax revenue for the state, regional and local communities, all for no good reason.

³³ The Economic Benefits of Golden Pass LNG, The Perryman Group, May 2019, attached as **Exhibit 13**.

³⁴ Perryman’s calculations are likely conservative given that since the report was prepared GPLNG has increased by 100 employees its planned workforce levels during commercial operations and was authorized to increase LNG exports by 197 Bcf/year or nearly 27% more than the original FTA export authorization.



Conclusion

For all the reasons stated above, GPLNG requests an additional eighteen-month period beyond the current commercial completion deadline, until March 31, 2027, for the commencement of commercial of LNG exports. There is no evidence that granting the extension is contrary to the public interest. Indeed, the public interest is served by this request to avoid the tremendous loss of jobs, economic activity, tax revenue benefiting state, regional and local governments, and billions of dollars of sunk private investment.

GPLNG has diligently pursued the construction of the Project, already built a substantial organization in anticipation of commercial operations, and entered thousands of contracts with suppliers, vendors and service providers to support commercial operations. And despite GPLNG's extraordinary efforts and additional investment to advance the Project and achieve commercial export operations within the current deadline, only the circumstances beyond its control—the performance and bankruptcy of its lead construction contractor—necessitate the need for an extension of the deadline to reach commercial operations.

GPLNG further requests that the DOE/FE approve this amendment to the commencement of export deadlines without undue delay to provides certainty to GPLNG, its LNG buyers, gas suppliers, and the thousands of contractors and suppliers currently working on constructing the Project, and the hundreds of contractors and suppliers that have already contracted for work once the plant starts up.

Please contact the undersigned if you have any questions or require additional information. Thank you, in advance, for your attention to this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "S. Diane Neal", is written over a horizontal line.

S. Diane Neal

Assistant General Counsel, Golden Pass LNG Terminal LLC

cc: Parties, Docket Nos. FE12-156-LNG and FE12-88-LNG
Kevin M. Sweeney, Law Offices of Kevin M. Sweeney

Exhibit List

Exhibit No.	Description
1	Verification of Alex Savva.
2	Golden Pass LNG and Golden Pass Pipeline Bi-Weekly Terminal Project Status Report No. 136, FERC Docket Nos. CP14-517-000 & CP14-518-000 Period: July 16 – 31, 2024 (Public Version).
3	Engineering, Procurement & Construction Contract No. GPP-EPC1, Principal Document (January 30, 2019). <i>Confidential Treatment Requested Pursuant to Pursuant to 10 CFR §1004.11(f).</i>
4	Claims Settlement Agreement (November 16, 2022). <i>Confidential Treatment Requested Pursuant to Pursuant to 10 CFR §1004.11(f).</i>
5	First Amendment to the Engineering Procurement & Construction Contract No. GPP-EPC1(January 1, 2023). <i>Confidential Treatment Requested Pursuant to Pursuant to 10 CFR §1004.11(f).</i>
6	Second Amendment for the Engineering, Procurement & Construction Contract No. GPP-EPC1(March 21, 2023). <i>Confidential Treatment Requested Pursuant to Pursuant to 10 CFR §1004.11(f).</i>
7	Third amendment to the Engineering, Procurement & Construction Contract No. GPP-EPC- 1 (December 31,2023). <i>Confidential Treatment Requested Pursuant to Pursuant to 10 CFR §1004.11(f).</i>
8	Emergency Motion of Golden Pass LNG Terminal LLC for Entry of and Order Compelling Rejection of EPC Contract; or, in the Alternative Granting Relief from the Automatic Stay.
9	Interim Order (I) Approving the Settlement by and among the Debtors, Golden Pass LNG Terminal LLC, CB&I LLC, Chiyoda International Corporation, and CCZJV (II) Authorizing the Parties to Perform any and all Obligations Contemplated by the Settlement, (III) Scheduling a Final Hearing, and (IV) Granting Related Relief (July 25, 2024) (Public Version).
10	Final Order (I) Approving the Settlement by and among the Debtors, Golden Pass LNG Terminal LLC, CB&I LLC, Chiyoda International Corporation, and CCZJV (II) Authorizing the Parties to Perform any and all Obligations Contemplated by the Settlement, (III) Granting Related Relief (August 12, 2024) (Public Version).
11	Natural Gas Intelligence, <i>Bechtel Adapting to Workforce Shortage While Tackling Bevy of LNG Projects in Tight Labor Market</i> (March 16, 2023); Reuters, <i>Rising US labor costs threaten to derail new LNG projects</i> (June 24, 2024).
12	Department of Energy Statement on “The Temporary Pause on Review of Pending Applications to Export Liquefied Natural Gas.”
13	The Economic Benefits of Golden Pass LNG, The Perryman Group, May 2019.

Certificate of Service

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Houston, Texas this 28th day of August, 2024.

/s/ Cecil Ogden

Cecil Ogden
Golden Pass LNG Terminal LLC