

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

Lake Charles LNG Export Company, LLC

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**Docket Nos. 13-04-LNG and
16-109-LNG**

**ANSWER OF LAKE CHARLES LNG EXPORT COMPANY, LLC IN OPPOSITION TO
MOTIONS TO INTERVENE AND PROTEST**

Pursuant to Sections 590.302(b), 590.303(e) and 590.304(f) of the regulations of the Department of Energy (“DOE”),¹ Lake Charles LNG Export Company, LLC (“Lake Charles LNG Export”) submits this answer in opposition to the (i) Motion to Intervene and Protest of For a Better Bayou, Habitat Recovery Project, Healthy Gulf, Louisiana Bucket Brigade, Micah 6:8 Mission, Sierra Club and the Vessel Project of Louisiana (collectively, “Environmental Advocates”)² and (ii) Motion to Intervene of Public Citizen, Inc. (“Public Citizen”).³ For the reasons explained herein, Lake Charles LNG Export respectfully requests that the Department of Energy Office of Fossil Energy and Carbon Management (“DOE/FECM”) deny each of the motions to intervene, reject Environmental Advocates’ protest and issue an order granting the extension as soon as possible.

¹ 10 C.F.R. §§ 590.302(b), 590.303(e), 590.304(f) (2025).

² Motion to Intervene and Protest of Application for Extension of Commencement Deadline of For a Better Bayou, Habitat Recovery Project, Healthy Gulf, Louisiana Bucket Brigade, Micah 6:8 Mission, Sierra Club and the Vessel Project of Louisiana, Docket Nos. 16-109-LNG and 13-04-LNG (Jul. 2, 2025).

³ Motion to Intervene of Public Citizen, Inc., Docket Nos. 13-04-LNG and 16-109-LNG (Jul. 1, 2025).

I.
PROCEDURAL BACKGROUND

On April 17, 2025, Lake Charles LNG Export filed an application (“Extension Application”) at DOE/FECM for an amendment to its non-FTA Export Order Nos. 3868 and 4010⁴ to extend the commencement of export operations deadline to December 31, 2031. On June 2, 2025, DOE/FECM published the Extension Application in the Federal Register and established a thirty (30) day comment period.⁵ The Federal Register Notice mandated that motions to intervene and protests were to be filed no later than 4:30 p.m., Eastern time, July 2, 2025.⁶

DOE/FECM on its own accord took administrative notice that, on May 8, 2025, the Federal Energy Regulatory Commission (“FERC”) issued an order granting Lake Charles LNG Export and its affiliates an extension of time “until and including December 31, 2031,” to construct the export project and related pipeline modifications (“Project”) and make it available for service.⁷ Healthy Gulf, Louisiana Bucket Brigade and Sierra Club are intervenors in the underlying proceeding at FERC. Neither these entities nor any other person protested the request for an extension at FERC or sought rehearing of the FERC order.

On July 1, 2025, Public Citizen filed its intervention in this proceeding. On July 2, 2025, Environmental Advocates submitted their motion to intervene and protest.

⁴ *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 3868 (issued Jul. 29, 2016); *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 4010 (issued Jun. 29, 2017).

⁵ Department of Energy, Docket Nos. 13-04-LNG and 16-109-LNG, Lake Charles LNG Export Company, LLC; Application for an Amendment to Extend the Commencement of Operations Deadline in Long-Term Authorizations to Export Liquefied Natural Gas, 90 FR 23324 (Jun. 2, 2025) (“Federal Register Notice”).

⁶ *Id.*

⁷ *Id.* at 23325; see *Lake Charles LNG Export Co., LLC et al.*, Letter Order, Docket Nos. CP14-119-000 et al. (May 8, 2025).

II.
ANSWER IN OPPOSITION TO MOTIONS TO INTERVENE

A. Public Citizen’s and Environmental Advocates’ motions to intervene do not meet the standards mandated by DOE’s regulations and each should be denied.

A movant for intervention must comply with Section 590.303 of DOE’s regulations. The regulation requires that such movant shall “set[] out *clearly and concisely the facts upon which the petitioner’s claim of interest is based.*”⁸ DOE requires that “[a] motion to intervene shall state, to the extent known, the position taken by the movant and the factual and legal basis for such positions in order to advise the parties and the Assistant Secretary as to the specific issues of policy, fact, or law to be raised or controverted.”⁹ DOE’s regulations define an “interested person” as “a person ... whose interest in a proceeding *goes beyond the general interest of the public as a whole* and includes ... individuals ... *with a proprietary, financial or other special interest* in the outcome of a proceeding.”¹⁰ Finally, in the Federal Register Notice, DOE/FECM stated that “[a]ll ... motions to intervene, or notices of intervention must meet the requirements specified by DOE’s regulations in 10 CFR part 590[.]”¹¹ Despite such instructions, each of the motions to intervene filed in this proceeding fail to meet DOE’s regulatory standards and should be denied.

1. Public Citizen. Public Citizen states that it “hereby intervenes in these proceedings” and that it “is already an intervenor in Lake Charles LNG DOE Docket No. 23-87-LNG.”¹² It is immaterial that Public Citizen filed a motion to intervene seeking intervenor status in a different proceeding with a different applicant, Lake Charles Exports, LLC, than the applicant

⁸ 10 C.F.R. § 590.303(b) (2025) (emphasis added).

⁹ *Id.* at § 590.303(c).

¹⁰ *Id.* at § 590.102(h) (emphasis added).

¹¹ Federal Register Notice, 90 FR 23325.

¹² Public Citizen Motion to Intervene at 1.

in this proceeding.¹³ DOE/FECM advised that an entity's intervenor status "in prior proceeding(s) in the Lake Charles LNG Export dockets does not continue to this proceeding evaluating the Extension Application[.]"¹⁴ Public Citizen must meet the requirements for intervention in this proceeding evaluating the Extension Application.

Public Citizen makes no effort to establish the facts upon which its claim of interest is based with respect to the Extension Application. Public Citizen states that it represents "the interest of American household consumers"¹⁵ but does not claim that any of these households or its members are in the vicinity of the Project. Public Citizen has not demonstrated how its interest goes beyond the general interest of the public as a whole or that it has a "special interest in the outcome of a proceeding."¹⁶

Public Citizen states that it has an interest in the Extension Application as the operations of the Project "may come at the expense of higher domestic energy prices for Americans and decrease sufficient availability of domestic gas supply, thereby raising concerns whether the request is consistent with the public interest."¹⁷ DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.¹⁸ DOE/FECM stated in the Federal Register Notice that the public previously was given an opportunity to comment on those issues and, therefore, it "will not consider comments or

¹³ DOE/FECM has yet to act on Public Citizen's motion for intervention in Docket No. 23-87-LNG, which was opposed by Lake Charles Exports, LLC. *See* 10 C.F.R. § 590.303(f) ("If an answer in opposition to a motion to intervene is timely filed ..., then the movant becomes a party only after the motion to intervene is expressly granted.").

¹⁴ Federal Register Notice, 90 FR 23325.

¹⁵ Public Citizen Motion to Intervene at 1.

¹⁶ *See* 10 C.F.R. § 590.102(h) (definition of "interested person," which Public Citizen does not qualify as).

¹⁷ Public Citizen Motion to Intervene at 1.

¹⁸ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at pages 40-80; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at pages 26-29.

protests that do not bear directly on the Extension Application.”¹⁹ As DOE/FECM will not consider comments or protests on these subjects, it is insufficient for Public Citizen to base its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. DOE/FECM should deny Public Citizen’s motion to intervene due to its failure to meet DOE’s intervention standards.²⁰

2. For a Better Bayou. For a Better Bayou states that it is a community-based organization in Southwest Louisiana with a mission to “hold[] the fossil fuel industry accountable for the harm it causes to people and the environment[.]”²¹ More specifically, it claims that its work and mission will be impacted because the Project’s alleged air and water pollution “will deter members from engaging in outdoor activities in the region.”²² For a Better Bayou bases its claim of interest with respect to the Extension Application solely on the Project’s alleged air and water pollution. However, DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.²³ As DOE/FECM will not consider comments or protests on these subjects,²⁴ it is insufficient that For a Better Bayou bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application.

¹⁹ Federal Register Notice, 90 FR 23325.

²⁰ *Port Arthur LNG, LLC*, DOE/FECM Order Nos. 3698-C and 4372-B at 11 (issued Apr. 21, 2023) (DOE denied Public Citizen’s motion to intervene due to a “fail[ure] to set out facts upon which its claim of interest is based, as required for intervention under 10 C.F.R. § 590.303(b).”).

²¹ Environmental Advocates Motion to Intervene/Protest at 5.

²² *Id.* at 6.

²³ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at pages 81-90 and 131-150; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 31-37.

²⁴ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export’s long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

In addition, For a Better Bayou neither provides any information on its members nor represents that its members currently engage in outdoor activities in the vicinity of the Project. It appears that For a Better Bayou is generally opposed to the “fossil fuel industry” and that is the reason for its intervention in this proceeding. For a Better Bayou failed to set out the facts upon which its claim of interest is based with respect to the Extension Application and, therefore, DOE/FECM should deny its motion to intervene.

3. Habitat Recovery Project. Habitat Recovery Project states that it “represents a community-focused conservation movement dedicated to restoring ... wildlife habitats ... through supporting and benefitting the communities around them” as it has a “a direct and substantial interest in the regulatory and environmental implications of LNG infrastructure expansion in Cameron Parish.”²⁵ However, DOE/FECM already examined the environmental issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.²⁶ As DOE/FECM will not consider comments on these subjects,²⁷ it is insufficient that Habitat Recovery Project bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. In addition, Habitat Recovery Project bases its claim of interest on LNG expansions in Cameron Parish but the Project is in Calcasieu Parish. Habitat Recovery Project failed to set out the facts upon which its claim of interest is based with respect to the Extension Application and, therefore, DOE/FECM should deny its motion to intervene.

²⁵ Environmental Advocates Motion to Intervene/Protest at 6.

²⁶ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at 117-118 and 141-143; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 10-12.

²⁷ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export’s long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

4. **Healthy Gulf.** Healthy Gulf states that it has several hundred members in Louisiana and it works “to protect the integrity of wetlands, waters, wildlife and other ecological resources throughout Louisiana and the Gulf Region.”²⁸ It then concludes that its “work will be directly affected by the construction and operation of the proposed facilities.”²⁹ Healthy Gulf failed to explain if any of its Louisiana members are located in the vicinity of the Project or how its members will be impacted by the Extension Application. Healthy Gulf fails to establish a claim of interest with respect to the Extension Application because such general claims as to wetlands, waters, wildlife and other ecological resources do not pertain to the Extension Application and DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.³⁰ As DOE/FECM will not consider comments on these subjects,³¹ it is insufficient that Healthy Gulf bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. Therefore, DOE/FECM should deny Healthy Gulf’s motion to intervene.

5. **Louisiana Bucket Brigade.** Louisiana Bucket Brigade states that it has members in the Lake Charles area who will be impacted by the Project but, it provides no explanation as to how its members will be impacted.³² Louisiana Bucket Brigade argues that the Project “is yet another threat to Southwest Louisiana’s communities which are already overburdened with toxic

²⁸ Environmental Advocates Motion to Intervene/Protest at 7.

²⁹ *Id.*

³⁰ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at 117-118 and 141-143; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 10-12.

³¹ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export’s long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

³² Environmental Advocates Motion to Intervene/Protest at 7.

emissions from numerous fossil fuel and petrochemical facilities.”³³ Louisiana Bucket Brigade fails to establish a claim of interest with respect to the Extension Application because such general claims about air quality do not pertain to the Extension Application and DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.³⁴ As DOE/FECM will not consider comments on these subjects,³⁵ it is insufficient that Louisiana Bucket Brigade bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. Therefore, DOE/FECM should deny Louisiana Bucket Brigade’s motion to intervene.

6. Micah 6:8 Mission. Micah 6:8 Mission states it works to inform Louisiana residents on the adverse environmental impacts of the petrochemical and oil and gas industry and supports communities in Calcasieu and Cameron Parishes whose health and homes it claims are devastated by the petrochemical industry as well as the oil and gas industry.³⁶ Micah 6:8 Mission provides no specifics on its work and merely makes a conclusory statement that its work is directly affected by the Project. Micah 6:8 Mission fails to establish a claim of interest with respect to the Extension Application because such general claims about alleged adverse environmental impacts do not pertain to the Extension Application and DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA

³³ *Id.* at 7-8.

³⁴ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at 86-87 and 117-118; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 10-12 and 31-33.

³⁵ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export’s long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

³⁶ Environmental Advocates Motion to Intervene/Protest at 9.

countries.³⁷ As DOE/FECM will not consider comments on these subjects,³⁸ it is insufficient that Micah 6:8 Mission bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. Therefore, DOE/FECM should deny Micah 6:8 Mission's motion to intervene.

7. **Sierra Club.** Sierra Club argues that “[t]he Lake Charles LNG exports will harm Sierra Club and its members by increasing the prices they pay for energy” and it will be further harmed “by increasing gas production and associated air pollution, including (but not limited to) the emission of greenhouse gases and ozone precursors.”³⁹ Sierra Club fails to establish a claim of interest with respect to the Extension Application because such general claims about possible increased prices and alleged adverse environmental impacts do not pertain to the Extension Application and DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.⁴⁰ As DOE/FECM will not consider comments on these subjects,⁴¹ it is insufficient that Sierra Club bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. Therefore, DOE/FECM should deny Sierra Club's motion to intervene.

³⁷ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at 76-77, 81-115, 118-125 and 136-150; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 30-41.

³⁸ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export's long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

³⁹ Environmental Advocates Motion to Intervene/Protest at 8-9.

⁴⁰ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at 40-60, 72-80, 86-88, 118-125 and 136-151; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 30-41.

⁴¹ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export's long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

8. **The Vessel Project of Louisiana.** The Vessel Project of Louisiana states that it is a grassroots mutual aid and disaster relief organization founded in Southwest Louisiana.⁴² The Vessel Project of Louisiana argues that its work of providing disaster relief will be affected “by the release of toxic pollutants into the air and water” and “the lifecycle greenhouse gas emissions [that] will contribute to climate change.”⁴³ The Vessel Project of Louisiana fails to establish a claim of interest with respect to the Extension Application because such general claims about alleged adverse environmental impacts do not pertain to the Extension Application and DOE/FECM already examined those issues when it originally granted Lake Charles LNG Export authorizations to export LNG to non-FTA countries.⁴⁴ As DOE/FECM will not consider comments on these subjects,⁴⁵ it is insufficient that the Vessel Project of Louisiana bases its entire status as an intervenor solely on these issues that are not germane to the examination of the Extension Application. Therefore, DOE/FECM should deny the Vessel Project of Louisiana’s motion to intervene.

⁴² Environmental Advocates Motion to Intervene/Protest at 9.

⁴³ *Id.*

⁴⁴ *Lake Charles LNG Export*, DOE/FE Order No. 3868 at 76-77, 81-115, 118-125 and 136-150; *Lake Charles LNG Export*, DOE/FE Order No. 4010 at 30-41.

⁴⁵ See Federal Register Notice, 90 FR 23325 (“The public previously was given an opportunity to intervene in, protest, and comment on Lake Charles LNG Export’s long-term non-FTA applications” and “[t]herefore, DOE will not consider comments or protests that do not bear directly on the Extension Application.”).

III. ANSWER IN OPPOSITION TO ENVIRONMENTAL ADVOCATES' PROTEST

A. Environmental Advocates' argument that the Extension Application should be denied on the same policy grounds as the denial of the 2022 extension request completely ignores the sea change in energy policy mandated by the Trump administration.

Environmental Advocates argue that the Extension Application should be denied based on the same “broader policy purposes” underlying the denial of Lake Charles LNG Export’s 2022 extension request, which was issued concurrently with DOE’s policy statement on extensions.⁴⁶ A few months after the denial, President Biden announced a “pause” on the review and any approvals of all pending and future non-FTA applications at DOE.⁴⁷ However, the Trump administration fundamentally changed the Nation’s energy policy by eliminating the “regulatory barriers standing in the way of unleashing U.S. liquefied natural gas (LNG exports),” including the Biden-era policy that “made it unnecessarily rigid to obtain and maintain an authorization to export U.S. LNG to non-free trade agreement countries.”⁴⁸ Environmental Advocates ignore the reality that DOE announced that it has “return[ed] to a common-sense policy on reviewing commencement date extensions.”⁴⁹

The Trump administration has taken bold action to change America’s direction through a mandate that once again America’s energy abundance is to be recognized as a tremendous asset and not a liability. In the *Unleashing American Energy* Executive Order, the Secretary of Energy

⁴⁶ Environmental Advocates Motion to Intervene/Protest at 10.

⁴⁷ The Courts found President Biden’s “pause” to be unlawful and enjoined DOE from halting and/or pausing the approval process for pending and future applications for LNG exports to non-FTA countries. *State of Louisiana, et al. v. Joseph R. Biden, et al.*, Case No. 2:24-CV-00406 (W.D. La. July 1, 2024). In contravention of the Court’s order, the Biden administration did not end the “pause”.

⁴⁸ *Energy Department Takes Action to Remove Barriers for Requests to LNG Export Commencement Date Extensions*, (Apr. 1, 2025), <https://www.energy.gov/articles/energy-department-takes-action-remove-barriers-requests-lng-export-commencement-date>.

⁴⁹ *Id.*

was directed to “restart reviews of applications for approvals of liquified natural gas export projects as expeditiously as possible, consistent with applicable law.”⁵⁰ The Executive Order stated that “[i]n assessing the ‘Public Interest’ to be advanced by any particular application, the Secretary of Energy shall consider the *economic and employment impacts* to the United States and the *impact to the security of allies and partners* that would result from granting the application.”⁵¹ Secretary Wright stated that ending the LNG export freeze was one example of a common sense energy policy replacing burdensome and unreasonable government overreach. Overall, “[a] strong energy foundation, expanded energy infrastructure, more American ingenuity, and fewer barriers mean a stronger America” and “we’re just getting started.”⁵²

President Trump also issued the *Declaring a National Energy Emergency* Executive Order because the United States had been hampered in the use of its abundant energy resources to better the lives of its citizens and to aid its foreign allies and partners.⁵³ The Executive Order states:

Moreover, the United States has the potential to use its unrealized energy resources domestically, and to sell to international allies and partners a reliable, diversified, and affordable supply of energy. This would create jobs and economic prosperity for Americans forgotten in the present economy, improve the United States’ trade balance, help our country compete with hostile foreign powers, strengthen relations with allies and partners, and support international peace and security. Accordingly, our Nation’s dangerous energy situation inflicts unnecessary and perilous constraints on our foreign policy.⁵⁴

⁵⁰ Exec. Order No. 14154, *Unleashing American Energy*, 90 Fed. Reg. 8353 (Jan. 29, 2025) (issued Jan. 20, 2025).

⁵¹ *Id.* (emphasis added).

⁵² *Statement from Energy Secretary Chris Wright on President Trump’s Joint Address to Congress*, (Mar. 4, 2025), <https://www.energy.gov/articles/statement-energy-secretary-chris-wright-president-trumps-joint-address-congress>.

⁵³ Exec. Order No. 14156, *Declaring a National Energy Emergency*, 90 Fed. Reg. 8433 (Jan. 29, 2025) (issued Jan. 20, 2025).

⁵⁴ *Id.*

President Trump’s energy policies will enable the United States to fully use its unrealized energy resources domestically and to sell to its allies and trade partners a reliable, diversified, and affordable supply of energy. The export of U.S. LNG is at the forefront of this effort to increase energy production that will benefit the U.S. economy, catalyze U.S. employment growth, and promote energy security for its allies and trade partners. As Secretary Wright has declared, “[w]hen American energy is unleashed, human lives are bettered.”⁵⁵

DOE/FECM recently issued several orders approving LNG export projects and extension requests in furtherance of the Nation’s energy policy. In particular, DOE/FECM approved the extension requests of Delfin LNG, LLC (Docket Nos. 13-129-LNG et al.) and Golden Pass LNG Terminal LLC (Docket Nos. 12-88-LNG et al.).⁵⁶ The initial export applications for these two projects were filed at approximately the same time that Lake Charles LNG Export filed its initial export application⁵⁷ and DOE/FECM did not have any concerns that the record forming the basis of the original public interest determination in *Delfin LNG* or *Golden Pass LNG* had become “stale”. Therefore, Environmental Advocates’ concern that the record for Lake Charles LNG Export is stale is unfounded.⁵⁸

⁵⁵ *Statement from Energy Secretary Chris Wright* (Feb. 3, 2025), <https://www.energy.gov/articles/statement-energy-secretary-chris-wright>.

⁵⁶ *Delfin LNG LLC*, DOE/FECM Order Nos. 3393-C et al. (issued Mar. 10, 2025); *Golden Pass LNG Terminal LLC*, DOE/FECM Order Nos. 3147-F et al. (issued Mar. 5, 2025).

⁵⁷ Delfin LNG filed its initial application at DOE to export LNG to non-FTA countries in November 2013; Golden Pass LNG filed its initial application at DOE to export LNG to non-FTA countries in October 2012; and Lake Charles LNG Export filed its initial application at DOE to export LNG to non-FTA countries in January 2013.

⁵⁸ See Environmental Advocates Motion to Intervene/Protest at 11-12 (“DOE’s concern that granting an extension in 2023 would require it to rely inappropriately on a prior public interest determination made using stale data remains even more relevant today, in 2025.”).

In addition, DOE's recent 2024 LNG Study supports the continuation of LNG exports.⁵⁹

The following are the key findings of DOE's response to the comments on the 2024 LNG Study:

- U.S domestic natural gas supply is sufficient to meet domestic and market-based global demand for U.S. natural gas (including LNG).
- Increasing U.S. LNG exports increases U.S. GDP.
- Higher levels of U.S. LNG exports will have a beneficial impact on the U.S. trade balance.
- Increased LNG exports are projected to have relatively modest impacts on prices and there has not been a consistent effect of U.S. LNG exports on prices to date. The potential price impacts from increased LNG exports modeled in the 2024 LNG Study are within the range of prices observed over the past five years, and those price impacts are below the price increases from U.S. LNG exports modeled in DOE's 2018 LNG Export Study.
- Increased U.S. LNG exports would enhance national and energy security for the United States, as well as U.S. allies and trading partners.
- If U.S. LNG exports more than triple from current levels and reach the model-resolved level of exports, 56.3 Bcf/d, the cumulative increase in global GHG emissions to 2050 would be no greater than 0.1%. Given the uncertainties inherent in modeling the global energy system, DOE cannot conclude that the change in GHG emissions would be significantly different from zero.
- Increased U.S. exports of LNG are more likely to displace other sources of natural gas, along with coal and oil, than to replace renewable energy.
- Natural gas production and the development of natural gas export infrastructure provide economic support to the communities in which they occur, including increased levels of employment.
- Natural gas production, processing, and transportation have environmental effects. Federal, state, and local regulatory requirements, that are outside DOE's authority over LNG exports, include measures to reduce or mitigate any potential related impacts.⁶⁰

Lake Charles LNG Export's Extension Application is fully aligned with the Nation's energy policies and should be approved as soon as possible in order to enable the Project to proceed to a Final Investment Decision ("FID"), which is targeted for year-end 2025.

⁵⁹ See DOE/FECM response to comments on the 2024 LNG Export Study: Energy, Economic and Environmental Assessment of U.S. LNG Exports (issued May 19, 2025).

⁶⁰ *Id.* at 47-49.

B. Environmental Advocates’ argument that Lake Charles LNG Export has not made substantial progress on the Project is contrary to the facts.

Environmental Advocates argue that Lake Charles LNG Export has not made substantial progress on the commercialization of the Project and only has conducted minimal construction activity.⁶¹ Such contentions are baseless and easily contradicted by the facts, as Lake Charles LNG Export set out in detail in its Expansion Application, which the Environmental Advocates do not dispute. Despite the challenging, completely unforeseen circumstances outside of their control, Lake Charles LNG Export and Energy Transfer diligently and in good faith have made ongoing and substantial efforts to advance the development of the Project. Energy Transfer has incurred approximately \$398 million of costs to develop the Project, including approximately \$75.6 million since October 2020 (i.e., the date when DOE/FECM approved the current commencement deadline).⁶² Despite Environmental Advocates’ argument of minimal Project activity, they did not contest the fact that approximately \$398 million of costs have been incurred to develop the Project.

Examples of non-refuted, concrete progress on the Project include:

Commercial and Customer Activities

- As of April 2025, Energy Transfer had executed long-term commercial agreements with LNG offtake customers for approximately 10.0 mtpa of LNG, which was 60% of the FERC-approved LNG production capacity for terms of 18-25 years.⁶³
- In April 2025, Energy Transfer signed a Heads of Agreement (“HOA”) with MidOcean Energy, an LNG company formed and managed by EIG, a leading institutional investor in the global energy and infrastructure sectors, which provides a framework for the major terms for MidOcean Energy’s participation in the Project, including an equity investor that will commit to fund 30% of the construction costs of the Project that will entitle MidOcean to 30% of the LNG production (approximately 5.0 mtpa of LNG).⁶⁴

⁶¹ Environmental Advocates Motion to Intervene/Protest at 14-17.

⁶² Extension Application at 24.

⁶³ *Id.* at 29.

⁶⁴ *Id.* at 29.

- In April 2025, Energy Transfer announced on an earnings call that it signed a HOA with a German energy company for 1.0 mtpa of LNG. The identity of this prospective customer is confidential.
- In May 2025, Energy Transfer announced that it had entered into a 20-year term LNG Sale and Purchase Agreement with Kyushu Electric Power Company, Inc. for 1.0 mtpa of LNG.⁶⁵
- In June 2025, Energy Transfer announced that it had entered into an additional 20-year term LNG Sale and Purchase Agreement with Chevron U.S.A. Inc. for an incremental 1.0 mtpa of LNG in addition to the 2.0 mtpa of LNG Chevron signed up for in December 2024.⁶⁶

Construction Activities

- Energy Transfer has received authorizations from FERC and has performed ground disturbance construction at the Project site, including tree clearing of 150 acres, drilling of test piles for the foundation, constructing and maintaining erosion control devices, conducting geotechnical investigations, relocating an existing road and an existing pipeline, and plugging of an oil and gas well on site. After completion of such construction, FERC conducted inspections of the construction and filed Construction Inspection Reports. Energy Transfer also has executed contracts with third-party construction contractors to implement the remaining FERC-approved site preparation work.⁶⁷
- Energy Transfer has maintained, operated and repaired its existing import facilities for use in the Project, including four LNG storage tanks with a total combined storage capacity of 425,000 cubic meters, two deep water loading docks capable of handling large LNG vessels, LNG sendout facilities, and other infrastructure on the 152-acre brownfield import terminal site. The value of these import facilities that will be incorporated into the Project is estimated to be in excess of \$1.0 billion.⁶⁸ In addition, Energy Transfer has spent nearly \$8.0 million in maintaining, repairing and upgrading these facilities over the

⁶⁵ Press Release, Energy Transfer LP, *Energy Transfer Signs Agreement to Supply Kyushu Electric Power Company up to 1 Million Tonnes of LNG per Annum from its Lake Charles LNG Export Facility*, (May 29, 2025).

⁶⁶ Press Release, Energy Transfer LP, *Energy Transfer Expands LNG Supply Agreement with Chevron by 1.0 Million Tonnes per Annum from Lake Charles LNG*, (Jun. 25, 2025).

⁶⁷ Extension Application at 26-27.

⁶⁸ *Id.* at 25. The estimated value is based on a variety of factors, including the estimated cost to construct these facilities under the current cost environment and the overall impact on the construction schedule if the facilities are not already existing. The estimated value of these import facilities is not included in the approximately \$398 million that has been spent on the development of the Project.

last seven years, including repairs due to several hurricanes, in order for them to be incorporated into the Project.⁶⁹ These activities also included actions to maintain such facilities to remain in compliance with U.S. Department of Transportation PHMSA requirements.⁷⁰

- In December 2022, FERC issued Trunkline Gas Company, LLC (“Trunkline”) a notice to proceed with construction of a portion of the Pipeline Modifications Project regarding piping modifications of four Trunkline compressor stations to enable bi-directional flow, which was certificated by FERC in the Project’s Authorization Order as part of the Project providing capacity for the natural gas to be transported to the Lake Charles Terminal for liquefaction. Trunkline put these facilities into service on January 1, 2024 at a cost of approximately \$100 million.⁷¹ This portion of the Pipeline Modifications Project is an integral component of the Project.⁷²
- Energy Transfer has obtained variance approvals from FERC for various design enhancements to the Project.⁷³
- In the spring of 2020, Energy Transfer received bids from two engineering, procurement, and construction (“EPC”) contractors for the EPC of the Project components not already constructed. However, the EPC contractors took the position that the bids were invalid due to severe supply-chain disruptions and increased costs stemming from the COVID-19 pandemic. In August 2022, Energy Transfer engaged the two potential EPC contractors to provide updated EPC bids. Energy Transfer paid nearly \$25 million for the bid updating process alone, which was not completed until May 2023. Energy Transfer then began the negotiations of the EPC contract, which was executed in September 2024 with KTJV, a joint venture between KBR and Technip Energies.⁷⁴
- Energy Transfer is expending significant manpower resources on improving the design of the Project, as well as developing detailed Project execution plans covering all aspects of construction. Energy Transfer has more than 40 employees actively working on the Project in the areas of engineering and construction, finance, commercial development, legal, public relations, and government affairs, as well as several third-party consulting firms providing

⁶⁹ *Id.* These costs to maintain, repair and upgrade these import facilities are not included in the approximately \$398 million that has been spent on the development of the Project.

⁷⁰ *Id.* at 27-28.

⁷¹ *Id.* at 26. The costs to construct this portion of the Pipeline Modifications Project are not included in the approximately \$398 million that has been spent on the development of the Project.

⁷² *Id.* at 28.

⁷³ *Id.*

⁷⁴ *Id.*

services related to engineering and construction, commercial development, and finance.⁷⁵

Financing and Equity Activities⁷⁶

- In April 2025, Energy Transfer signed a HOA with MidOcean Energy, which provides a framework for the major terms for MidOcean Energy's participation in the Project, including an equity interest that will commit to fund 30% of the construction costs of the Project that will entitle MidOcean to 30% of the LNG production (approximately 5.0 mtpa of LNG).
- Energy Transfer is in active discussions with various parties for the remaining portion of the equity financing necessary for the Project.
- Energy Transfer engaged a financial advisor related to arranging financing for the Project. Energy Transfer also engaged several consultants to prepare detailed subject matter reports essential for prospective lenders and equity participants; these consultants include an independent engineering consultant, an independent marketing consultant, and an independent environmental consultant. These reports have required months of extensive work by the respective consultants.

Permits and Land⁷⁷

- Lake Charles LNG has obtained all required federal, state, and local authorizations and permits related to construction and operation of the Project facilities. Such authorizations and permits have been maintained, remain valid and are in full force and effect.
- Lake Charles LNG completed the review and revalidation of the facility Waterway Suitability Assessment, which the U.S. Coast Guard approved in February 2023. As part of the revalidation, Lake Charles LNG requested and received an increase in the number of authorized vessels in order to allow the Project to operate more efficiently.
- Energy Transfer has secured all land rights for the 256-acre LNG export terminal parcel.

As demonstrated in the Extension Application and as noted above, Energy Transfer has made extensive efforts and capital expenditures to continue to develop the Project. Energy

⁷⁵ *Id.* at 26.

⁷⁶ *Id.* at 31-32.

⁷⁷ *Id.* at 31.

Transfer has taken regular action before DOE and FERC to advance the Project and has undertaken numerous efforts to progress the Project and continue construction. Environmental Advocates' argument that Lake Charles LNG export "has made little progress moving its project forward"⁷⁸ is not credible or supported by the facts. The Project remains an active, fully-supported project and Energy Transfer stands ready to move the Project forward. Complex FID financing arrangements require an extension that recognizes the full schedule to reach in-service, prior to advancing to FID and starting full-scale construction. Lake Charles LNG Export needs DOE/FECM to expeditiously act on its Extension Application so that it can proceed to FID and release its EPC contractor to move to the next phase of the construction of the Project.

C. Environmental Advocates agree that the extenuating circumstances were outside of Lake Charles LNG Export's control.

Environmental Advocates criticize Lake Charles LNG Export for what they view as a lack of progress on the Project, arguing that "Lake Charles LNG Export has made little progress moving its project forward"⁷⁹ and that there has been "almost no construction or financing progress"⁸⁰ compared to other LNG projects that faced the same types of challenges. On the contrary, as demonstrated in the Extension Application and as noted above, Lake Charles LNG Export has made extensive progress advancing the Project to FID even with the unforeseen challenges it has faced. Despite Environmental Advocates unwarranted criticism, they do not dispute that the extenuating circumstances faced by Lake Charles LNG Export were outside of its control. A summary of the undisputed, extenuating circumstances outside of Lake Charles LNG Export's

⁷⁸ Environmental Advocates Motion to Intervene/Protest at 16.

⁷⁹ *Id.*

⁸⁰ *Id.* at 17.

control that caused it to be unable to meet the commencement of export operations deadline is as follows:

- In a large, complex international merger in 2016, BG Group plc (one of the two original sponsors of the Project) was acquired by Shell Oil and during the resulting integration process Shell Oil reevaluated the Project. New project agreements between Shell Oil and Energy Transfer had to be renegotiated and this was completed until March 2019.⁸¹
- In the spring of 2020, the world-wide COVID-19 pandemic started to cause a major worldwide economic downturn that almost entirely shut down the demand for long-term LNG export contractual commitments for the Project for over two years. Prospective international customers could not forecast future demand for LNG based on the unknown duration and extent of the impacts of the pandemic. In addition, citing the impacts of COVID-19, Shell Oil withdrew as a Project sponsor on April 1, 2020 and Energy Transfer assumed 100% of the Project. It was not until early to mid-2022 that the effects of COVID-19 began to lessen and worldwide demand for LNG began to increase following Russia's invasion of Ukraine, which enabled Energy Transfer to ramp up its development activities.⁸²
- The COVID-19 pandemic also caused significant supply chain issues that resulted in severe shortages of critical LNG equipment to be used in the Project, particularly electrical components, heat exchangers, turbines and compressors, as well as substantial increases in the cost of materials. These issues ultimately led to the determination by the Project's two potential EPC contractors that they could not honor their prior EPC bids. The two EPC contractors started a nine-month process in early Fall of 2022 to solicit updated bids from every supplier of materials and parts for the Project. The process for obtaining new bids was time-consuming and arduous and Energy Transfer paid nearly \$25 million for the bid updating process alone. Energy Transfer did not receive revised final bids from the two EPC contractors until May 2023. Upon receipt of the revised bids, Energy Transfer began negotiating the EPC contract. Negotiations were completed in September 2024, and Energy Transfer and KTJV, a joint venture between KBR and Technip Energies, executed the EPC contract.⁸³
- President Biden announced on January 26, 2024 a formal "pause" on the review and any approval of all non-FTA applications at DOE, leaving the Project in limbo. The Biden Administration's "pause" on DOE's review of applications (including Lake Charles Exports, LLC's non-FTA application in Docket No. 23-87-LNG) caused considerable angst among the companies that previously

⁸¹ Extension Application at 20-21.

⁸² *Id.* at 21.

⁸³ *Id.* at 21-22.

had entered into long-term LNG offtake contracts with Energy Transfer for the Project. In addition, Energy Transfer's discussions with other LNG customers and with potential equity participants in the Project experienced setbacks due to the uncertainty of the timing and substance of DOE's review process related to the "pause." President Trump lifted the "pause" earlier this year but there remains a backlog of pending requests due to such "pause".⁸⁴

As noted above, the Project experienced difficulties, delays and added costs after October 2020 due to the lingering impacts of COVID-19. The two-year disruption caused by the former administration's "pause" on the consideration of the Project's pending non-FTA authorization application at DOE and the other circumstances noted herein outside of Lake Charles LNG Export's and Energy Transfer's control necessitate this request for an extension of the export commencement deadline in the DOE export orders.

D. Environmental Advocates' argument that DOE/FECM is not bound by FERC's recent grant of an extension for the Project is a red herring.

Environmental Advocates argue that DOE/FECM is not bound by FERC's recent extension order for the Project.⁸⁵ Environmental Advocates even claim that "Lake Charles LNG Export repeats its argument that, because the facts it presents were sufficient for FERC to grant extensions, DOE should likewise accept them as sufficient."⁸⁶ Environmental Advocates, however, mischaracterize the Extension Application on this point. Lake Charles LNG Export did not claim that because FERC granted an extension on May 8, 2025 that DOE should likewise be bound to grant an extension. Lake Charles LNG Export obviously did not make such a claim because it filed the Extension Application at DOE/FECM on April 17, 2025, and FERC did not grant the extension until May 8, 2025. It was DOE/FECM that on its own accord took administrative notice in the Federal Register Notice that FERC issued an order granting Lake Charles LNG Export and

⁸⁴ *Id.* at 23-24

⁸⁵ Environmental Advocates Motion to Intervene/Protest at 12.

⁸⁶ *Id.*, citing Expansion Application at 22.

its affiliates an extension of time “until and including December 31, 2031,” to construct the export project and related pipeline modifications and make it available for service.⁸⁷ Healthy Gulf, Louisiana Bucket Brigade and Sierra Club are intervenors in the underlying proceeding at FERC. Neither these entities nor any other person protested the request for an extension at FERC or sought rehearing of the FERC order.

Although DOE/FECM is not bound by FERC’s extension order, the facts reviewed by FERC in its finding of good cause to grant an extension are the same facts before DOE/FECM that support a finding of good cause for an extension.

⁸⁷ Federal Register Notice, 90 FR 23325.

IV.
CONCLUSION

WHEREFORE, for the reasons set forth herein, Lake Charles LNG Export Company, LLC respectfully requests that DOE/FECM (i) deny Public Citizen's motion to intervene; (ii) deny Environmental Advocates' motion to intervene and reject their protest; and (iii) issue an order granting the extension as soon as possible.

Respectfully submitted,

LAKE CHARLES LNG EXPORT COMPANY,
LLC

/s/ Thomas E. Knight

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*Attorney for Lake Charles LNG Export
Company, LLC*

Dated: July 7, 2025

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

Lake Charles LNG Export Company, LLC)
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**Docket Nos. 13-04-LNG and
16-109-LNG**

**VERIFICATION AND CERTIFIED STATEMENT OF AUTHORIZED
REPRESENTATIVE**

Washington, DC

BEFORE ME, the undersigned authority, on this day personally appeared Thomas E. Knight, who, having been by me first duly sworn, on oath says that he is an Attorney for Lake Charles LNG Export Company, LLC ("Lake Charles LNG Export"); that he is a duly authorized representative of Lake Charles LNG Export authorized to make this Verification and Certified Statement of Authorized Representative on behalf of Lake Charles LNG Export; that he is authorized to sign and file the foregoing instrument with the Department of Energy, Office of Fossil Energy and Carbon Management on behalf of Lake Charles LNG Export; and that he has read the foregoing instrument and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

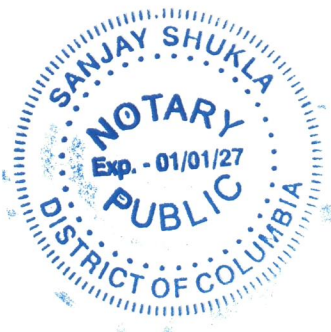
/s/ Thomas E. Knight
Thomas E. Knight

SWORN TO AND SUBSCRIBED before me on this 7th day of July, 2025.

My Commission expires:

January 1st, 2027

4932-9940-4883v.1



Sanjay Shukla
SANJAY SHUKLA, Notary Public

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

Lake Charles LNG Export Company, LLC

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**Docket Nos. 13-04-LNG and
16-109-LNG**

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. §590.107, I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Department of Energy in this proceeding.

In addition to the official service list, I hereby certify that I have this day served the foregoing document upon the following persons:

- Sierra Club, attn: Rebecca McCreary (rebecca.mcreary@sierraclub.org)
- For a Better Bayou, Habitat Recovery Project, Healthy Gulf, Louisiana Bucket Brigade, Micah 6:8 Mission and the Vessel of Louisiana, attn: Ann Jaworski (ajawaorski@earthjustice.org) and Moneen Nasmith (mnasmith@earthjustice.org)

Dated at Washington, D.C. this 7th day of July, 2025.

/s/ Thomas E. Knight
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