

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

KOCH ENERGY SERVICES, LLC

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DOCKET NO. 24-77-NG
DOCKET NO. 22-164-NG

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT AND EXPORT NATURAL GAS
FROM AND TO CANADA, AND
VACATING PRIOR BLANKET AUTHORIZATION

DOE/FECM ORDER NOS. 5164 AND 4948-A

SEPTEMBER 19, 2024

I. DESCRIPTION OF REQUEST

On August 5, 2024, Koch Energy Services, LLC (Koch Energy Services) filed an application with the Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA)¹ for blanket authorization to import and export up to a combined total of 312 billion cubic feet (Bcf) of natural gas from and to Canada by pipeline.² The applicant requests the authorization be granted for a two-year term beginning on September 2, 2024.³ Koch Energy Services is a Delaware limited liability company with its principal place of business in Wichita, Kansas.

Previously, on January 11, 2023, DOE granted Koch Energy Services authorization in DOE/FECM Order No. 4948 to import and export up to a combined total volume equivalent to 204 Bcf of natural gas from and to Canada for a two-year term beginning on March 17, 2023, and extending through March 16, 2025.

On August 5, 2024, Koch Energy Services asked DOE to vacate its existing authorization in DOE/FECM Order No. 4948, effective September 2, 2024, to be concurrent with the retroactive issuance of the new authorization it has requested.⁴

¹ Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FECM in Redelegation Order No. S4-DEL-FE1-2023, issued on April 10, 2023.

² Koch Energy Services' blanket authorization, granted in DOE/FECM Order No. 4948, extends through March 16, 2025. *See* Koch Energy Services, LLC, Application for Blanket Authorization to Import and Export Natural Gas From and To Canada, Docket No. 24-77-NG (Aug. 5 2024) [hereinafter App.].

³ *See* App.

⁴ *See id.* *See also* email from Emily Biegel, International Trade Manager, Koch Industries, Inc. (Aug. 20, 2024).

II. FINDING

The application has been evaluated to determine if the proposed import and export arrangement meets the public interest requirement of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under section 3(c), the import and export of natural gas, including liquefied natural gas (LNG), from and to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas and the import of LNG from other international sources are deemed to be consistent with the public interest, and applications for such imports and exports must be granted without modification or delay. The authorization sought by Koch Energy Services to import and export natural gas from and to Canada, a nation with which a free trade agreement requiring national treatment for trade in natural gas is in effect, meets the section 3(c) criterion and, therefore, is consistent with the public interest. This Order authorizes transactions with terms of not greater than two years.

ORDER

Pursuant to section 3 of the NGA, it is ordered that:

A. Koch Energy Services is authorized to import and export up to a combined total of 312 Bcf of natural gas from and to Canada, pursuant to transactions that have terms of not greater than two years. This authorization shall be effective for a two-year term that began on September 2, 2024, and extends through September 1, 2026.

B. This natural gas may be imported and exported by pipeline at any point on the border between the United States and Canada.

C. **Monthly Reports:** With respect to the natural gas imports and exports authorized by this Order, Koch Energy Services shall file with the Office of Regulation, Analysis, and Engagement, within 30 days following the last day of each calendar month, a report on Form FE-

746R indicating whether imports or exports of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports or exports have been made, a report of “no activity” for that month must be filed. If imports or exports of natural gas have occurred, the report must provide the information specified for each applicable activity and mode of transportation, as set forth in the Guidelines for Filing Monthly Reports. These Guidelines are available at <https://www.energy.gov/fecm/guidelines-filing-monthly-reports>.

(Approved by the Office of Management and Budget under OMB Control No. 1901-0294)

D. The first monthly report required by this Order is due not later than October 30, 2024, and should cover the reporting period from September 2, 2024 through September 30, 2024.

E. Koch Energy Services’ blanket authorization to import and export natural gas from and to Canada, granted in DOE/FECM Order No. 4948 on January 11, 2023, is hereby vacated, effective September 2, 2024.

Issued in Washington, D.C., on September 19, 2024.

Amy R. Sweeney
Director, Office of Regulation, Analysis, and Engagement
Office of Resource Sustainability