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April 30, 2025

U.S. Department of Energy  
Office of Fossil Energy and Carbon Management  
FE-34 - ROOM 3E-056  
1000 Independence Avenue, S.W.  
Washington DC 20585  
Attention: Amy Sweeney  
Director, Office of Regulation, Analysis, and Engagement  
Office of Fossil Energy and Carbon Management

Re: ***Eagle LNG Partners Jacksonville II LLC, Docket Nos. 22-168-LNG and 17-79-LNG – Application of Eagle LNG Partners Jacksonville II LLC to Amend its Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations to Include Exports of LNG by Ship-to-Ship Transfers within the Territorial Seas of Foreign Countries***

Dear Ms. Sweeney:

Enclosed for filing is the application of Eagle LNG Partners Jacksonville II LLC (“Eagle Maxville”) to amend its existing long-term authorization to export up to 51.75 Bcf of natural gas per year as liquefied natural gas (“LNG”) (the “Amendment Application”). The purpose of this Amendment Application is to add to the export activities Eagle Maxville may undertake exports of LNG through ship-to-ship transfers of LNG for use as marine fuel to vessels located within the territorial seas of foreign countries (including vessels located within foreign ports).

Eagle Maxville’s existing authorizations, granted in DOE/FECM Order Nos. 4975 and 4078-B,<sup>1</sup> as amended by DOE/FECM Order No. 4975-A,<sup>2</sup> permit exports of LNG sourced from facilities identified in Eagle Maxville’s applications to: (1) any country with which the United

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<sup>1</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order Nos. 4975 and 4078-B (Mar. 12, 2023).

<sup>2</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order No. 4975-A (June 13, 2024).

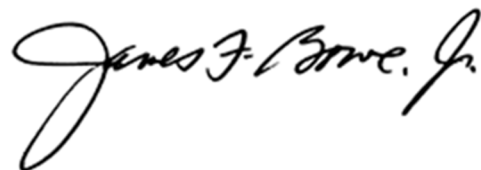
States has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas; and (2) any country with which the United States does not have a free trade agreement requiring national treatment for trade in natural gas, which currently has or in the future develops the capacity to import LNG and with which trade is not prohibited by United States law or policy, for a term ending on December 31, 2050.

In an order issued on February 25, 2025, DOE/FECM announced that, under Section 3 of the Natural Gas Act, as amended, “DOE has jurisdiction over LNG transferred to a receiving ship for use as marine fuel when the receiving ship is not only located in an international port, but more broadly when the receiving ship is located anywhere in a foreign country’s territorial sea (which is considered part of that country’s sovereign territory).”<sup>3</sup> On the basis of this determination, DOE modified the export authorization previously granted to JAX LNG, LLC so that it applies to that company’s ship-to-ship transfers of U.S.-sourced LNG for use as marine fuel when the receiving ship is located in the territorial sea of a foreign country (including in foreign ports).<sup>4</sup> Because Eagle Maxville engages and expects to continue to engage in transfers of U.S.-sourced LNG in bunkering operations conducted within the territorial seas of foreign countries (including those countries’ ports), Eagle Maxville seeks by this Amendment Application to add such transfers to the categories of activities to which its existing LNG export authorization applies.

Eagle Maxville seeks in this Amendment Application no change other than the addition to the activities for which it has been granted LNG export authorization of bunkering operations conducted within the territorial seas of foreign countries. Favorable action on this Amendment Application would not change Eagle Maxville’s qualification under the “small-scale” exports provisions of DOE’s regulations. Accordingly, the modified authorization requested in the Amendment Application should be deemed to be consistent with the public interest and granted without delay.<sup>5</sup>

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "James F. Bowe, Jr." The signature is fluid and cursive, with the first and last names being more prominent.

James F. Bowe, Jr.  
Partner

Attachments

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<sup>3</sup> *JAX LNG, LLC*, DOE/FECM Order No 5233-A (Feb. 25, 2025) at 10 (footnotes omitted).

<sup>4</sup> *Id.*

<sup>5</sup> 10 C.F.R. §§ 590.102(p) and 590.208(a) (2023).

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

**EAGLE LNG PARTNERS  
JACKSONVILLE II LLC**

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**Docket Nos. 22-168-LNG  
17-79-LNG**

**APPLICATION OF EAGLE LNG PARTNERS JACKSONVILLE II LLC TO AMEND  
ITS LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT NATURAL  
GAS TO FREE TRADE AGREEMENT AND NON-FREE TRADE AGREEMENT  
NATIONS TO INCLUDE EXPORTS OF LNG BY SHIP-TO-SHIP TRANSFERS  
WITHIN THE TERRITORIAL SEAS AND PORTS OF FOREIGN COUNTRIES**

Eagle LNG Partners Jacksonville II LLC (“Eagle Maxville”) hereby requests, pursuant to Section 3 of the Natural Gas Act of 1938, as amended (“NGA”)<sup>6</sup> and Part 590 of the Department of Energy’s (“DOE”) regulations,<sup>7</sup> that DOE’s Office of Fossil Energy and Carbon Management (“DOE/FECM”) amend the authorizations granted in DOE/FECM Order Nos. 4975, 4975-A and 4078-B (the “Existing Authorizations”) as described herein.<sup>8</sup> The Existing Authorizations grant Eagle Maxville long-term, multi-contract authorization to export up to 51.75 billion cubic feet (“Bcf”) of natural gas per year from domestic sources in the form of liquefied natural gas (“LNG”) to: (1) any country with which the United States has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas (“FTA nations”) and (2) any country with which the United States does not have a free trade agreement requiring national treatment for trade in natural gas, which currently has or in the future develops the capacity to import LNG and with which trade is not prohibited by United States law or policy (“non-FTA nations”), for a term

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<sup>6</sup> 15 U.S.C. § 717b (2018).

<sup>7</sup> 10 C.F.R. Part 590 (2023).

<sup>8</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order Nos. 4975 and 4078-B (Mar. 12, 2023); *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order No. 4975-A (June 13, 2024).

ending on December 31, 2050. By this application (the “Amendment Application”), Eagle Maxville respectfully requests that DOE/FECM amend the Existing Authorizations to add transfers of U.S.-sourced LNG in bunkering operations conducted within the territorial seas of foreign countries (including ports of such foreign countries) to the categories of activities to which those authorizations apply.

## **I. BACKGROUND**

Eagle Maxville has been exporting LNG in approved ISO IMO7/TVAC-ASME LNG (“ISO”) containers, primarily to countries in the Caribbean, since August 8, 2021.<sup>9</sup> While such exports initially occurred pursuant to authorizations issued in 2017 and 2020,<sup>10</sup> Eagle Maxville submitted an application on December 29, 2022, in DOE/FECM Docket Nos. 22-168-LNG and 17-79-LNG, in which it sought a single authorization to permit exports of up to 51.75 Bcf per year of LNG in ISO containers to both FTA and non-FTA nations (the “2022 Application”). In the 2022 Application, Eagle Maxville identified 13 potential sources of such LNG, along with the ports from which LNG procured from such sources would be exported. Eagle Maxville further requested that DOE/FECM issue a consolidated authorization to replace its prior authorization, that the period of such authorization run until December 31, 2050, and that Eagle Maxville be given the authority to export LNG on its own behalf and as agent for other entities. DOE/FECM granted those requests on March 12, 2023.<sup>11</sup>

On March 15, 2024, Eagle Maxville filed an application under Section 3 of the NGA in which it requested that DOE/FECM amend Order No. 4975 to add 28 new facilities to the list of

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<sup>9</sup> Eagle Maxville’s corporate information is unchanged from what was included in the December 29, 2022 application; that information is incorporated herein by reference.

<sup>10</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order No. 4078 (Sept. 15, 2017); *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order No. 4078-A (Dec. 30, 2020).

<sup>11</sup> See DOE/FE Order Nos. 4975 and 4078-B (Mar. 12, 2023).

facilities from which Eagle Maxville may source LNG for export.<sup>12</sup> That application was granted on June 13, 2024;<sup>13</sup> as a result, Eagle Maxville now has authorization to obtain LNG for export by means of ISO containers from a total of 41 facilities.

In addition to its exports of LNG in ISO containers primarily to Caribbean markets, Eagle Maxville has developed the capability to supply LNG as marine fuel through transfers to marine fueling (“bunkering”) vessels at its Talleyrand shore-side facility on the St. Johns River in the Port of Jacksonville, Florida. The bunkering vessels that receive LNG through the Talleyrand Station are capable of delivering that LNG through ship-to-ship transfers (known as “bunkering events”) to oceangoing vessels, including cruise ships, that are equipped to receive, store and vaporize LNG for use as fuel for propulsion. Eagle Maxville has in place agreements with a major cruise ship operator to supply LNG for use as marine fuel to two cruise ships through bunkering events that occur on average once a week per vessel. Eagle Maxville also from time to time supplies LNG to other vessels for use as fuel through spot sales.

Eagle Maxville began supplying LNG to one cruise ship in August 2024, and to a second cruise ship in October 2024. The bunkering events through which Eagle Maxville transfers that LNG to those cruise ships typically take place in the vicinity of CocoCay, Bahamas, within the territorial sea of the Bahamas.

In an order issued to JAX LNG, LLC on February 25, 2025, DOE/FECM announced that, under Section 3 of the Natural Gas Act, as amended, “DOE has jurisdiction over LNG transferred to a receiving ship for use as marine fuel when the receiving ship is not only located in an

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<sup>12</sup> *Eagle LNG Partners Jacksonville II LLC*, Application to Amend Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations, Docket No. 22-168-LNG (Mar. 15, 2024) at 2. Eagle Maxville provided a list of these additional facilities, together with their associated ports, as Amended Appendix C to the application.

<sup>13</sup> *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order No. 4975-A (June 13, 2024).

international port, but more broadly when the receiving ship is located anywhere in a foreign country's territorial sea (which is considered part of that country's sovereign territory).”<sup>14</sup> On the basis of this determination, DOE/FECM modified the export authorization granted to JAX LNG, LLC so that it applies to that company's ship-to-ship transfers of U.S.-sourced LNG for use as marine fuel when the receiving ship is located in the territorial sea of a foreign country (including in foreign ports).<sup>15</sup> DOE/FECM stated that

[t]he purpose of this modification is to clarify that DOE has jurisdiction over LNG transferred to a receiving ship for use as marine fuel when the receiving ship is not only located in an international port, but more broadly when the receiving ship is located anywhere in a foreign country's territorial sea (which is considered part of that country's sovereign territory). Through this exercise of jurisdiction under NGA section 3, DOE is maintaining jurisdiction over exports of natural gas and has visibility into bunkering activities occurring globally involving U.S. LNG, to the extent permitted by law.<sup>16</sup>

Because Eagle Maxville engages and expects to continue to engage in transfers of U.S.-sourced LNG in bunkering operations conducted within the territorial sea (and ports) of a foreign country, and DOE/FECM has asserted jurisdiction over such operations as “exports” subject to Section 3 of the NGA, Eagle Maxville seeks by this Amendment Application to add such transfers to the categories of activities to which its Existing Authorizations apply.

## **II. AMENDMENT REQUESTED AND THE PUBLIC INTEREST SUPPORTING IT**

Eagle Maxville hereby requests that DOE/FECM modify the Existing Authorizations so that Eagle Maxville may export LNG not only (i) in approved ISO containers loaded in such containers onto vessels, but also (ii) in bulk, loaded into bunkering vessels for transfer as marine fuel to ships located within the territorial sea of a foreign country (including ships located in

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<sup>14</sup> *JAX LNG, LLC*, DOE/FECM Order No 5233-A (Feb. 25, 2025) at 10 (footnotes omitted).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

foreign ports).<sup>17</sup> Now that DOE/FECM has found that “the ship-to-ship transfer of bunker fuel may constitute an ‘export’ of LNG in certain circumstances,”<sup>18</sup> Eagle Maxville asks that DOE/FECM grant it the same authorization to export LNG through deliveries in bunkering events taking place in the territorial seas of foreign countries (including foreign ports) that it has recently granted to JAX LNG, LLC. That is, Eagle Maxville respectfully requests that DOE/FECM modify the Existing Authorizations so that they apply to Eagle Maxville’s ship-to-ship transfer of U.S. LNG for use as marine fuel when the receiving ship (regardless of the flag or registration of the receiving ship) is located in the territorial sea of a foreign country (including in foreign ports), as determined by that country and recognized by the United States.<sup>19</sup> This will enable Eagle Maxville to continue to supply LNG as marine fuel in accordance with its existing contractual commitments and to take advantage of new opportunities to supply LNG for use as bunkering fuel through transfers in the territorial seas of foreign countries and in foreign ports as those opportunities appear.

Eagle Maxville is not seeking any other changes to its Existing Authorizations in this Amendment Application and, in particular, is not seeking to increase the quantity of LNG it is authorized to export. DOE/FECM has previously found that Eagle Maxville’s application with respect to exports to FTA nations should be “granted ‘without modification or delay’” as required under NGA Section 3(c).<sup>20</sup> With respect to exports to non-FTA nations, DOE/FECM has previously found that Eagle Maxville qualified under the “small-scale natural gas exports” rule

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<sup>17</sup> *Cf. id.* at 12, Ordering Paragraph A (granting JAX LNG, LLC authorization to export LNG “in two ways” – “in approved ISO containers on vessels” and “loaded into bunkering vessels for transfer as marine fuel to ships located within the territorial sea of a foreign country (including in foreign ports)”).

<sup>18</sup> *Id.* at 8.

<sup>19</sup> *See id.* at 3.

<sup>20</sup> *Id.* at 6 (quoting 15 U.S.C. § 717b(c)).

codified at 10 C.F.R. § 590.208(a), that the application was entitled to a categorical exclusion from the requirements of the National Environmental Policy Act, and that the exports were “deemed to be consistent with the public interest under NGA section 3(a).”<sup>21</sup> Having determined that no environmental review was necessary and that Eagle Maxville’s requests for an FTA authorization and a non-FTA authorization were deemed to be consistent with the public interest, DOE/FECM issued the Existing Authorizations.

The modified authorization sought in this Amendment Application should be deemed to be consistent with the public interest, and a categorical exclusion determination should be issued, for the same reasons as DOE/FECM granted the Existing Authorizations and has authorized JAX LNG, LLC to engage in exports of LNG through bunkering operations in the territorial waters of foreign countries. A categorical exclusion is appropriate here because no construction is needed in order for Eagle Maxville to continue to supply LNG for export through bunkering operations occurring in the territorial waters (including ports) of foreign countries. An amendment to the FTA portion of the Existing Authorization is appropriate because NGA Section 3(c) directs that FTA authorizations are to be “deemed to be consistent with the public interest” and should be issued “without modification or delay.”<sup>22</sup>

Because Eagle Maxville is not proposing to increase the quantity of natural gas it is authorized to export, this Amendment Application should be deemed consistent with the public interest under the small-scale natural gas exports policy, as was the case for the Existing Authorizations. Accordingly, Eagle Maxville respectfully requests that DOE/FECM promptly issue an amendment to the Existing Authorizations to authorize Eagle Maxville to export LNG (i)

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<sup>21</sup> *Id.* at 7-8.

<sup>22</sup> 15 U.S.C. § 717b(c).



in approved ISO containers loaded in such containers onto vessels, and also (ii) through deliveries by means of bunkering events taking place in the territorial seas of foreign countries (including such countries' ports).

### **III. REPORTING OBLIGATIONS**

Eagle Maxville acknowledges that under the terms of its Existing Authorizations, it is required each month to file with DOE/FECM's Office of Regulation, Analysis and Engagement, a report on Form FE-746R providing information relating to exports during the preceding month as specified in DOE/FECM's Guidelines for Filing Monthly Reports. Eagle Maxville understands that going forward, it will have to report as exports all ship-to-ship transfers of LNG which it has supplied for use as marine fuel that occur within the territorial sea of a foreign country, including transfers that take place in foreign ports.<sup>23</sup> Eagle Maxville further understands that for reporting purposes, it should report as the date of the export the date on which LNG sourced by Eagle Maxville was actually transferred from the bunkering vessel to the vessel taking on the LNG as fuel. This reporting convention will enable Eagle Maxville to avoid the problem that could occur if it were required to report the date of export as the date the bunkering vessel is loaded with LNG, at which time Eagle Maxville may not know where the bunkering activities may actually occur.

Eagle Maxville respectfully requests that DOE/FECM confirm its agreement with the reporting convention described above. It further requests that DOE/FECM identify any other information relating to exports effected through bunkering operations conducted in the territorial sea of a foreign country (including that country's ports) which DOE/FECM expects to be included in monthly reports describing such exports.

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<sup>23</sup> See *JAX LNG, LLC*, DOE/FECM Order No 5233-A (Feb. 25, 2025) at 14 (Appendix).

#### **IV.COMMUNICATIONS**

All correspondence and communications regarding this Amendment Application should be directed to:

James F. Bowe, Jr.  
King & Spalding LLP  
1700 Pennsylvania Avenue, NW  
Suite 900  
Washington, DC 20006  
Tel: +1 202 626-9601  
jbowe@kslaw.com

Jeff Roper  
General Counsel  
Eagle LNG Partners Jacksonville LLC  
2445 Technology Forest Blvd, Suite 500  
The Woodlands, TX 77381  
Tel: +1 832 709-0745  
jeffroper@eaglelng.com

#### **V. APPENDICES**

**Appendix A** contains a Verification as required by 10 C.F.R. § 590.103(b). A Certificate of Service is also attached.

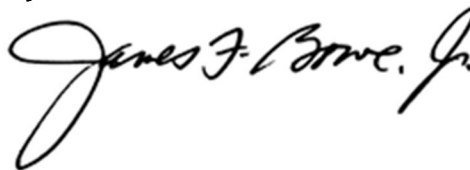
## VII. CONCLUSION

For the reasons set forth above, Eagle Maxville respectfully requests that DOE/FECM issue an order amending Eagle Maxville's Existing Authorizations so as to permit Eagle Maxville to export natural gas in the form of LNG to FTA and non-FTA nations (i) in approved ISO containers loaded in such containers onto vessels, and (ii) in bulk, loaded into bunkering vessels for transfer as marine fuel to ships located within the territorial sea of a foreign country (including ships located in foreign ports), for a term ending December 31, 2050, in an amount of up to 51.75 Bcf/year. Eagle Maxville further requests that DOE/FECM (i) confirm that Eagle Maxville's proposed approach to the reporting of exports effected through bunkering operations conducted in the territorial sea of a foreign country (including that country's ports) described under heading III above is acceptable, and (ii) identify any other information it expects to be included in monthly reports describing such exports.

Respectfully submitted,

**EAGLE LNG PARTNERS JACKSONVILLE II LLC**

By:

A handwritten signature in black ink, reading "James F. Bowe, Jr." in a cursive script.

James F. Bowe, Jr.

James F. Bowe, Jr.  
King & Spalding LLP  
1700 Pennsylvania Ave., NW, Suite 900  
Washington, DC 20006-4707

*Counsel for Eagle LNG Partners Jacksonville II LLC*

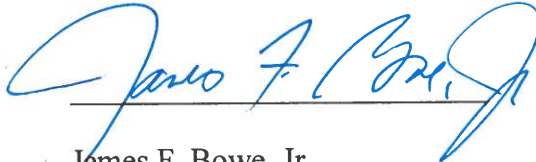
Dated: April 30, 2025

## **Appendix A**

### **Verification**


**VERIFICATION**

I, James F. Bowe, Jr., being first duly sworn, state that I am a duly authorized representative of Eagle LNG Partners Jacksonville II LLC; I have read the above Application and I am familiar with its contents; and the matters set forth in the Application are true and correct to the best of my knowledge, information, and belief.

  
James F. Bowe, Jr.

*Counsel to Eagle LNG Partners Jacksonville II LLC*

Sworn and subscribed before me this 30<sup>th</sup> day of April, 2025.

  
Notary Public  
Seth Rawlins

District of Columbia


My Commission expires: 5/31/2029



**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 for this proceeding.

Dated at Washington, D.C., this 30<sup>th</sup> day of April, 2025.

A handwritten signature in black ink, reading "James F. Bowe, Jr.", written in a cursive style. The signature is positioned above a horizontal line.

James F. Bowe, Jr.  
King & Spalding LLP  
1700 Pennsylvania Ave., NW, Suite 900  
Washington, DC 20006-4707

*Counsel for Eagle LNG Partners Jacksonville II LLC*