

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

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VENTURE GLOBAL CALCASIEU PASS, LLC

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DOCKET NO. 15-25-LNG

ORDER AMENDING LONG-TERM AUTHORIZATION  
TO EXPORT LIQUEFIED NATURAL GAS  
TO NON-FREE TRADE AGREEMENT NATIONS

DOE/FECM ORDER NO. 4346-B

AUGUST 4, 2025

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## **FREQUENTLY USED ACRONYMS**

AEO	Annual Energy Outlook
Bcf/d	Billion Cubic Feet per Day
Bcf/yr	Billion Cubic Feet per Year
DOE	U.S. Department of Energy
EA	Environmental Assessment
EIA	U.S. Energy Information Administration
EIS	Environmental Impact Statement
FE	Office of Fossil Energy (prior to July 4, 2021)
FECM	Office of Fossil Energy and Carbon Management
FERC	Federal Energy Regulatory Commission
FID	Final Investment Decision
FTA	Free Trade Agreement
GDP	Gross Domestic Product
LNG	Liquefied Natural Gas
MMBtu	Million British Thermal Units
mtpa	Million Metric Tons per Annum
NEPA	National Environmental Policy Act
NGA	Natural Gas Act
Tcf	Trillion Cubic Feet

## I. INTRODUCTION

On December 3, 2021, Venture Global Calcasieu Pass, LLC (Calcasieu Pass) filed an application (Amendment Application)<sup>1</sup> with the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management<sup>2</sup> under section 3 of the Natural Gas Act (NGA),<sup>3</sup> as corrected on December 10, 2021.<sup>4</sup> Calcasieu Pass asks DOE for a limited amendment to increase its authorized exports of domestically produced liquefied natural gas (LNG).

At the time of its Amendment Application, Calcasieu Pass was authorized to export LNG by vessel from the Calcasieu Pass LNG Project (the Project), located on the east side of the Calcasieu Ship Channel in Cameron Parish, Louisiana, in a total combined volume equivalent to 620 billion cubic feet per year (Bcf/yr) of natural gas under the following orders and their amendments:

- (i) DOE/FE Order Nos. 3345,<sup>5</sup> 3520,<sup>6</sup> 3662,<sup>7</sup> authorizing exports to any country with which the United States currently has, or in the future will have, a free trade

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<sup>1</sup> Venture Global Calcasieu Pass, LLC, Application for Limited Amendment to Existing Long-Term, Multi-Contract Authorizations to Export LNG to Free Trade and Non-Free Trade Agreement Nations, Docket Nos. 13-69-LNG, 14-88-LNG, and 15-25-LNG (Dec. 3, 2021) [hereinafter Amendment App.]. Calcasieu Pass was formerly known as "Venture Global LNG, LLC" in the related Docket Nos. 13-69-LNG and 14-88-LNG, but it completed a corporate reorganization and changed its name to Venture Global Calcasieu Pass, LLC in 2014.

<sup>2</sup> The Office of Fossil Energy (FE) changed its name to the Office of Fossil Energy and Carbon Management (FECM) on July 4, 2021.

<sup>3</sup> The 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.

<sup>4</sup> See Email from Carlos E. Clemente, Counsel for Venture Global Calcasieu Pass, Correction to Amendment App., Docket Nos. 13-69-LNG, 14-88-LNG, and 15-25-LNG (Dec. 10, 2021) (correcting footnote 7 of the Amendment App.).

<sup>5</sup> *Venture Global Calcasieu Pass, LLC*, DOE/FE Order No. 3345, Docket No. 13-69-LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Venture Global LNG Project in Cameron Parish, Louisiana, to Free Trade Agreement Nations (Sept. 27, 2013), *amended by* DOE/FE Order No. 3345-A (Oct. 21, 2020) (extending export term).

<sup>6</sup> *Venture Global Calcasieu Pass, LLC*, DOE/FE Order No. 3520, Docket No. 14-88-LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Venture Global LNG Project in Cameron Parish, Louisiana, to Free Trade Agreement Nations (Oct. 10, 2014), *amended by* DOE/FE Order No. 3520-A (Oct. 21, 2020) (extending export term).

<sup>7</sup> *Venture Global Calcasieu Pass, LLC*, DOE/FE Order No. 3662, Docket No. 15-25-LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Venture Global Calcasieu Pass LNG Project in Cameron Parish, Louisiana, to Free Trade Agreement Nations (June 17, 2015), *amended by* DOE/FE Order No. 3662-A (Oct. 21, 2020) (extending export term), *further amended by* DOE/FECM Order No. 3662-B (Apr. 22, 2022) (increasing export volume).

agreement (FTA) requiring national treatment for trade in natural gas (FTA countries), under NGA section 3(c);<sup>8</sup> and

- (ii) DOE/FE Order No. 4346,<sup>9</sup> authorizing exports to any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries), under NGA section 3(a).<sup>10</sup>

These orders, as amended, authorize exports to FTA and non-FTA countries on a non-additive basis through December 31, 2050.<sup>11</sup> On March 1, 2022, Calcasieu Pass exported its first commissioning cargo of LNG from the Project and, on April 15, 2025, Calcasieu Pass commenced full commercial operations.<sup>12</sup>

In the Amendment Application, Calcasieu Pass states that its current volume of approved exports, 620 Bcf/yr of natural gas (which it states is equivalent to 12 million metric tons per annum (mtpa) of LNG), reflects the maximum liquefaction capacity of the Project approved by the Federal Energy Regulatory Commission (FERC) in 2019.<sup>13</sup> Calcasieu Pass states that, since

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<sup>8</sup> 15 U.S.C. § 717b(c). The United States currently has FTAs requiring national treatment for trade in natural gas with Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore. FTAs with Israel and Costa Rica do not require national treatment for trade in natural gas.

<sup>9</sup> *Venture Global Calcasieu Pass, LLC*, DOE/FE Order No. 4346, Docket Nos. 13-69-LNG, 14-88-LNG, and 15-25-LNG (Consolidated), Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 5, 2019), *amended by* DOE/FE Order No. 4346-A (Oct. 21, 2020) (extending export term).

<sup>10</sup> 15 U.S.C. § 717b(a).

<sup>11</sup> *See* DOE/FE Order Nos. 3345-A, 3520-A, 3662-A, and 4346-A; *see also* U.S. Dep't of Energy, Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050; Notice of Final Policy Statement and Response to Comments, 85 Fed. Reg. 52,237 (Aug. 25, 2020) [hereinafter 2050 Policy Statement]. Additionally, DOE notes that, effective January 12, 2021, long-term export authorizations contain authority to export the same approved volume of LNG pursuant to transactions with terms of less than two years, including commissioning volumes, on a non-additive basis. *See* U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis; Policy Statement, 86 Fed. Reg. 2243 (Jan. 12, 2021).

<sup>12</sup> *See* *Venture Global Calcasieu Pass, LLC*, Notification re: First Export Cargo, Docket Nos. 13-69-LNG, *et al.* (Mar. 22, 2022); *see also* *Venture Global Calcasieu Pass, LLC*, Semi-Annual Status Report, Docket Nos. 13-69-LNG, *et al.*, at 2 (Apr. 1, 2025); “Venture Global Commences Commercial Operations at Calcasieu Pass” (Apr. 15, 2025), <https://ventureglobal.com/2025/04/15/venture-global-commences-commercial-operations-at-calcasieu-pass/>.

<sup>13</sup> Amendment App. at 2-3 (citing *Venture Global Calcasieu Pass, LLC, et al.*, Order Granting Authorizations Under Sections 3 and 7 of the Natural Gas Act, 166 FERC ¶ 61,144 (2019)).

that time, it “has significantly advanced and refined the final design of the Project.”<sup>14</sup> Based on that refined analysis, Calcasieu Pass sought an amendment from FERC to increase the Project’s peak liquefaction capacity under optimal conditions from 12 mtpa to 12.4 mtpa of LNG, or from approximately 620 Bcf/yr to 640.666 Bcf/yr of natural gas.<sup>15</sup> Calcasieu Pass maintains that the proposed increase in peak liquefaction capacity “does *not* involve the construction of any new facilities nor any modification of the previously authorized facilities.”<sup>16</sup>

In light of its then-pending amendment request at FERC, Calcasieu Pass requests that DOE increase the authorized export volume in one of its FTA orders (Order No. 3662, as amended) and its non-FTA order (Order No. 4346, as amended) by an increment of 20.666 Bcf/yr of natural gas on a non-additive basis—for a total authorized export volume of 640.666 Bcf/yr to both FTA and non-FTA countries.<sup>17</sup> Calcasieu Pass states that “all other rights and obligations, and terms and conditions, of the export authorizations [as amended] would remain the same without change.”<sup>18</sup>

On January 10, 2022, DOE published a notice of the non-FTA portion of the Amendment Application in the *Federal Register* (Notice of Application).<sup>19</sup> The Notice of Application called on interested persons to submit protests, motions to intervene, notices of intervention, and comments by March 11, 2022.<sup>20</sup> In response, DOE received a “Notice of Intervention” from

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<sup>14</sup> Amendment App. at 3; *see also id.* at n.6 (“Calcasieu Pass anticipates that it can achieve the new peak LNG production for the Project while remaining in full compliance with its air emissions permit and other regulatory requirements.”).

<sup>15</sup> *Id.* at 3, 8-9.

<sup>16</sup> Amendment App. at 3 (emphasis in original).

<sup>17</sup> *Id.*; *see also id.* at 9. Even though Calcasieu Pass holds three FTA authorizations as referenced above, it requested to amend only one FTA authorization—Order No. 3662 in this docket—as “the most logical and efficient way to increase the authorized volumes to FTA nations.” *Id.* at 4 n.7.

<sup>18</sup> Amendment App. at 9; *see also id.* at 4.

<sup>19</sup> Venture Global Calcasieu Pass, LLC; Application for Limited Amendment to Existing Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations; Notice of Application, 87 Fed. Reg. 1131 (Jan. 10, 2022).

<sup>20</sup> DOE finds that the requirement for public notice of applications in 10 C.F.R. Part 590 is applicable only to non-FTA applications under NGA section 3(a).

Public Citizen, Inc. (Public Citizen),<sup>21</sup> in which Public Citizen seeks to intervene in this proceeding. Public Citizen took no position on the Amendment Application, and therefore the Amendment Application is uncontested.<sup>22</sup> Additionally, on April 22, 2022, in Order No. 3662-B, DOE granted the requested amendment to Calcasieu Pass's FTA authorization in this docket, as required by NGA section 3(c).<sup>23</sup>

Further, we take administrative notice that, on September 22, 2023, FERC issued an order granting Calcasieu Pass's requested amendment, such that the Project's total authorized LNG export capacity is now 640.7 Bcf/yr of natural gas.<sup>24</sup>

DOE has reviewed the non-FTA portion of the Amendment Application, Public Citizen's motion to intervene, and relevant portions of DOE's 2024 LNG Export Study (or the 2024 Study),<sup>25</sup> the public comments received on the 2024 Study, and DOE's Response to Comments on the 2024 Study,<sup>26</sup> among other evidence discussed below. On the basis of this substantial administrative record, and taking into account the considerations directed by Executive Order

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<sup>21</sup> Public Citizen, Inc., Notice of Intervention, Docket Nos. 13-69-LNG, *et al.* (Mar. 11, 2022) [hereinafter Public Citizen Mot.]. Under DOE's regulations, only a state commission may file a notice of intervention. *See* 10 C.F.R. §§ 590.303(a), (b), 590.102(q). Therefore, DOE construes Public Citizen's filing as a motion to intervene under 10 C.F.R. § 590.303(b).

<sup>22</sup> Because Public Citizen's motion does not express opposition to the Amendment Application, the Application is uncontested. *See id.* § 590.102(b).

<sup>23</sup> *Venture Global Calcasieu Pass, LLC*, DOE/FECM Order No. 3662-B.

<sup>24</sup> *Venture Global Calcasieu Pass, LLC*, Order Amending Authorization Under Section 3 of the Natural Gas Act, FERC Docket No. CP22-25-000, 184 FERC ¶ 61,185 (2023), [https://elibrary.ferc.gov/eLibrary/filelist?accession\\_number=20230922-3063](https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20230922-3063) [hereinafter FERC Amendment Order].

<sup>25</sup> U.S. Dep't of Energy, Office of Fossil Energy & Carbon Management, *Energy, Economic, & Environmental Assessment of U.S. LNG Exports* (Dec. 2024), <https://fossil.energy.gov/app/docketindex/docket/index/30> [hereinafter 2024 LNG Export Study or 2024 Study] (providing links); *see also infra* § III (DOE's 2024 LNG Export Study).

<sup>26</sup> U.S. Dep't of Energy, Office of Fossil Energy & Carbon Management, *Energy, Economic, and Environmental Assessment of U.S. LNG Exports: Response to Comments* (May 19, 2025), [https://www.energy.gov/sites/default/files/2025-05/2024%20LNG%20Export%20Study\\_Response%20to%20Comments\\_Final\\_05.19.2025.pdf](https://www.energy.gov/sites/default/files/2025-05/2024%20LNG%20Export%20Study_Response%20to%20Comments_Final_05.19.2025.pdf) [hereinafter Response to Comments]. DOE published a Notice of Availability of the Response to Comments on May 22, 2025. *See* U.S. Dep't of Energy, Notice of Availability of Response to Comments for 2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports, 90 Fed. Reg. 21,912 (May 22, 2025).



(E.O.) 14154, *Unleashing American Energy*,<sup>27</sup> DOE has determined that it has not been shown that Calcasieu Pass’s proposed increase in exports of LNG to non-FTA countries will be inconsistent with the public interest, as would be required to deny the Amendment Application under NGA section 3(a).

DOE notes that, while Calcasieu Pass is already authorized to export LNG from the Project in a volume equivalent to 640.666 Bcf/yr of natural gas to FTA countries, this Order will give Calcasieu Pass the flexibility to allow exports to non-FTA countries consistent with the maximum production capacity authorized by FERC. Moreover, DOE finds that Calcasieu Pass’s non-FTA exports are likely to yield economic benefits to the United States, diversify global LNG supplies, and improve energy security for U.S. allies and trading partners over the course of the export term. DOE further finds that granting the requested amendment is unlikely to adversely affect the availability of natural gas supplies to domestic consumers or result in natural gas price increases to the extent that they would negate the economic benefits to the United States.

Concurrently with this Order, DOE is issuing a categorical exclusion from the preparation of an environmental impact statement (EIS) or environmental assessment (EA) under the National Environmental Policy Act of 1969 (NEPA)<sup>28</sup> for the Amendment Application (Categorical Exclusion). Specifically, DOE is applying categorical exclusion B5.7, *Export of natural gas and associated transportation by marine vessel*.<sup>29</sup> This Order grants, without further review, the non-FTA portion of the Amendment Application on the basis of this Categorical

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<sup>27</sup> Exec. Order No. 14154 of January 20, 2025, *Unleashing American Energy*, 90 Fed. Reg. 8353, 8357 (Jan. 29, 2025), <https://www.govinfo.gov/content/pkg/FR-2025-01-29/pdf/2025-01956.pdf> [hereinafter E.O. 14154] (directing the Secretary of Energy to “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 [non-FTA] application”); *see infra* § II.D.

<sup>28</sup> 42 U.S.C. § 4321 *et seq.*

<sup>29</sup> *See* 10 C.F.R. Part 1021, Subpt. D, App. B, Categorical Exclusion B5.7; *see also* U.S. Dep’t of Energy, National Environmental Policy Act Implementing Procedures, Final Rule, 85 Fed. Reg. 78,197 (Dec. 4, 2020); *see infra* § II.C.

Exclusion.

In sum, DOE grants the non-FTA portion of the Amendment Application in the full volume requested—20.666 Bcf/yr of natural gas, or 0.057 Bcf per day (Bcf/d)—for a total export volume of 640.666 Bcf/yr, subject to the Terms and Conditions and Ordering Paragraphs set forth herein. Because the export volumes authorized in Calcasieu Pass’s FTA orders and this Order reflect the maximum liquefaction capacity of the Project as approved by FERC,<sup>30</sup> the non-FTA volume in this Order is not additive to Calcasieu Pass’s FTA orders (DOE/FE Order Nos. 3345, 3520, 3662, all as amended).

Additionally, the incremental amendment volume approved in this Order brings DOE’s cumulative total of approved non-FTA exports of LNG from the lower-48 states to 52.81 Bcf/d of natural gas (across two conditional orders and 40 final orders).<sup>31</sup>

## II. BACKGROUND

### A. DOE’s Prior LNG Studies

Previously, DOE has relied on the following studies to inform its review of applications to export LNG to non-FTA countries under NGA section 3(a):

- DOE’s 2018 LNG Export Study—the fifth economic study conducted by DOE for use in LNG export decisions—which assessed the effects of varying levels of LNG exports from the lower-48 states to non-FTA countries for the time period 2020-

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<sup>30</sup> The difference between FERC’s total approved export capacity of 640.7 Bcf/yr and DOE’s total approved export volume of 640.666 Bcf/yr reflects a rounding difference.

<sup>31</sup> Final non-FTA orders that were later vacated or that expired are not included in this total volume. *See infra* § VIII.F (identifying long-term orders vacated or expired to date). Additionally, DOE has issued one final long-term order authorizing exports of LNG produced from sources from a proposed facility to be constructed in Alaska to non-FTA countries. *See Alaska LNG Project LLC*, DOE/FE Order No. 3643-A, Docket No. 14-96-LNG, Final Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Aug. 20, 2020) (as subsequently amended in DOE/FECM Order No. 3643-C); *see also Sierra Club v. U.S. Dep’t of Energy*, 134 F.4th 568 (D.C. Cir. 2025) (denying petition for review of Alaska LNG order). The Alaska LNG volume (2.55 Bcf/d) is not included in the volumes discussed in this Order, which generally involve the export of LNG produced from the lower-48 states. Because there is no natural gas pipeline interconnection between Alaska and the lower-48 states, DOE generally views those LNG export markets as distinct.

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- DOE’s environmental study referred to as the Addendum,<sup>33</sup> which was developed in 2014 to inform DOE’s public interest evaluation on potential environmental impacts of unconventional natural gas exploration and production activities, including hydraulic fracturing; and
- DOE’s environmental studies referred to as the 2014 Life Cycle Greenhouse Gas Report (or the LCA GHG Report)<sup>34</sup> and the 2019 LCA GHG Update (or the 2019 Update),<sup>35</sup> which calculated the life cycle greenhouse gas emissions for LNG exported from the United States.

DOE commenced the 2024 LNG Export Study to provide an updated understanding of the potential effects of U.S. LNG exports on both economic and environmental considerations.<sup>36</sup> As explained below, DOE finds that only the economic and energy security portions of the 2024 Study are relevant to this proceeding.

## **B. Judicial Decisions Upholding DOE’s Non-FTA Authorizations**

In 2015 and 2016, Sierra Club petitioned the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) for review of five long-term LNG export authorizations issued by DOE. The D.C. Circuit denied four of the five petitions for review: one in a published

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<sup>32</sup> See U.S. Dep’t of Energy, Study on Macroeconomic Outcomes of LNG Exports; Notice of Availability of the 2018 LNG Export Study and Request for Comments, 83 Fed. Reg. 27,314 (June 12, 2018); U.S. Dep’t of Energy, Study on Macroeconomic Outcomes of LNG Exports; Response to Comments Received on Study, 83 Fed. Reg. 67,251 (Dec. 28, 2018). Prior to the 2018 Study, DOE had relied on economic studies evaluating LNG exports conducted in 2011, 2012, 2014, and 2015. See *id.* at 67,254-55.

<sup>33</sup> See U.S. Dep’t of Energy, Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States, 79 Fed. Reg. 48,132 (Aug. 15, 2014); see also <https://www.energy.gov/fecm/addendum-environmental-review-documents-concerning-exports-natural-gas-united-states> (related documents).

<sup>34</sup> See U.S. Dep’t of Energy, Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States, 79 Fed. Reg. 32,260 (June 4, 2014). DOE announced the availability of this report on its website on May 29, 2014. “LCA” refers to the life cycle analysis (LCA) model used in DOE’s greenhouse gas analyses.

<sup>35</sup> See, e.g., Nat’l Energy Tech. Lab., *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas from the United States: 2019 Update* (DOE/NETL- 2019/2041) (Sept. 12, 2019), <https://www.energy.gov/sites/prod/files/2019/09/f66/2019%20NETL%20LCA-GHG%20Report.pdf>; U.S. Dep’t of Energy, Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States; Notice of Availability of Report Entitled Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update and Request for Comments, 84 Fed. Reg. 49,278 (Sept. 19, 2019).

<sup>36</sup> See *infra* § III.

decision issued in August 2017 (*Sierra Club I*),<sup>37</sup> and three in a consolidated, unpublished opinion issued in November 2017 (*Sierra Club II*).<sup>38</sup> Sierra Club withdrew its fifth and remaining petition for review.<sup>39</sup>

In *Sierra Club I*, the D.C. Circuit concluded that DOE had complied with both NGA section 3(a) and NEPA in issuing the challenged non-FTA authorization to Freeport LNG Expansion, L.P. and its related entities (collectively, Freeport). DOE had granted the Freeport application, finding that Freeport’s proposed exports were not inconsistent with the public interest under NGA section 3(a). DOE also considered and disclosed the potential environmental impacts of its decision under NEPA. Sierra Club petitioned for review of the Freeport authorization, arguing that DOE fell short of its obligations under both the NGA and NEPA. The D.C. Circuit rejected Sierra Club’s arguments in a unanimous decision, holding that, “Sierra Club has given us no reason to question the Department’s judgment that the [Freeport] application is not inconsistent with the public interest.”<sup>40</sup>

Subsequently, in the consolidated *Sierra Club II* opinion, the D.C. Circuit ruled that “[t]he court’s decision in [*Sierra Club I*] largely governs the resolution of the [three] instant cases.”<sup>41</sup> Upon its review of the remaining “narrow issues” in those cases, the Court again rejected Sierra Club’s arguments under the NGA and NEPA, and upheld DOE’s actions in issuing the non-FTA authorizations in those proceedings.<sup>42</sup>

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<sup>37</sup> *Sierra Club v. U.S. Dep’t of Energy*, 867 F.3d 189 (D.C. Cir. 2017) [hereinafter *Sierra Club I*] (denying petition for review of the LNG export authorization issued to Freeport LNG Expansion, L.P., *et al.*).

<sup>38</sup> *Sierra Club v. U.S. Dep’t of Energy*, 703 Fed. App’x 1 (D.C. Cir. 2017) [hereinafter *Sierra Club II*] (denying petitions for review in Nos. 16-1186, 16-1252, and 16-1253 of the LNG export authorizations issued to Dominion Cove Point LNG, LP; Sabine Pass Liquefaction, LLC; and Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC, respectively).

<sup>39</sup> *See Sierra Club v. U.S. Dep’t of Energy*, No. 16-1426, Per Curiam Order (D.C. Cir. 2018) (granting Sierra Club’s unopposed motion for voluntary dismissal).

<sup>40</sup> *Sierra Club I*, 867 F.3d at 203.

<sup>41</sup> *Sierra Club II*, 703 Fed. App’x at \*2.

<sup>42</sup> *Id.* For a more detailed discussion of *Sierra Club I* and *Sierra Club II*, see *Freeport LNG Expansion, L.P., et al.*, DOE/FECM Order No. 4961, Docket No. 21-98-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, at 21-24 (Mar. 3, 2023).

The D.C. Circuit’s decisions in *Sierra Club I* and *II* continue to guide DOE’s review of applications to export LNG to non-FTA countries.<sup>43</sup>

### **C. DOE’s Categorical Exclusion and Marine Transport Technical Support Document**

In 2020, DOE revised its NEPA procedures that provide for a categorical exclusion if neither an EIS nor an EA is required—specifically, by promulgating a revised categorical exclusion B5.7, *Export of natural gas and associated transportation by marine vessel* (B5.7 categorical exclusion).<sup>44</sup>

In the accompanying final rule, DOE stated that the revision to the B5.7 categorical exclusion was intended to “focus exclusively on the analysis of potential environmental impacts resulting from activities occurring at or after the point of export, which are within the scope of DOE’s export authorization authority under the NGA.”<sup>45</sup> DOE found that “[s]uch impacts begin at the point of export and are limited to the marine transport effects.”<sup>46</sup>

DOE explained that this revised categorical exclusion follows both the Supreme Court’s holding in *Department of Transportation v. Public Citizen (Public Citizen)*,<sup>47</sup> as well as the D.C. Circuit’s holding in a case evaluating FERC’s authority under the NGA, *Sierra Club v. Federal Energy Regulatory Commission*,<sup>48</sup> that “potential environmental effects considered under NEPA do not include effects that the agency has no authority to prevent.”<sup>49</sup>

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<sup>43</sup> See, e.g., *id.* at 24.

<sup>44</sup> See U.S. Dep’t of Energy, National Environmental Policy Act Implementing Procedures, Final Rule, 85 Fed. Reg. 78,197 (Dec. 4, 2020) [hereinafter NEPA Implementing Procedures Final Rule]; see also 10 C.F.R. Part 1021, Subpt. D, App. B, Categorical Exclusion B5.7.

<sup>45</sup> NEPA Implementing Procedures Final Rule, 85 Fed. Reg. at 78,197.

<sup>46</sup> *Id.* at 78,197; see also *id.* at n.9 (“DOE defines export activities as starting at the point of delivery to the export vessel, and extending to the territorial waters of the receiving country.”); *id.* at 78,198 (“These potential impacts would occur at or after the point of export to non-FTA countries.”).

<sup>47</sup> *Dep’t of Transp. v. Pub. Citizen*, 541 U.S. 752 (2004) [hereinafter *Pub. Citizen*].

<sup>48</sup> *Sierra Club v. Fed. Energy Regul. Comm’n*, 827 F.3d 36 (D.C. Cir. 2016).

<sup>49</sup> NEPA Implementing Procedures Final Rule, 85 Fed. Reg. at 78,198.

Specifically, DOE stated that its discretionary authority under NGA section 3 “is limited to the authorization of exports of natural gas to non-FTA countries.”<sup>50</sup> DOE thus concluded that, because FERC, not DOE, exercises statutory authority to authorize construction and operation of natural gas export facilities, “DOE need not review potential environmental impacts associated with the construction or operation of [such] facilities.”<sup>51</sup> In observing that “*Public Citizen* held that an agency has no obligation to ‘gather or consider environmental information if it has no statutory authority to act on that information,’” DOE reiterated that “[t]his final rule is fully consistent with that holding.”<sup>52</sup> In sum, “[i]mpacts beyond marine transport are beyond the scope of DOE’s NEPA review” in non-FTA export proceedings.<sup>53</sup>

On the basis of data referenced in the accompanying Technical Support Document,<sup>54</sup> DOE concluded that “the transport of natural gas by marine vessels adhering to applicable maritime safety regulations and established shipping methods and safety standards normally does not pose the potential for significant environmental impacts.”<sup>55</sup>

#### **D. Executive Order Issued on January 20, 2025**

E.O. 14154, issued on January 20, 2025, directed the Secretary of Energy to “restart reviews of applications for approvals of [LNG] export projects as expeditiously as possible,

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<sup>50</sup> *Id.*

<sup>51</sup> *Id.*; see also *id.* at 78,203.

<sup>52</sup> *Id.* at 78,201 (quoting *Sierra Club v. Fed. Energy Regul. Comm’n*, 867 F.3d 1357, 1372 (D.C. Cir. 2017), in which the D.C. Circuit observed that this “rule was the touchstone of *Public Citizen*”); see also *Seven Cnty. Infrastructure Coal. v. Eagle Cnty., Colo.*, 605 U.S. \_\_\_, 145 S.Ct. 1497, at 1516, 1518 (2025) (citing *Pub. Citizen*, 541 U.S. at 770, in observing that “agencies are not required to analyze the effects of projects over which they do not exercise regulatory authority,” and that “[a]n agency may decline to evaluate environmental effects from separate projects upstream or downstream from the project at issue”).

<sup>53</sup> NEPA Implementing Procedures Final Rule, 85 Fed. Reg. at 78,200.

<sup>54</sup> See *id.* at 78,198 n.16 (citing U.S. Dep’t of Energy, Technical Support Document, Notice of Final Rulemaking, National Environmental Policy Act Implementing Procedures (10 C.F.R. Part 1021) (Nov. 2020), <https://www.energy.gov/sites/prod/files/2021/01/f82/technical-support-document-10-cfr-1021-2020-11.pdf>).

<sup>55</sup> *Id.* at 78,200; see also *id.* at 78,202.

consistent with applicable law.”<sup>56</sup> DOE complied with this directive with its issuance of non-FTA export authorizations beginning in February 2025.<sup>57</sup> Additionally, E.O. 14154 states that, “[i]n assessing the ‘Public Interest’ to be advanced by any particular application” to export LNG under NGA section 3(a), 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.”<sup>58</sup> This Order likewise complies with that directive.

### **E. FERC Proceeding**

On February 21, 2019, FERC issued an order authorizing Calcasieu Pass to site, construct, and operate the Project with a maximum liquefaction capacity of 12 mtpa of LNG, equivalent to 620 Bcf/yr of natural gas, and TransCameron Pipeline, LLC to construct and operate a lateral pipeline to transport natural gas to the Project.<sup>59</sup>

On December 3, 2021, Calcasieu Pass filed an application with FERC seeking to amend its authorization under NGA section 3 to increase the peak liquefaction capacity of the Project from 620 Bcf/yr to 640.7 Bcf/yr of natural gas, *i.e.*, an additional 20.7 Bcf/yr in export capacity, to reflect the Project’s “actual capabilities under optimal conditions.”<sup>60</sup> Calcasieu Pass did not propose any new facilities or construction activities.<sup>61</sup> In the Amendment Order issued on September 22, 2023, FERC granted this application, thus increasing the authorized export capacity of the Project to 640.7 Bcf/yr of natural gas.<sup>62</sup>

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<sup>56</sup> E.O. 14154, 90 Fed. Reg. at 8357 (§ 8(a)). Because DOE has jurisdiction to regulate exports of LNG under NGA section 3(a) (not approvals of export projects, which are under FERC’s jurisdiction), DOE interprets E.O. 14154 as directing DOE to review non-FTA export applications “as expeditiously as possible.”

<sup>57</sup> *See, e.g., Commonwealth LNG, LLC*, DOE/FECM Order No. 5238, Docket No. 19-134-LNG, Order Conditionally Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, at 7 (Feb. 14, 2025).

<sup>58</sup> E.O. 14154, 90 Fed. Reg. at 8357 (§ 8(a)).

<sup>59</sup> *Venture Global Calcasieu Pass, LLC, et al.*, Order Granting Authorizations Under Sections 3 and 7 of the Natural Gas Act, 166 FERC ¶ 61,144 (2019).

<sup>60</sup> FERC Amendment Order at P 1; *see also id.* P 3.

<sup>61</sup> *Id.* at PP 1, 3.

<sup>62</sup> *Id.* at PP 1, 37.

### III. DOE’S 2024 LNG EXPORT STUDY

#### A. Overview

The 2024 LNG Export Study (or 2024 Study) was conducted as a comprehensive update of DOE’s prior LNG studies (discussed *supra* § II.A), and aimed to capture the recent and complex dynamics of the LNG export market. As a preliminary matter, DOE acknowledges that the 2024 LNG Export Study included an environmental analysis. However, DOE finds that the environmental analysis in the 2024 Study is not required for DOE’s decision on the Amendment Application, as DOE’s NEPA review considers all relevant environmental effects from the proposed exports.<sup>63</sup>

Specifically, under DOE’s B5.7 categorical exclusion described above (and consistent with the Supreme Court’s holding in *Public Citizen* and, more recently, *Seven County Infrastructure Coalition*),<sup>64</sup> this NEPA review is limited to the “potential effects associated with marine transport of LNG” to non-FTA countries.<sup>65</sup> The environmental portions of the 2024 Study were not limited to marine transport effects, but rather included the integration of potential upstream and downstream environmental effects, which are not reasonably foreseeable environmental impacts of DOE’s export authorizations.<sup>66</sup> Accordingly, DOE’s discussion of the 2024 Study in this Order focuses only on the economic analysis in the 2024 Study, as well as

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<sup>63</sup> See *infra* § VIII.D.

<sup>64</sup> See *supra* § II.C.

<sup>65</sup> NEPA Implementing Procedures Final Rule, 85 Fed. Reg. at 78,199; see also *id.* at 78,197 (DOE’s NEPA review of applications to export LNG to non-FTA countries is based on “the legal principle that potential environmental effects to be considered by an agency under NEPA do not include effects that the agency has no authority to prevent”).

<sup>66</sup> See *id.*, 85 Fed. Reg. at 78,199 (stating “DOE’s conclusion that potential environmental effects associated with marine transport” are “the only reasonably foreseeable environmental impacts associated with DOE natural gas export authorizations” under NEPA—and noting that these marine transport effects “are minimal”) (emphasis added); see also *id.* at 78,200-01 (explaining that potential upstream and downstream impacts are not part of DOE’s NEPA analyses for natural gas export approvals).



DOE's related findings on energy security.<sup>67</sup>

## **B. Methodology**

As relevant here, the 2024 Study included a Summary Report<sup>68</sup> and two appendices that provided more detail on the key elements within the Study.

First, *Appendix A: Global Energy and Greenhouse Gas Implications of U.S. LNG Exports* (Appendix A) presented, in relevant part, an analysis of the global market demand for U.S. LNG exports across a range of scenarios through 2050. This analysis used the Global Change Analysis Model (GCAM), which is an integrated multisector model of global energy, economy, agriculture, land use, water, and climate systems. DOE's Pacific Northwest National Laboratory (PNNL) conducted the principal modeling work in Appendix A.<sup>69</sup>

Second, *Appendix B: Domestic Energy, Economic, and Greenhouse Gas Assessment of U.S. LNG Exports* (Appendix B) presented an analysis of the implications of the various U.S. LNG export levels on the U.S. economy, among other considerations. The analysis in Appendix B was conducted using an updated and adapted version of the U.S. Energy Information Administration's (EIA) National Energy Modeling System (NEMS) and Industrial Economics, Inc.'s (IEc) Household Energy Impact Distribution Model (HEIDM). OnLocation, Inc. and IEc performed the principal modeling work in Appendix B.<sup>70</sup>

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<sup>67</sup> This focus is also consistent with E.O. 14154 (*supra* § II.D), which directs DOE to review "economic and employment impacts to the United States and the impact to the security of allies and partners that would result from granting [an export] application."

<sup>68</sup> U.S. Dep't of Energy, *Energy, Economic, and Environmental Assessment of U.S. LNG Exports: Summary Report* (Dec. 2024) [hereinafter *Study Summary Report*], [https://www.energy.gov/sites/default/files/2024-12/LNGUpdate\\_SummaryReport\\_Dec2024\\_230pm.pdf](https://www.energy.gov/sites/default/files/2024-12/LNGUpdate_SummaryReport_Dec2024_230pm.pdf).

<sup>69</sup> U.S. Dep't of Energy, *2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports*; Notice of Availability and Request for Comments, at 4 (Dec. 17, 2024), [https://www.energy.gov/sites/default/files/2024-12/2024%20LNG%20Export%20Study%20FRN\\_signed\\_Study%20Statement%20Added%2012172024.pdf](https://www.energy.gov/sites/default/files/2024-12/2024%20LNG%20Export%20Study%20FRN_signed_Study%20Statement%20Added%2012172024.pdf) [hereinafter *2024 Study Notice*].

<sup>70</sup> *Id.* at 4-5. The 2024 Study included two other appendices (Appendices C and D) focused on evaluating various environmental and community effects that are beyond the scope of DOE's review in this Order and thus are not summarized here.

For each scenario in these Appendices, GCAM was used to estimate the global demand for U.S. LNG exports.<sup>71</sup> These projections of the global demand for U.S. LNG for key scenarios were put into NEMS and HEIDM to evaluate domestic impacts, including: (i) changes in natural gas prices and consumption across economic sectors, and (ii) changes in energy prices experienced by American households.<sup>72</sup>

The 2024 Study evaluated scenarios that analyzed a combination of assumptions about policy, technology availability, and U.S. LNG export levels.<sup>73</sup> Briefly:

- The 2024 Study contained three categories of policy assumptions: *Defined Policies*, *Commitments*, and *Net Zero 2050*.<sup>74</sup> For example, the *Defined Policies* scenario included an explicit representation of domestic policies in place at the time.<sup>75</sup>
- The 2024 Study contained two categories of assumptions for technology availability: *High CCS* [Carbon Capture & Storage] and *Moderate CCS*.<sup>76</sup>
- Within each scenario of policy and technology assumptions, the 2024 Study considered three assumptions of U.S. LNG exports levels: *Existing/FID Exports*, *Model Resolved Exports*, and *High Exports*.<sup>77</sup>
  - *Existing/FID Exports* assumed U.S. LNG exports were held at levels equivalent to 90% of the LNG capacity that was operational or had export authorizations from DOE and reached a final investment decision (FID) as of December 2023 (23.7 Bcf/d).<sup>78</sup>
  - *Model Resolved Exports* assumed U.S. LNG exports estimated at a trajectory determined by the model.<sup>79</sup>
  - *High Exports* assumed U.S. LNG exports increased incrementally above *Model Resolved* levels starting in 2035 to reach 20 Bcf/d above *Model Resolved* levels in 2050.<sup>80</sup>

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<sup>71</sup> *Id.*

<sup>72</sup> *Id.*

<sup>73</sup> See Study Summary Report at S-15.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.* at S-16.

<sup>76</sup> See *id.* at S-17.

<sup>77</sup> *Id.* at S-18.

<sup>78</sup> *Id.*

<sup>79</sup> Study Summary Report at S-18.

<sup>80</sup> *Id.*

Additionally, the 2024 Study explored three additional assumptions related to the economic competitiveness of U.S. natural gas: *High U.S. Supply*, *Low U.S. Supply*, and *High Middle East Supply*.<sup>81</sup> The analysis in Appendix B used only the levels of LNG exports derived under the global *Defined Policies* assumptions found in Appendix A, while varying the size of U.S. natural oil and gas supply and technological improvements in natural gas extraction.<sup>82</sup>

In sum, using a combination of these assumptions, Appendix A evaluated 14 primary scenarios, as well as six additional sensitivity scenarios on economic competitiveness, and Appendix B evaluated six scenarios spanning a range of U.S. LNG export levels.<sup>83</sup>

### **C. DOE Proceeding**

On December 17, 2024, DOE published the notice of availability of the 2024 LNG Export Study on its website.<sup>84</sup> The Notice of Availability was published in the *Federal Register* on December 20, 2024.<sup>85</sup> The Notice of Availability informed the public that DOE intended to use the 2024 Study to inform its public interest review in pending and future non-FTA applications, invited submission of comments regarding the use of the 2024 Study, and entered the 2024 Study into the administrative record of the 14 pending non-FTA export proceedings identified in the caption of the Notice of Availability.<sup>86</sup>

DOE initially invited public comment on the 2024 Study for 60 days, but extended the comment period for an additional 30 days.<sup>87</sup> In total, the comment period began on December

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<sup>81</sup> *Id.* at S-19.

<sup>82</sup> *Id.*

<sup>83</sup> *See id.*

<sup>84</sup> *See* 2024 Study Notice, *supra*.

<sup>85</sup> U.S. Dep't of Energy, *2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports*; Notice of Availability and Request for Comments, 89 Fed. Reg. 104,132 (Dec. 20, 2024).

<sup>86</sup> *See id.*

<sup>87</sup> *See* U.S. Dep't of Energy, *2024 LNG Export Study: Energy, Economic, and Environmental Assessment of U.S. LNG Exports*; Extension of Comment Period, 90 Fed. Reg. 9018 (Feb. 5, 2025).

20, 2024, and extended through March 20, 2025.<sup>88</sup> DOE received more than 100,000 comments on the 2024 Study from a variety of sources, including participants in the natural gas industry, industrial users, environmental organizations, think-tanks, academics, and individuals.<sup>89</sup>

DOE summarized and responded to these comments in a document entitled *Energy, Economic, and Environmental Assessment of U.S. LNG Exports: Response to Comments* (Response to Comments), published on DOE’s website on May 19, 2025.<sup>90</sup> On May 22, 2025, DOE published the Notice of Availability of the Response to Comments in the *Federal Register*.<sup>91</sup>

## **D. DOE’s Findings and Conclusions**

### **1. Key Findings**

Upon consideration of the material reviewed (*i.e.*, the 2024 Study, comments, and materials submitted in support of comments), DOE made the following “Key Findings” in the Response to Comments on the 2024 Study, as relevant here:<sup>92</sup>

1. U.S domestic natural gas supply is sufficient to meet domestic and market-based global demand for U.S. natural gas (including LNG).
2. Increasing U.S. LNG exports increases U.S. gross domestic product (GDP).
3. Higher levels of U.S. LNG exports will have a beneficial impact on the U.S. trade balance.

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<sup>88</sup> *Id.*

<sup>89</sup> The public comments are posted on the 2024 LNG Export Study webpage at <https://fossil.energy.gov/app/docket/index/docket/index/30>.

<sup>90</sup> See Response to Comments.

<sup>91</sup> See Notice of Availability of Response to Comments.

<sup>92</sup> The 2024 Study, as summarized in the Response to Comments, included other Key Findings and Conclusions describing various environmental and community effects that are beyond the scope of DOE’s review in this Order and thus are omitted here and in the next subsection (§ III.D.2), respectively.

4. 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 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 the 2018 LNG Export Study.

5. Increased U.S. LNG exports would enhance national and energy security for the United States, as well as U.S. allies and trading partners.

DOE determined that the public comments received on the 2024 Study “either support or do not provide a sufficient basis to invalidate or undermine these findings.”<sup>93</sup>

## **2. Conclusions**

DOE conducted the 2024 LNG Export Study to identify and assess potential effects of continued expansion of U.S. LNG exports to non-FTA countries. As relevant here, DOE determined in the Response to Comments that the 2024 Study provides support for additional exports of U.S. LNG to non-FTA countries.<sup>94</sup> A primary conclusion of the 2024 Study—which DOE affirmed in the Response to Comments—is that “domestic natural gas supply is sufficient to meet both domestic demand and the modeled global demand for U.S. LNG in all scenarios, including sensitivity scenarios on U.S. oil and gas supply.”<sup>95</sup>

DOE further concluded that the export of LNG generates net economic benefits for the United States, including increasing GDP in all cases; has a beneficial impact on the U.S. trade balance; and enhances energy security for the United States and its allies and trading partners.<sup>96</sup>

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<sup>93</sup> Response to Comments at 47.

<sup>94</sup> *See, e.g., id.* at 46-50.

<sup>95</sup> *Id.* at 47; *see also id.* at 43 (observing that “market forces work to match supply and demand, such that enough natural gas would be produced to satisfy U.S. demand regardless of export levels, given the very large American resource base”).

<sup>96</sup> *Id.* at 46-49.

For example, DOE found that the destination flexibility of its FTA and non-FTA authorizations—in which a buyer can deliver LNG to any destination not prohibited by law or policy—enhances global energy security, regardless of the destination region.<sup>97</sup>

DOE also determined that LNG export levels to date have not demonstrated a “consistent effect” on domestic natural gas prices, but that “any domestic price impact is expected to be minimal due to the abundant U.S. supply of natural gas.”<sup>98</sup> As some commenters noted, and DOE agreed, “natural gas supply curves used in modeling show the ability to add significant supply with only small changes in prices.”<sup>99</sup>

DOE also stated that it continues to endorse the principle set forth in its 1984 Policy Guidelines<sup>100</sup> that the market is generally the most efficient means of allocating natural gas supplies. Specifically, DOE observed that market forces ultimately determine the success of any particular LNG export project and, in turn, the “market-derived level of U.S. LNG exports.”<sup>101</sup> DOE noted that technological innovations and industry investment are “two factors that influence market demand” for exports of U.S. LNG.<sup>102</sup>

For all of these reasons, DOE concluded that the 2024 Study and the public comments received “support the proposition that exports of LNG from the United States will not be inconsistent with the public interest.”<sup>103</sup>

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<sup>97</sup> *Id.* at 48; *see also id.* at 40 (stating that DOE “agrees that LNG exports from the United States contribute to global energy security” due to the destination flexibility of its export authorizations).

<sup>98</sup> *Id.* at 48; *see also id.* at 17 (stating that the “many simultaneous changes that have occurred in natural gas production and markets in recent years . . . make it challenging to parse out [the] separate effects” of U.S. export levels on domestic prices of natural gas).

<sup>99</sup> Response to Comments at 47.

<sup>100</sup> U.S. Dep’t of Energy, New Policy Guidelines and Delegation Orders Relating to the Regulation of Imported Natural Gas, 49 Fed. Reg. 6684 (Feb. 22, 1984) [hereinafter 1984 Policy Guidelines].

<sup>101</sup> *See* Response to Comments at 8-9 (noting that an authorization to export LNG “does not guarantee that any particular project will succeed”); *see also id.* at 42 (discussing market forces and changing market conditions).

<sup>102</sup> *Id.* at 50.

<sup>103</sup> *Id.*

#### IV. PUBLIC INTEREST STANDARD

Section 3(a) of the NGA sets forth the standard of review for the non-FTA portion of the Amendment Application:

[N]o person shall export any natural gas from the United States to a foreign country or import any natural gas from a foreign country without first having secured an order of the [Secretary of Energy]<sup>104</sup> authorizing it to do so. The [Secretary] shall issue such order upon application, unless after opportunity for hearing, [the Secretary] finds that the proposed exportation or importation will not be consistent with the public interest. The [Secretary] may by [the Secretary's] order grant such application, in whole or in part, with such modification and upon such terms and conditions as the [Secretary] may find necessary or appropriate.<sup>105</sup>

DOE, as affirmed by the U.S. Court of Appeals for the District of Columbia Circuit, has consistently interpreted NGA section 3(a) as creating a rebuttable presumption that a proposed exportation of natural gas is in the public interest.<sup>106</sup> Accordingly, DOE will continue to conduct individual adjudications and grant non-FTA applications unless DOE finds that a proposed exportation “will not be consistent with the public interest.”<sup>107</sup>

NGA section 3(a) does not define “public interest” or identify criteria that must be considered in evaluating the public interest. In evaluating an export application under this standard, DOE applies the principles described in DOE’s 1984 Policy Guidelines and “such other matters as [DOE] finds in the circumstances of a particular case to be appropriate,” including the

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<sup>104</sup> The Secretary’s authority was established by section 301(b) of the Department of Energy Organization Act, 42 U.S.C. § 7151(b), which transferred jurisdiction over import and export authorizations from the Federal Power Commission to the Secretary of Energy; *see also id.* § 7172(f) (section 402(f)).

<sup>105</sup> 15 U.S.C. § 717b(a).

<sup>106</sup> *See Sierra Club I*, 867 F.3d at 203 (“We have construed [NGA section 3(a)] as containing a ‘general presumption favoring [export] authorization.’”) (quoting *W. Va. Pub. Serv. Comm’n v. U.S. Dep’t of Energy*, 681 F.2d 847, 856 (D.C. Cir. 1982)).

<sup>107</sup> *See id.* (“there must be ‘an affirmative showing of inconsistency with the public interest’ to deny the application” under NGA section 3(a)) (quoting *Panhandle Producers & Royalty Owners Ass’n v. Econ. Regul. Admin.*, 822 F.2d 1105, 1111 (D.C. Cir. 1987)). As of August 24, 2018, qualifying small-scale exports of natural gas to non-FTA countries are deemed to be consistent with the public interest under NGA section 3(a). *See* 10 C.F.R. §§ 590.102(p), 590.208(a).

domestic need for the natural gas to be exported.<sup>108</sup> The goals of the 1984 Policy Guidelines are to minimize federal control and involvement in energy markets and to promote a balanced and mixed energy resource system.<sup>109</sup> While the 1984 Policy Guidelines explicitly discuss only natural gas imports, in 1999 DOE held in Order No. 1473 that the same Policy Guidelines should be applied to natural gas export applications.<sup>110</sup>

Thus, DOE’s review of non-FTA applications focuses on: (i) the domestic need for the LNG proposed to be exported, (ii) whether the proposed exports pose a threat to the security of domestic natural gas supplies, (iii) whether the arrangement is consistent with DOE’s policy of promoting market competition, and (iv) any other factors bearing on the public interest as determined by DOE.<sup>111</sup> To conduct this review, DOE looks to record evidence developed in the application proceeding.<sup>112</sup> Before issuing a final decision, DOE must also comply with NEPA.<sup>113</sup>

## V. DESCRIPTION OF REQUEST

As relevant here, Calcasieu Pass asks DOE to amend its long-term non-FTA authorization, Order No. 4346, as amended by Order No. 4346-A, to increase its approved LNG export volume from 620 Bcf/yr of natural gas to 640.666 Bcf/yr—an additional 20.666 Bcf/yr of

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<sup>108</sup> DOE Delegation Order No. 0204-111 (Feb. 22, 1984), at 1 (¶ (b)); *see also* U.S. Dep’t of Energy, Order Denying Petition for Rulemaking on Exports of Liquefied Natural Gas, at 11-12 (July 18, 2023), <https://www.energy.gov/sites/default/files/2023-07/DOE%20Response%20to%20Sierra%20Club%27s%20Petition%20for%20Rulemaking%207.18.2023%20%28002%29.pdf>.

<sup>109</sup> 1984 Policy Guidelines, 49 Fed. Reg. at 6685 (stating that “[t]he market, not government, should determine the price and other contract terms of imported [or exported] natural gas,” and emphasizing the importance of “minimizing regulatory impediments to a freely operating market”).

<sup>110</sup> *Phillips Alaska Natural Gas Corp., et al.*, DOE/FE Order No. 1473, Docket No. 96-99-LNG, Order Extending Authorization to Export Liquefied Natural Gas from Alaska (Apr. 2, 1999), at 14 (citing *Yukon Pac. Corp.*, DOE/FE Order No. 350, Order Granting Authorization to Export Liquefied Natural Gas From Alaska, 1 FE ¶ 70,259, at p. 71,128 (1989)).

<sup>111</sup> *See* DOE Order Denying Petition for Rulemaking at 12.

<sup>112</sup> *See id.*

<sup>113</sup> *See supra* § I.



natural gas.<sup>114</sup> Calcasieu Pass states that this increased export volume will “reflect the actual peak liquefaction capacity of the Project facilities under optimal conditions.”<sup>115</sup> For additional background information, DOE incorporates by reference Order No. 4346, as amended.

#### **A. Description of Applicant**

Calcasieu Pass is a Delaware limited liability company with its primary place of business in Arlington, Virginia.<sup>116</sup> Calcasieu Pass states that it originally was a direct, wholly-owned subsidiary of Venture Global LNG, Inc. (Venture Global LNG), a privately held Delaware corporation with the same principal place of business.<sup>117</sup>

At the time the Amendment Application was filed in December 2021, 63.54% of the common equity in Venture Global LNG was owned by Venture Global Partners, LLC (VG Partners), which in turn was 50% owned and controlled by each of Robert B. Pender and Michael A. Sabel (Principals).<sup>118</sup> The remaining 36.46% of the common equity in Venture Global LNG was collectively owned by a group of institutional investors, each owning only a small passive interest.<sup>119</sup>

On October 24, 2023, Venture Global LNG submitted a “Notification of Change in Ownership Structure,”<sup>120</sup> which it subsequently supplemented.<sup>121</sup> Venture Global LNG informed DOE of a corporate reorganization affecting the ownership of its three subsidiaries and

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<sup>114</sup> See Amendment App. at 2-3; *see also supra* § I.

<sup>115</sup> Amendment App. at 3; *see also id.* at 8-9. Calcasieu Pass describes its application filed with FERC in 2021 requesting an increase in the FERC-authorized peak liquefaction capacity of the Project achievable under optimal conditions. As noted herein, FERC granted that application in 2023. *See supra* §§ I, II.E.

<sup>116</sup> *Id.* at 5.

<sup>117</sup> *Id.*

<sup>118</sup> *See id.*

<sup>119</sup> *Id.*

<sup>120</sup> Venture Global Calcasieu Pass, LLC, *et al.*, Notification of Change in Ownership Structure, Docket Nos. 13-69-LNG, *et al.* (Oct. 24, 2023) [hereinafter Notification].

<sup>121</sup> Venture Global Calcasieu Pass, LLC, *et al.*, Supplement to Notification of Change in Ownership Structure, Docket Nos. 13-69-LNG, *et al.* (Nov. 2, 2023) [hereinafter Supp.].

authorization holders—Calcasieu Pass; Venture Global Plaquemines LNG, LLC; and Venture Global CP2 LNG, LLC<sup>122</sup>—in compliance with DOE’s Change in Control Procedures.<sup>123</sup>

Specifically, Venture Global LNG stated that, pursuant to a series of reorganization transactions effective as of September 25, 2023 (Transactions), Venture Global LNG became a wholly-owned subsidiary of a new Delaware corporation named Venture Global Holdings, Inc. (VG Holdings), which has the same principal place of business as Venture Global LNG. Following the Transactions, the Principals now own 83.79% of the common equity and voting power of VG Holdings, reflecting an increase in their ownership share of Venture Global LNG and Calcasieu Pass.<sup>124</sup> Additionally, the Principals now hold their ownership interest in an entity named Venture Global Partners II, LLC, which is a Delaware limited liability company with the same principal place of business as Venture Global LNG.<sup>125</sup>

Following the Transactions, the institutional investors now own a total of 16.21% of the common equity in VG Holdings, with funds managed and/or controlled by Pacific Investment Management LLC (PIMCO) owning 15.10%, and other passive institutional investors together owning the remaining 1.11%.<sup>126</sup>

Venture Global LNG further stated that, after the Transactions, the Principals continue to retain the sole right to control and direct the management and policies of Venture Global LNG and thus Calcasieu Pass and the other authorization holders (other than certain rights with regard to Calcasieu Pass described in the Notification).<sup>127</sup>

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<sup>122</sup> See Notification at 1.

<sup>123</sup> U.S. Dep’t of Energy, Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas, 79 Fed. Reg. 65,541 (Nov. 5, 2014).

<sup>124</sup> See, e.g., U.S. Dep’t of Energy, Response to Notification of Change in Ownership Structure, Docket Nos. 13-69-LNG, *et al.*, at 4 (May 24, 2024) [hereinafter DOE Response to Change of Control].

<sup>125</sup> *Id.*

<sup>126</sup> *Id.* at 4-5.

<sup>127</sup> *Id.* at 5.

On May 24, 2024, DOE issued a letter responding to the Notification, as supplemented. As relevant here, DOE acknowledged that the change in control described by Venture Global LNG in the Notification, as supplemented, had taken effect for the Amendment Application then-pending in this proceeding.<sup>128</sup>

## **B. Project Updates**

Calcasieu Pass notes that, in 2019, it “secured over \$7 billion of debt and equity financing for the Calcasieu Pass Project and made a positive FID [final investment decision] to proceed with the Project.”<sup>129</sup>

Calcasieu Pass further states that it has entered into binding, 20-year, LNG sale and purchase agreements (SPAs) with six off-takers—Shell, BP, Edison S.p.A., Galp, Repsol, and PGNiG—for a total of 8.5 mtpa of LNG.<sup>130</sup> Additionally, Calcasieu Pass states that it has entered into a 3-year SPA with Unipec for another 1.0 mtpa of capacity, as well as a long-term SPA for the available annual quantities in excess of the nameplate capacity.<sup>131</sup> DOE notes that, on December 27, 2021, Calcasieu Pass submitted to DOE an additional executed contract associated with the long-term export of LNG from the Project—a 5-year LNG SPA entered into with CNOOC Gas and Power Singapore Trading & Marketing Pte. Ltd. on December 9, 2021.<sup>132</sup> Finally, Calcasieu Pass states that it has entered into a series of long-term natural gas supply contracts to procure necessary feed gas for its operations.<sup>133</sup>

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<sup>128</sup> *Id.* at 6-7.

<sup>129</sup> Amendment App. at 7.

<sup>130</sup> *Id.*

<sup>131</sup> *Id.*

<sup>132</sup> See Venture Global Calcasieu Pass, LLC, Submission of Long-Term Contracts and Summaries, Docket Nos. 13-69-LNG, *et.al.* (Nov. 25, 2024), <https://www.energy.gov/fecm/articles/calcasieu-pass-terminal>; see also Venture Global Calcasieu Pass, LLC, Semi-Annual Status Report, Docket Nos. 13-69-LNG, *et al.*, at 3 (Apr. 1, 2025).

<sup>133</sup> Amendment App. at 7.

Calcasieu Pass states that it has filed all of these long-term contracts with DOE in accordance with the requirements of its export authorizations and DOE policies.<sup>134</sup>

## **VI. APPLICANT’S PUBLIC INTEREST ANALYSIS**

### **A. Overview**

Calcasieu Pass states that NGA section 3(a) creates a presumption that its proposed non-FTA exports are in the public interest, which opponents bear the burden of overcoming.<sup>135</sup>

Calcasieu Pass further states that DOE “fully analyzed all relevant factors and concluded in DOE/FE Order No. 4346 that exports from the Calcasieu Pass Project to non-FTA nations are consistent with the public interest.”<sup>136</sup> According to Calcasieu Pass, “[i]ncreasing the quantity of the authorized exports to reflect a better, more refined understanding of the peak output of the facilities is equally consistent with the public interest.”<sup>137</sup>

### **B. Domestic Natural Gas Supply and Demand**

Calcasieu Pass asserts that “[d]omestic natural gas resources are abundant, environmentally friendly, and affordable, and are sufficient to meet both the domestic consumption demand and any expected level of LNG exports (including the increased volumes proposed by Calcasieu Pass) in the long-term.”<sup>138</sup> Citing projections by EIA, Calcasieu Pass states that domestic production has increased and should continue to increase, and that proven reserves have dramatically increased as well.<sup>139</sup> Pointing to EIA’s *Annual Energy Outlook 2021* (AEO 2021)—the most recent data from EIA at the date of the Amendment Application—Calcasieu Pass states that total U.S. dry natural gas production will exceed domestic natural gas

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<sup>134</sup> *Id.*

<sup>135</sup> *Id.* at 12.

<sup>136</sup> *See id.*

<sup>137</sup> *Id.* at 13 (noting that Calcasieu Pass is seeking to increase its export volume “with no need for additional facilities”).

<sup>138</sup> *Id.* at 19.

<sup>139</sup> *See* Amendment App. at 20.

consumption through 2050.<sup>140</sup> Thus, according to Calcasieu Pass, “[t]he abundant reserves and growing surplus of natural gas production over consumption sets the stage for the U.S. to continue to be a major exporter of natural gas.”<sup>141</sup>

### **C. Effects on Domestic Prices of Natural Gas**

Citing EIA’s projections in AEO 2021, Calcasieu Pass states that “EIA’s ... long-term studies project low natural gas prices to continue throughout the period of the requested export authorization through 2050.”<sup>142</sup> Calcasieu Pass thus contends that “the latest available EIA pricing data [in AEO 2021] is even more support[ive] of LNG exports” than EIA’s pricing data relied upon by DOE in its 2018 LNG Export Study.<sup>143</sup>

### **D. Economic Benefits**

Calcasieu Pass notes that DOE has previously concluded in many export authorizations—including in Calcasieu Pass’s authorization, Order No. 4346, as amended—that exports of U.S. LNG result in net economic benefits.<sup>144</sup> According to Calcasieu Pass, the macroeconomic benefits associated with the Project demonstrate that its proposed increase in exports are consistent with, and will promote, the public interest.<sup>145</sup> Calcasieu Pass further states that the Project “will benefit the economy by creating jobs, increasing tax revenues, and reducing the nation’s trade deficit.”<sup>146</sup>

### **E. International Trade and Geopolitical Benefits**

Citing DOE’s findings in other authorizations, including in Order No. 4346, Calcasieu

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<sup>140</sup> *Id.* (citing U.S. Energy Info. Admin., *Annual Energy Outlook 2021* (Feb. 3, 2021), at Table 13). Each Annual Energy Outlook (AEO) presents EIA’s long-term projections of energy supply, demand, and prices, based on results from EIA’s NEMS model.

<sup>141</sup> *Id.*

<sup>142</sup> *Id.* at 22.

<sup>143</sup> *Id.* at 23.

<sup>144</sup> Amendment App. at 25.

<sup>145</sup> *Id.*

<sup>146</sup> *Id.*

Pass contends that “increased access to U.S. natural gas not only provides new supplies to U.S. allies and trade partners around the world, but also positions the country as an alternative to traditional suppliers in Russia and the Middle East.”<sup>147</sup>

## **VII. CURRENT PROCEEDING BEFORE DOE**

In response to the Notice of Application, DOE received one timely-filed “Notice of Intervention” submitted by Public Citizen on March 11, 2022.<sup>148</sup> DOE is construing this filing as a motion to intervene.<sup>149</sup>

Public Citizen states that it is a national, not-for-profit, non-partisan research and advocacy organization representing the interests of household consumers.<sup>150</sup> Public Citizen states that its “organization and [its] members have a direct interest in [Calcasieu Pass] applications to export LNG.”<sup>151</sup> According to Public Citizen, “LNG exports have a profound impact on domestic energy prices, contribute to an increase in greenhouse gas emissions, and exacerbate environmental justice concerns in Louisiana.”<sup>152</sup>

## **VIII. DISCUSSION AND CONCLUSIONS**

In reviewing the non-FTA portion of Calcasieu Pass’s Amendment Application, DOE has considered its obligations under NGA section 3(a) and NEPA, as well as the directives of E.O. 14154. To accomplish these purposes, DOE has examined a range of information addressing economic and non-economic factors, including but not limited to:

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<sup>147</sup> *Id.* at 26.

<sup>148</sup> On April 25, 2023, DOE received a “Motion to Intervene Out-of-Time” submitted by Repsol LNG Holding, S.A. (Repsol) in Calcasieu Pass’s consolidated dockets, which Calcasieu Pass opposed. On November 14, 2023, DOE issued an order denying Repsol’s motion. *See Venture Global Calcasieu Pass, LLC*, Order Denying Late-Filed Motion for Leave to Intervene Out of Time, Docket Nos. 13-69-LNG, *et al.* (Nov. 14, 2023).

<sup>149</sup> *See supra* § I.

<sup>150</sup> Public Citizen Mot. at 1.

<sup>151</sup> *Id.*

<sup>152</sup> *Id.*

- Calcasieu Pass’s Amendment Application and Correction to Amendment Application;
- Public Citizen’s Motion to Intervene; and
- Relevant portions of the 2024 LNG Export Study, including related comments received in response to the 2024 Study.

#### **A. Procedural Matters**

Calcasieu Pass did not oppose Public Citizen’s motion to intervene, and thus the motion is deemed granted.<sup>153</sup>

#### **B. Economic Issues**

##### **1. Significance of the 2024 LNG Export Study on Economic Issues**

As discussed above, DOE commissioned the 2024 LNG Export Study and invited public comments on the 2024 Study. DOE evaluated this material in its Response to Comments on the 2024 LNG Export Study, published in the *Federal Register* on May 22, 2025.<sup>154</sup>

DOE concluded in the Response to Comments that U.S. domestic natural gas supply is sufficient to meet domestic and market-based global demand for U.S. natural gas, including LNG, in all scenarios.<sup>155</sup> Additionally, DOE found that increasing LNG exports results in an increase to U.S. GDP in all cases examined, including by an estimated \$410 billion cumulatively for the period 2020 through 2050 under the Reference case.<sup>156</sup> Indeed, the 2024 Study shows macroeconomic benefits to the U.S. economy across the range of scenarios analyzed.<sup>157</sup> DOE also concluded that higher levels of U.S. LNG exports will provide additional economic benefits through improvements to the U.S. trade balance, increased federal and state tax revenues, and

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<sup>153</sup> 10 C.F.R. § 590.303(g).

<sup>154</sup> *See supra* § III.C.

<sup>155</sup> Response to Comments at 43; *see also id.* at 21.

<sup>156</sup> *See id.* at 47.

<sup>157</sup> *See id.*

increased jobs.<sup>158</sup>

Turning to the potential impact of LNG exports on domestic natural gas prices, DOE found that “[i]ncreased LNG exports are projected to have relatively modest impacts on prices.”<sup>159</sup> In particular, “any domestic price impact is expected to be minimal due to the abundant supply of natural gas in the United States.”<sup>160</sup> DOE further determined that U.S. LNG exports have not had a “consistent effect” on the price of domestic natural gas to date.<sup>161</sup> Specifically, DOE found that the potential price impacts from increased LNG exports modeled in the 2024 Study “are within the range of prices observed over the past five years” (*i.e.*, since 2018)—and, moreover, are below the long-term price increases from U.S. LNG exports projected in DOE’s prior economic study, the 2018 LNG Export Study.<sup>162</sup>

Table 1 below shows a comparison of EIA’s projections in the *Annual Energy Outlook 2017* (AEO 2017)<sup>163</sup> that formed the basis of the 2018 LNG Export Study and DOE’s projections in the 2024 Study.<sup>164</sup> For the year 2050, the 2024 Study projects LNG exports of 56.3 Bcf/d of natural gas—more than four times the level projected in the 2018 LNG Export Study at 12.7 Bcf/d.<sup>165</sup> Over the same projection period, the 2024 Study projects an average Henry Hub

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<sup>158</sup> *Id.* at 48 (stating that, although the 2024 Study does not specifically quantify the U.S. trade balance, DOE finds that an increase in the quantity of U.S. products sold abroad works to improve the balance of trade, and thus “DOE agrees that an improved trade balance would be an important benefit of greater LNG exports”); *see also id.* at 49 (stating that the 2024 Study “did not quantify job or wage revenues attributable to the construction and operation of LNG facilities,” but that DOE “postulates that LNG export facilities have a positive impact on the U.S. job market” based on quantitative information provided by several commenters).

<sup>159</sup> *Id.* at 46, 48.

<sup>160</sup> *Id.* at 46.

<sup>161</sup> Response to Comments at 46-47.

<sup>162</sup> *Id.*

<sup>163</sup> U.S. Energy Info. Admin., *Annual Energy Outlook 2017* (with projections to 2050) (Jan. 5, 2017), <https://www.eia.gov/outlooks/archive/aeo17/> [hereinafter AEO 2017].

<sup>164</sup> 2024 Study Appendix A; *see also* 2024 Study Appendix B at B-57-59.

<sup>165</sup> *See* AEO 2017, Table 62 (Natural Gas Imports and Exports), [https://www.eia.gov/outlooks/aeo/data/browser/#/?id=76-AEO2017&region=0-0&cases=ref\\_no\\_cpp&start=2015&end=2050&f=A&sourcekey=0](https://www.eia.gov/outlooks/aeo/data/browser/#/?id=76-AEO2017&region=0-0&cases=ref_no_cpp&start=2015&end=2050&f=A&sourcekey=0). AEO 2017 included two versions of the Reference case—one with, and one without, the implementation of a rulemaking by the U.S. Environmental Protection Agency (EPA) called the Clean Power Plan. EPA repealed the Clean Power Plan in 2019. Therefore, we refer only to the AEO 2017 Reference case without the Clean Power Plan.



natural gas price of \$4.62/MMBtu, a decrease of 28% from \$6.40/MMBtu in real dollars projected under the 2018 Study.

**Table 1: Year 2050 Reference Case Comparisons in AEO 2017 (Basis of 2018 LNG Export Study) and 2024 LNG Export Study**

	<b>AEO 2017 Reference Case Without Clean Power Plan</b>	<b>2024 LNG Export Study – Defined Policies: Market Resolved Scenario</b>
<b>Lower-48 Dry Natural Gas Production (Bcf/d)</b>	107.9	139.6
<b>Total Natural Gas Consumption (Bcf/d)</b>	92.4	80.3
<b>Electric Power Sector Consumption (Bcf/d)</b>	31.8	17.8
<b>LNG Exports – Total (Bcf/d)</b>	12.7	56.3
<b>Henry Hub Spot Price (\$/MMBtu) <sup>(Note 1)</sup></b>	<b>\$6.40 (2022\$)</b>	<b>\$4.62 (2022\$)</b>

Note 1: Prices adjusted to 2022\$ with the AEO 2017 projection of a Gross Domestic Product price index.

For these reasons and those set forth in the Response to Comments, we find the 2024 Study supports DOE’s finding that Calcasieu Pass’s proposed exports will generate net economic benefits to the U.S. economy and will not be inconsistent with the public interest.

## **2. Calcasieu Pass’s Amendment Application**

Upon review, DOE finds that several factors identified in the uncontested Amendment Application support a grant of Calcasieu Pass’s request to increase its authorized non-FTA export volume.

First, Calcasieu Pass points to EIA data and projections in asserting that the United States has abundant natural gas resources available to meet both projected future domestic needs and demand for the proposed exports.<sup>166</sup> We agree. In addition to the 2024 LNG Export Study, we take administrative notice of EIA’s recent authoritative projections, set forth in the *Annual Energy Outlook 2025* (AEO 2025),<sup>167</sup> to evaluate current and future natural gas supply, demand, and prices. Specifically, DOE has assessed AEO 2025 to evaluate any differences from AEO 2023, which formed the basis for the 2024 Study. We find that EIA’s projections in AEO 2025 continue to show market conditions that will accommodate increased exports of natural gas—well above what is required to meet projected increases in domestic consumption.

Next, while stating that it is requesting “only a minor increase” in its authorized exports under Order No. 4346, Calcasieu Pass nonetheless maintains that these additional exports will provide macroeconomic benefits—including by creating jobs, increasing tax revenues, and reducing the U.S. trade deficit.<sup>168</sup>

We agree with Calcasieu Pass that, over the term of the authorization, the proposed exports will make a positive contribution to the economy of the United States, including to the balance of trade. For instance, even beyond the multi-billion dollar economic investment and jobs created from the construction of the Project, DOE finds that increased LNG exports could reduce the trade deficit significantly in light of observed U.S. LNG export prices, which averaged \$6.41 per thousand cubic feet for January through December 2024.<sup>169</sup> Further, the

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<sup>166</sup> See Amendment App. at 19-21, 24.

<sup>167</sup> U.S. Energy Info. Admin., *Annual Energy Outlook 2025* (Apr. 15, 2025), <https://www.eia.gov/outlooks/aeo/> [hereinafter AEO 2025].

<sup>168</sup> Amendment App. at 24-25.

<sup>169</sup> See Natural Gas Monthly, Table 5, LNG Export Prices, at 20, [https://www.eia.gov/naturalgas/monthly/pdf/table\\_05.pdf](https://www.eia.gov/naturalgas/monthly/pdf/table_05.pdf) (June 30, 2025). We note that this value could fluctuate based on U.S. LNG export prices, but the values would have been higher based on export prices in both 2023 (\$7.57/Mcf) and 2022 (\$12.24/Mcf).

increased value of Calcasieu Pass’s exports would spur other domestic economic activity and benefits, including the potential for supporting upstream production and related employment.

In sum, based on the 2024 Study, the most recent data in AEO 2025, and evidence provided by Calcasieu Pass, DOE finds that the market will be capable of sustaining the level of non-FTA exports requested in Calcasieu Pass’s Amendment Application over the authorization term without negative economic impacts that overcome the economic benefits derived from such exports. We also find that Calcasieu Pass’s requested increase in its non-FTA export volume is consistent with U.S. policy.

### **C. Energy Security**

An efficient, transparent international market for natural gas with diverse sources of supply provides both economic and strategic benefits to the United States and our allies. For example, in light of the 2022 Russian invasion of Ukraine, there continue to be concerns about energy security for Europe and Central Asia, particularly given the relative share of Russian natural gas supplied to those regions until recently,<sup>170</sup> with continued risk due to the now-expired agreement for the supply of Russian gas to Europe.<sup>171</sup> By authorizing increased exports of U.S.-sourced LNG to non-FTA countries, including to U.S. allies in Europe and elsewhere, this Order will enable Calcasieu Pass to help mitigate energy security concerns.<sup>172</sup> More generally, to the

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<sup>170</sup> According to EIA data, until immediately before Russia attacked Ukraine, natural gas imports delivered by pipeline into Europe provided most imported volumes into Europe, with imports sourced from Russia pre-2022 comprising the largest share. See U.S. Energy Info. Admin., *Today in Energy* (Feb. 11, 2022), <https://www.eia.gov/todayinenergy/detail.php?id=51258>.

<sup>171</sup> Reuters reports that the five-year agreement between Moscow and Kyiv for the transit of Russian natural gas to Europe via Ukraine expired on January 1, 2025, as Kyiv refused to renew a transit agreement extending or developing a new deal. See Reuters, *Russian gas era in Europe ends as Ukraine stops transit* (Jan. 1, 2025), <https://www.reuters.com/business/energy/russia-halts-gas-exports-europe-via-ukraine-2025-01-01/>.

<sup>172</sup> We note that Europe was the primary destination of U.S. LNG throughout 2023 and 2024. In December 2024, for example, more than 70% of all U.S. LNG exports went to Europe. See U.S. Dep’t of Energy, *Natural Gas Imports and Exports Monthly*, at 1 (Dec. 2024), [https://www.energy.gov/sites/default/files/2025-02/Natural%20Gas%20Imports%20and%20Exports%20Monthly%20December%202024\\_2.pdf](https://www.energy.gov/sites/default/files/2025-02/Natural%20Gas%20Imports%20and%20Exports%20Monthly%20December%202024_2.pdf); see also U.S. Energy Info. Admin., *Today in Energy* (Feb. 29, 2024), <https://www.eia.gov/todayinenergy/detail.php?id=61483>, (noting that the United States supplied nearly half of Europe’s LNG imports in 2023).

extent U.S. exports diversify global LNG supplies and increase the volumes of destination-flexible LNG available globally, these exports will improve energy security for many U.S. allies and trading partners.<sup>173</sup> We further note that, like all authorizations for the export of natural gas, no export will be permitted to any country for which exports are otherwise restricted by U.S. law or policy. For these reasons, we reiterate our finding that authorizing Calcasieu Pass’s increased volume of exports to non-FTA countries will not be inconsistent with the public interest.

DOE also notes that, in the 2024 LNG Export Study, DOE projected continued high global demand for natural gas through 2050, demonstrating a need for additional LNG export facilities in the United States such as the Project.<sup>174</sup> For example, DOE projected in its *Defined Policies: Market Resolved* scenario that U.S. natural gas production will increase 54%, up to 51.0 trillion cubic feet (Tcf) of natural gas, and LNG exports will increase to 20.5 Tcf, between 2020 and 2050.<sup>175</sup> This level of LNG demand growth through to 2050 will require substantial investments in new natural gas and LNG projects.

Further, the United States has an increasingly important role in the European Union’s (EU) natural gas supply. As the agreement allowing the transit of Russian natural gas through Ukraine expired at the end of 2024, “[i]ncreasing LNG imports from trustworthy global partners is key to fully eliminating the EU’s reliance on Russian fossil fuels.”<sup>176</sup> According to the EU, “[e]ach step to phase out Russian fossil fuels brings the EU closer to a more secure and

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<sup>173</sup> As of May 2025, 18% of U.S. LNG exports have gone to FTA countries, and 82% have gone to non-FTA countries. See U.S. Dep’t of Energy, *Natural Gas Imports and Exports Monthly*, at 45 (July 2025), <https://www.energy.gov/sites/default/files/2025-07/Natural%20Gas%20Imports%20and%20Exports%20Monthly%20May%202025.pdf>.

<sup>174</sup> See 2024 Study Appendix A at A-17–A-22.

<sup>175</sup> 2024 Study Appendix B at B-57, [https://www.energy.gov/sites/default/files/2024-12/LNGUpdate\\_AppendixB\\_Dec2024.pdf](https://www.energy.gov/sites/default/files/2024-12/LNGUpdate_AppendixB_Dec2024.pdf); 2024 Study Appendix A at A-22, [https://www.energy.gov/sites/default/files/2024-12/LNGUpdate\\_AppendixA\\_Dec2024.pdf](https://www.energy.gov/sites/default/files/2024-12/LNGUpdate_AppendixA_Dec2024.pdf).

<sup>176</sup> Official website of the European Union (Energy, LNG) (last accessed July 30, 2025), [https://energy.ec.europa.eu/topics/carbon-management-and-fossil-fuels/liquefied-natural-gas\\_en](https://energy.ec.europa.eu/topics/carbon-management-and-fossil-fuels/liquefied-natural-gas_en).

sustainable energy supply.”<sup>177</sup> In EIA’s *International Energy Outlook 2023* (IEO 2023), EIA projected that “slow but increasing natural gas demand growth, coupled with the region’s decreasing natural gas production, increases Western Europe’s net natural gas imports by between 2.3 Tcf and 6.2 Tcf by 2050 across all cases.”<sup>178</sup> This analysis further supports a key objective of the “EU’s energy union strategy,” as “[LNG] can contribute to diversifying gas supplies, thus improving EU energy security in the short-term.”<sup>179</sup>

Additionally, we take administrative notice of a report published in October 2024 by the Institute of Energy Economics, Japan (IEEJ), which found that “[g]lobal LNG demand in 2050 is projected to increase by 74% from the present level.”<sup>180</sup> According to the IEEJ, “[o]ne of the focal points of increasing demand is Southeast Asia’s emerging markets, notably the power generation sector,” and “[i]f the energy efficiency improvements assumed in these scenarios are not realised, LNG demand would increase further.”<sup>181</sup> Similarly, other forecasts project varying levels of global demand for LNG, with many analysts predicting moderate to significant growth in LNG demand globally, particularly driven by Asia.

In light of these benefits to U.S. and global energy security, we find that Calcasieu Pass’s requested increase in its non-FTA export volume will advance the public interest for reasons that are distinct from and additional to the benefits discussed above.

#### **D. Issuance of Categorical Exclusion Under NEPA**

DOE’s NEPA procedures provide for a categorical exclusion for actions that normally do not require preparation of either an EIS or an EA—specifically, categorical exclusion B5.7 (10

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<sup>177</sup> *Id.*

<sup>178</sup> U.S. Energy Info. Admin., *International Energy Outlook 2023* (with projections to 2050), at 45 (Oct. 11, 2023), [https://www.eia.gov/outlooks/ieo/pdf/IEO2023\\_Narrative.pdf](https://www.eia.gov/outlooks/ieo/pdf/IEO2023_Narrative.pdf).

<sup>179</sup> Official website of the European Union (Energy, LNG), *supra*.

<sup>180</sup> The Institute of Energy Economics, Japan, IEEJ 2025 Outlook (Oct. 18, 2024), <https://eneken.ieej.or.jp/data/12114.pdf>.

<sup>181</sup> *Id.*

C.F.R. Part 1021, Subpart D, Appendix B5), *Export of natural gas and associated transportation by marine vessel*.<sup>182</sup> In establishing this revised categorical exclusion, DOE concluded that the “potential environmental effects associated with marine transport, the only reasonably foreseeable environmental impacts associated with DOE natural gas export authorizations, are minimal.”<sup>183</sup>

Specifically, “[b]ased on prior NEPA reviews and technical reports” summarized in DOE’s Technical Support Document, DOE “determined that transport of natural gas by marine vessel normally does not pose the potential for significant environmental impacts.”<sup>184</sup> DOE also observed that LNG shipments associated with export authorizations “comprise less than one percent of vessel calls from U.S. ports annually.”<sup>185</sup> Further, “[e]ven with increased LNG exports, the relative proportion of LNG shipments to total shipping is not expected to change substantially.”<sup>186</sup> On this basis, DOE concluded that “marine transport from DOE’s actions does not have the potential to markedly affect the global environmental impacts associated with the commercial shipping industry.”<sup>187</sup>

DOE finds that these marine transport effects are the only reasonably foreseeable environmental impacts from Calcasieu Pass’s proposed exports, and DOE has considered these

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<sup>182</sup> See 10 C.F.R. Part 1021, Subpt. D, App. B, Categorical Exclusion B5.7. This categorical exclusion amended the prior B5.7 categorical exclusion. See U.S. Dep’t of Energy, National Environmental Policy Act Implementing Procedures; Final Rule, 85 Fed. Reg. 78,197 (Dec. 4, 2020); see also *supra* § II.C.

<sup>183</sup> NEPA Implementing Procedures Final Rule, 85 Fed. Reg. at 78,199 (emphasis added) (citing *Pub. Citizen*, 541 U.S. at 767-68).

<sup>184</sup> *Id.* at 78,198 (citing DOE’s Technical Support Document, see *supra* § II.C); see also *id.* at 78,202 (stating that the Technical Support Document was focused on the potential impacts associated with transporting LNG cargo, and “includes consideration of accidents (including spills and fires), safety and security during transport, and some 50 years of experience transporting LNG on marine vessels”); *id.* (finding that “the effectiveness of [agency] regulations and industry practices over decades of LNG transport provide strong evidence that there is normally no potential for significant environmental impacts due to marine transport of LNG”).

<sup>185</sup> *Id.* at 78,202.

<sup>186</sup> *Id.*

<sup>187</sup> *Id.*

impacts in accordance with NEPA.<sup>188</sup> DOE also finds that there is no legal requirement to consider any other environmental impacts.<sup>189</sup> Accordingly, on July 31, 2025, DOE issued a categorical exclusion B5.7 determination for the non-FTA portion of Calcasieu Pass’s Amendment Application.<sup>190</sup>

We acknowledge that this position is a departure from DOE’s past practice of broadly considering the potential upstream and downstream environmental effects of authorizing exports of LNG to non-FTA countries, beyond the transportation of the LNG by marine vessel. However, this position is informed by and consistent with the Supreme Court’s holdings in *Public Citizen* and, most recently, *Seven County Infrastructure Coalition*, which make clear that “agencies are not required to analyze the effects of projects over which they do not exercise regulatory authority.”<sup>191</sup> As noted, this position is also consistent with DOE’s review of its statutory authority in the B5.7 categorical exclusion rulemaking in 2020, which was expressly based on DOE’s statutory authority and the legal principle enunciated in *Public Citizen*.<sup>192</sup>

## **E. Other Considerations**

DOE notes the continuing uncertainty that all or even most of the proposed LNG export projects will ever be realized because of the time, difficulty, and expense of commercializing,

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<sup>188</sup> See National Environmental Policy Act Implementing Procedures, 85 Fed. Reg. at 78,199.

<sup>189</sup> See *supra* §§ II.C, III.A; see also, e.g., *Seven Cnty. Infrastructure Coal.*, 605 U.S. \_\_\_, 145 S.Ct. at 1510-11 (emphasizing that NEPA, as a “purely procedural” statute, “‘does not mandate particular results, but simply prescribes the necessary process’ for an agency’s environmental review of a project”) (quoting *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989)); *NAACP v. Fed. Power Comm’n*, 425 U.S. 662, 669-70 (1976) (discussing the “content and meaning” of the words “public interest” in the NGA based on the statute’s “principal purpose” of encouraging “the orderly development of plentiful supplies” of natural gas at reasonable prices).

<sup>190</sup> U.S. Dep’t of Energy, Categorical Exclusion Determination, Venture Global Calcasieu Pass, LLC, Docket No. 15-25-LNG (July 31, 2025) [hereinafter Calcasieu Pass Categorical Exclusion].

<sup>191</sup> *Seven Cnty. Infrastructure Coal.*, 605 U.S. \_\_\_, 145 S.Ct. at 1516 (discussing *Pub. Citizen*, 541 U.S. at 770, and concluding that “nothing in NEPA required the Board to go further and study environmental impacts from upstream or downstream projects separate in time or place from the 88-mile railroad line’s construction and operation”).

<sup>192</sup> See NEPA Implementing Procedures Final Rule, 85 Fed. Reg. at 78,197 (discussing DOE’s limited review in considering environmental effects associated with the export of LNG to non-FTA countries under NEPA, citing *Pub. Citizen*); *id.* at 78,198-99, 78,201.

financing, and constructing LNG export terminals, as well as the uncertainties and competition inherent in the global market for LNG.<sup>193</sup>

More generally, DOE continues to subscribe to the principle set forth in the 1984 Policy Guidelines that, under most circumstances, the market is the most efficient means of allocating natural gas supplies.<sup>194</sup> However, agency intervention may be necessary to protect the public in the event there is insufficient domestic natural gas for domestic use, or as a result of other facts or circumstances beyond those presented here.<sup>195</sup>

## **F. Conclusion**

Upon review of the record evidence and relevant precedent in earlier non-FTA export decisions, DOE has not found an adequate basis to conclude that Calcasieu Pass’s proposed exports of U.S. LNG to non-FTA countries will be inconsistent with the public interest.

This Order amends an existing non-FTA order. Therefore, with the vacatur or expiration of previous long-term non-FTA export authorizations,<sup>196</sup> there are currently 42 non-FTA authorizations from the lower-48 states (two conditional orders and 40 final orders, including this

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<sup>193</sup> See *infra* § VIII.F (identifying long-term orders vacated or expired to date); see also, e.g., *Sierra Club vs. U.S. Dep’t of Energy*, 134 F.4th 568, 574 (D.C. Cir. 2025) (discussing DOE’s findings as to “the uncertainties in the global energy markets” affecting the “supply and demand responses” for exports of U.S. LNG in the future).

<sup>194</sup> 1984 Policy Guidelines, 49 Fed. Reg. at 6684.

<sup>195</sup> In previous orders, some commenters asked DOE to clarify the circumstances under which the agency would exercise its authority to revoke (in whole or in part) final LNG export authorizations. DOE stated that it could not precisely identify all the circumstances under which such action might be considered. Subsequently, in 2018, DOE issued a policy statement addressing this issue. See U.S. Dep’t of Energy, Policy Statement Regarding Long-Term Authorizations to Export Natural Gas to Non-Free Trade Agreement Countries, 83 Fed. Reg. 28,841 (June 21, 2018).

<sup>196</sup> To date, DOE has vacated nine long-term non-FTA authorizations (none over the objection of the authorization holder) in the following proceedings: *Eagle LNG Partners Jacksonville II LLC*, Docket No. 17-79-LNG (Mar. 12, 2023), *Bear Head Energy Inc. (formerly Bear Head LNG Corp.) and Bear Head LNG (USA), LLC*, Docket No. 15-33-LNG (Jan. 20, 2023); *Jordan Cove Energy Project L.P.*, Docket No. 12-32-LNG (Apr. 22, 2022); *Air Flow N. Am. Corp.*, Docket No. 14-206-LNG (Dec. 30, 2021); *Emera CNG, LLC*, Docket No. 13-157-CNG (Oct. 20, 2021); *Annova LNG Common Infrastructure, LLC*, Docket No. 19-34-LNG (Apr. 23, 2021); *Floridian Natural Gas Storage Co., LLC*, Docket No. 15-38-LNG (Oct. 22, 2020); *Carib Energy (USA) LLC*, Docket No. 11-141-LNG (Nov. 17, 2020); *Flint Hills Res., LP*, Docket No. 15-168-LNG (Feb. 5, 2019). Additionally, two long-term non-FTA authorizations in the following proceedings have expired: *Pieridae Energy (USA) Ltd.*, Docket No. 14-179-LNG (Jan. 17, 2025); *Magnolia LNG, LLC*, Docket No. 13-132-LNG (Dec. 8, 2023).



Order) in a cumulative volume of exports totaling approximately 52.81 Bcf/d of natural gas, or approximately 19.3 Tcf per year, as follows:<sup>197</sup> Sabine Pass Liquefaction, LLC (2.2 Bcf/d),<sup>198</sup> Cameron LNG, LLC (1.7 Bcf/d),<sup>199</sup> FLEX I (1.4 Bcf/d),<sup>200</sup> FLEX II (0.4 Bcf/d),<sup>201</sup> Cove Point LNG, LP (0.77 Bcf/d),<sup>202</sup> Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC (2.1 Bcf/d),<sup>203</sup> Sabine Pass Liquefaction, LLC Expansion Project (1.38 Bcf/d),<sup>204</sup> American LNG Marketing LLC (0.008 Bcf/d),<sup>205</sup> Sabine Pass Liquefaction, LLC Design Increase (0.56 Bcf/d),<sup>206</sup>

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<sup>197</sup> Subsequent amendments to each order, where applicable, are omitted. Any number discrepancies are due to rounding. Additionally, this cumulative volume of non-FTA exports from the lower-48 states does not include export volumes granted pursuant to DOE's regulations for small-scale exports of natural gas. See 10 C.F.R. §§ 590.102(p), 208(a); U.S. Dep't of Energy, Office of Fossil Energy and Carbon Management, Long Term Applications Received by DOE to Export Domestically Produced LNG, CNG, CGL from the Lower-48 States, at 14 (as of Jan. 22, 2025), <https://www.energy.gov/fecm/articles/summary-lng-export-applications-lower-48-states> (identifying small-scale applications and status).

<sup>198</sup> *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 2961-A, Docket No. 10-111-LNG, Final Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Sabine Pass LNG Terminal to Non-Free Trade Agreement Nations (Aug. 7, 2012).

<sup>199</sup> *Cameron LNG, LLC*, DOE/FE Order No. 3391-A, Docket No. 11-162-LNG, Final Opinion and Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Cameron LNG Terminal in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations (Sept. 10, 2014).

<sup>200</sup> *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No. 3282-C, Docket No. 10-161-LNG, Final Opinion and Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Freeport LNG Terminal on Quintana Island, Texas, to Non-Free Trade Agreement Nations (Nov. 14, 2014) (FLEX I Final Order).

<sup>201</sup> *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No. 3357-B, Docket No. 11-161-LNG, Final Opinion and Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Freeport LNG Terminal on Quintana Island, Texas, to Non-Free Trade Agreement Nations (Nov. 14, 2014) (FLEX II Final Order).

<sup>202</sup> *Cove Point LNG, LP*, DOE/FE Order No. 3331-A, Docket No. 11-128-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Cove Point LNG Terminal in Calvert County, Maryland, to Non-Free Trade Agreement Nations (May 7, 2015).

<sup>203</sup> *Cheniere Mktg., LLC and Corpus Christi Liquefaction, LLC*, DOE/FE Order No. 3638, Docket No. 12-97-LNG, Final Order and Opinion Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to Be Located in Corpus Christi, Texas, to Non-Free Trade Agreement Nations (May 12, 2015).

<sup>204</sup> *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3669, Docket Nos. 13-30-LNG, 13-42-LNG, & 13-121-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations (June 26, 2015).

<sup>205</sup> *American LNG Mktg. LLC*, DOE/FE Order No. 3690, Docket No. 14-209-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas in ISO Containers Loaded at the Proposed Hialeah Facility Near Medley, Florida, and Exported by Vessel to Non-Free Trade Agreement Nations (Aug. 7, 2015).

<sup>206</sup> *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3792, Docket No. 15-63-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations (Mar. 11, 2016).

Cameron LNG, LLC Design Increase (0.42 Bcf/d),<sup>207</sup> Cameron LNG, LLC Expansion Project (1.41 Bcf/d),<sup>208</sup> Lake Charles Exports, LLC (2.0 Bcf/d),<sup>209</sup> Lake Charles LNG Export Company, LLC,<sup>210</sup> Carib Energy (USA), LLC (0.004),<sup>211</sup> Southern LNG Company, L.L.C. (0.36 Bcf/d),<sup>212</sup> the FLEX Design Increase (0.34 Bcf/d),<sup>213</sup> Golden Pass LNG Terminal LLC (2.57 Bcf/d),<sup>214</sup> Delfin LNG LLC (1.8 Bcf/d),<sup>215</sup> the Lake Charles LNG Export Company, LLC Design Increase (0.33 Bcf/d),<sup>216</sup> the Lake Charles Exports, LLC Design Increase,<sup>217</sup> Mexico Pacific Limited LLC

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<sup>207</sup> *Cameron LNG, LLC*, DOE/FE Order No. 3797, Docket No. 15-67-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Cameron Terminal Located in Cameron and Calcasieu Parishes, Louisiana, to Non-Free Trade Agreement Nations (Mar. 18, 2016).

<sup>208</sup> *Cameron LNG, LLC*, DOE/FE Order No. 3846, Docket No. 15-90-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from Trains 4 and 5 of the Cameron LNG Terminal Located in Cameron and Calcasieu Parishes, Louisiana, to Non-Free Trade Agreement Nations (July 15, 2016).

<sup>209</sup> *Lake Charles Exports, LLC*, DOE/FE Order No. 3324-A, Docket No. 11-59-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Lake Charles Terminal in Calcasieu Parish, Louisiana, to Non-Free Trade Agreement Nations (July 29, 2016).

<sup>210</sup> *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 3868, Docket No. 13-04-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Lake Charles Terminal in Calcasieu Parish, Louisiana to Non-Free Trade Agreement Nations (July 29, 2016).

<sup>211</sup> *Carib Energy (USA) LLC*, DOE/FE Order No. 3937, Docket No. 16-98-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas in ISO Containers Loaded at Designated Pivotal LNG, Inc. Facilities and Exported by Vessel to Non-Free Trade Agreement Nations in Central America, South America, or the Caribbean (Nov. 28, 2016).

<sup>212</sup> *Southern LNG Co., L.L.C.*, DOE/FE Order No. 3956, Docket No. 12-100-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Elba Island Terminal in Chatham County, Georgia, to Non-Free Trade Agreement Nations (Dec. 16, 2016).

<sup>213</sup> *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No. 3957, Docket No. 16-108-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Freeport LNG Terminal on Quintana Island, Texas, to Non-Free Trade Agreement Nations (Dec. 19, 2016).

<sup>214</sup> *Golden Pass LNG Terminal LLC (formerly Golden Pass Products LLC)*, DOE/FE Order No. 3978, Docket No. 12-156-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Golden Pass LNG Terminal Located in Jefferson County, Texas, to Non-Free Trade Agreement Nations (Apr. 25, 2017).

<sup>215</sup> *Delfin LNG LLC*, DOE/FE Order No. 4028, Docket No. 13-147-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from a Proposed Floating Liquefaction Project and Deepwater Port 30 Miles Offshore of Louisiana to Non-Free Trade Agreement Nations (June 1, 2017).

<sup>216</sup> *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 4010, Docket No. 16-109-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Lake Charles Terminal in Lake Charles, Louisiana, to Free Trade Agreement and Non-Free Trade Agreement Nations (June 29, 2017).

<sup>217</sup> *Lake Charles Exports, LLC*, DOE/FE Order No. 4011, Docket No. 16-110-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Lake Charles Terminal in Lake Charles, Louisiana, to Free Trade Agreement and Non-Free Trade Agreement Nations (June 29, 2017).

(1.7 Bcf/d),<sup>218</sup> Venture Global Calcasieu Pass, LLC (1.76 Bcf/d),<sup>219</sup> ECA Liquefaction, S. de R.L. de C.V. (Mid-Scale Project) (0.44 Bcf/d),<sup>220</sup> Energía Costa Azul, S. de R.L. de C.V. (Large-Scale Project) (1.74 Bcf/d),<sup>221</sup> Port Arthur LNG, LLC (1.91 Bcf/d),<sup>222</sup> Louisiana LNG Infrastructure LLC (formerly Driftwood LNG LLC) (3.88 Bcf/d),<sup>223</sup> FLEX4 (0.72 Bcf/d),<sup>224</sup> Gulf LNG Liquefaction Company, LLC (1.53 Bcf/d),<sup>225</sup> Eagle LNG Partners Jacksonville LLC (0.14 Bcf/d),<sup>226</sup> Venture Global Plaquemines LNG, LLC (3.40 Bcf/d),<sup>227</sup> Texas LNG Brownsville LLC (0.56 Bcf/d),<sup>228</sup> Corpus Christi Liquefaction, LLC (formerly Corpus Christi Liquefaction Stage

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<sup>218</sup> *Mexico Pacific Ltd. LLC*, DOE/FE Order No. 4312, Docket No. 18-70-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export U.S.-Sourced Natural Gas by Pipeline to Mexico for Liquefaction and Re-Export in the Form of Liquefied Natural Gas to Non-Free Trade Agreement Countries (Dec. 14, 2018).

<sup>219</sup> *Venture Global Calcasieu Pass, LLC*, DOE/FE Order No. 4346, Docket Nos. 13-69-LNG, 14-88-LNG, 15-25-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 5, 2019).

<sup>220</sup> *ECA Liquefaction, S. de R.L. de C.V.*, DOE/FE Order No. 4364, Docket No. 18-144-LNG, Opinion and Order Granting Long-Term Authorization to Re-Export U.S.-Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Non-Free Trade Agreement Countries (ECA Mid-Scale Project) (Mar. 29, 2019).

<sup>221</sup> *Energía Costa Azul, S. de R.L. de C.V.*, DOE/FE Order No. 4365, Docket No. 18-145-LNG, Opinion and Order Granting Long-Term Authorization to Re-Export U.S.-Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Non-Free Trade Agreement Countries (ECA Large-Scale Project) (Mar. 29, 2019).

<sup>222</sup> *Port Arthur LNG, LLC*, DOE/FE Order No. 4372, Docket No. 15-96-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (May 2, 2019).

<sup>223</sup> *Louisiana LNG Infrastructure LLC (formerly Driftwood LNG LLC)*, DOE/FE Order No. 4373, Docket No. 16-144-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (May 2, 2019).

<sup>224</sup> *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No. 4374, Docket No. 18-26-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (May 28, 2019).

<sup>225</sup> *Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410, Docket No. 12-101-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (July 31, 2019).

<sup>226</sup> *Eagle LNG Partners Jacksonville LLC*, DOE/FE Order No. 4445, Docket No. 16-15-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Oct. 3, 2019).

<sup>227</sup> *Venture Global Plaquemines LNG, LLC*, DOE/FE Order No. 4446, Docket No. 16-28-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Oct. 16, 2019).

<sup>228</sup> *Texas LNG Brownsville LLC*, DOE/FE Order No. 4489, Docket No. 15-62-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Feb. 10, 2020).

III, LLC) (1.59 Bcf/d),<sup>229</sup> Rio Grande LNG, LLC (3.61 Bcf/d),<sup>230</sup> Epsilon LNG LLC (1.083 Bcf/d),<sup>231</sup> Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC (0.3 Bcf/d),<sup>232</sup> Sabine Pass Liquefaction, LLC (0.42 Bcf/d),<sup>233</sup> Vista Pacifico LNG, S.A.P.I. de C.V. (Mid-Scale Project) (0.55 Bcf/d),<sup>234</sup> FLEX Design Increase (0.24 Bcf/d),<sup>235</sup> NFE Altamira FLNG, S. de R.L. de C.V. (0.40 Bcf/d),<sup>236</sup> Commonwealth LNG, LLC (conditional authorization of 1.21 Bcf/d),<sup>237</sup> Venture Global CP2 LNG, LLC (conditional authorization of 3.96 Bcf/d),<sup>238</sup> and Port Arthur LNG Phase II, LLC (1.91 Bcf/d).<sup>239</sup>

We note that the volumes authorized for export in the *Lake Charles Exports* and *Lake Charles LNG Export* orders are both 2.0 Bcf/d and 0.33 Bcf/d, respectively, yet are not additive to one another because the source of LNG approved under all of those orders is the Lake Charles

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<sup>229</sup> *Corpus Christi Liquefaction, LLC (formerly Corpus Christi Liquefaction Stage III, LLC)*, DOE/FE Order No. 4490, Docket No. 18-78-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Feb. 10, 2020).

<sup>230</sup> *Rio Grande LNG, LLC*, DOE/FE Order No. 4492, Docket No. 15-190-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Feb. 10, 2020).

<sup>231</sup> *Epsilon LNG LLC*, DOE/FE Order No. 4629, Docket No. 20-31-LNG, Opinion and Order Granting Long-Term Authorization to Export Natural Gas to Mexico for Liquefaction, and to Re-Export U.S. Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Free Trade Agreement and Non-Free Trade Agreement Nations (Dec. 8, 2020).

<sup>232</sup> *Cheniere Mktg., LLC and Corpus Christi Liquefaction, LLC*, DOE/FECM Order No. 4799, Docket No. 19-124-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 16, 2022).

<sup>233</sup> *Sabine Pass Liquefaction, LLC*, DOE/FECM Order No. 4800, Docket No. 19-125-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 16, 2022).

<sup>234</sup> *Vista Pacifico LNG, S.A.P.I. de C.V.*, DOE/FECM Order No. 4929, Docket No. 20-153-LNG, Opinion and Order Granting Long-Term Authorization to Re-Export U.S.-Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Non-Free Trade Agreement Nations (Dec. 20, 2022).

<sup>235</sup> *Freeport LNG Expansion, L.P., et al.*, DOE/FECM Order No. 4961, Docket No. 21-98-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 3, 2023).

<sup>236</sup> *NFE Altamira FLNG, S. de R.L. de C.V.*, DOE/FECM Order No. 5156, Docket No. 22-110-LNG, Order Granting Long-Term Authorization to Re-Export U.S.-Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Non-Free Trade Agreement Nations (Aug. 31, 2024).

<sup>237</sup> *Commonwealth LNG, LLC*, DOE/FECM Order No. 5238, Docket No. 19-134-LNG, Order Conditionally Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Feb. 14, 2025).

<sup>238</sup> *Venture Global CP2 LNG, LLC*, DOE/FECM Order No. 5264, Docket No. 21-131-LNG, Order Conditionally Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 19, 2025).

<sup>239</sup> *Port Arthur LNG Phase II, LLC*, DOE/FECM Order No. 5292, Docket No. 20-23-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (May 29, 2025).

Terminal.<sup>240</sup>

DOE further notes that, to date, the cumulative total of U.S. and Mexico LNG export capacity, using U.S.-sourced natural gas, that is operating or under construction across 15 mid- or large-scale export projects with a non-FTA export authorization from DOE is 31.06Bcf/d of natural gas.<sup>241</sup>

DOE will continue taking a measured approach in reviewing the other pending applications to export natural gas. Specifically, DOE will continue to assess the cumulative impacts of each succeeding request for export authorization on the public interest with due regard to the effect on domestic natural gas supply and demand fundamentals.

Two reasons support this approach. First, the 2024 LNG Export Study, like any study based on assumptions and economic projections, is inherently limited in its predictive accuracy. Second, the market for natural gas has experienced changes due to economic, geopolitical, technological, and regulatory developments. The market of the future very likely will not resemble the market of today. In recognition of these factors, DOE intends to monitor developments that could potentially undermine the public interest in grants of successive applications for exports of domestically produced LNG and to attach terms and conditions to LNG export authorizations to protect the public interest.

## **IX. FINDINGS**

On the basis of the findings and conclusions set forth above, DOE grants Calcasieu

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<sup>240</sup> *Lake Charles LNG Export Co., LLC*, DOE/FE Order No. 4010, at 55; *see also Lake Charles Exports, LLC*, DOE/FE Order No. 4011, at 54.

<sup>241</sup> U.S. Dep’t of Energy, Liquefied Natural Gas (LNG) Exports Snapshot (June 2025), [https://www.energy.gov/sites/default/files/2025-07/LNG%20Snapshot%20Jun%2030%202025\\_0.pdf](https://www.energy.gov/sites/default/files/2025-07/LNG%20Snapshot%20Jun%2030%202025_0.pdf) (total of 31.06 Bcf/d calculated by adding Columns “Under Construction Pursuant to FID” & “Operating,” plus an additional 2.04 Bcf/d for Venture Global CP2 LNG, LLC reaching FID on Phase 1 of its project on July 28, 2025, *see* <https://investors.ventureglobal.com/news/news-details/2025/Venture-Global-Announces-Final-Investment-Decision-and-Financial-Close-for-Phase-1-of-CP2-LNG/default.aspx>).

Pass's Amendment Application, subject to the Terms and Conditions and Ordering Paragraphs set forth below.

## **X. TERMS AND CONDITIONS**

The Terms and Conditions imposed by DOE in Order No. 4346, as amended, remain in effect. As necessitated by this Order, Term and Condition H and I are amended below.

Calcasieu Pass must abide by each Term and Condition or face appropriate sanction.

### **H. Export Quantity**

This Order grants the non-FTA portion of the Amendment Application seeking to amend the authorized export volume in Order No. 4346 (as amended in Order No. 4346-A), such that Calcasieu Pass is authorized to export LNG to non-FTA countries in a volume equivalent to 640.666 Bcf/yr of natural gas.

### **I. Combined FTA and Non-FTA Export Authorization Volumes**

The volumes of LNG authorized for export in Calcasieu Pass's FTA authorizations (DOE/FE Order Nos. 3345, 3520, and 3662, all as amended) and this Order reflect the planned liquefaction capacity of the Project, as approved by FERC. Accordingly, Calcasieu Pass may not treat the FTA and non-FTA export volumes as additive to one another.

## **XI. ORDER**

Pursuant to section 3 of the Natural Gas Act, it is ordered that:

A. Venture Global Calcasieu Pass, LLC (Calcasieu Pass) is authorized to export domestically produced LNG by vessel from the Calcasieu Pass LNG Project (Project), located in Cameron Parish, Louisiana. The volume authorized in this Order is equivalent to 640.666 Bcf/yr of natural gas for a term to commence on the date of first export and to extend through December 31, 2050. Calcasieu Pass is authorized to export this LNG on its own behalf and as agent for other entities that hold title to the natural gas, pursuant to one or more contracts of any

duration.<sup>242</sup>

B. This LNG may be exported to any country with which the United States does not have a FTA 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 U.S. law or policy.

C. Calcasieu Pass shall ensure that all transactions authorized by this Order are permitted and lawful under U.S. laws and policies, including the rules, regulations, orders, policies, and other determinations of the Office of Foreign Assets Control of the U.S. Department of the Treasury. Failure to comply with these requirements could result in rescission of this authorization and/or other civil or criminal penalties.

D. This Order is conditioned on Calcasieu Pass's ongoing compliance with any other preventative and mitigative measures at the Project imposed by federal or state agencies.

E. (i) Calcasieu Pass shall file, or cause others to file, with the U.S. Department of Energy, Office of Fossil Energy and Carbon Management, Office of Resource Sustainability, Office of Regulation, Analysis, and Engagement (FE-34) a non-redacted copy of all executed long-term contracts associated with the long-term export of LNG from the Project on its own behalf or as agent for other entities. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described in Order No. 4346, as amended.

(ii) Calcasieu Pass shall file, or cause others to file, with the Office of Regulation, Analysis, and Engagement a non-redacted copy of all executed long-term contracts associated with the long-term supply of natural gas to the Project. The non-redacted copies must be filed

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<sup>242</sup> See U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis, 86 Fed. Reg. 2243 (Jan. 12, 2021).

within 30 days of their execution and may be filed under seal, as described in Order No. 4346, as amended.

F. Calcasieu Pass is permitted to use its authorization to export LNG as agent for other LNG title-holders (Registrants), after registering those entities with DOE. Registration materials shall include an agreement by the Registrant to supply Calcasieu Pass with all information necessary to permit Calcasieu Pass to register that person or entity with DOE, including: (1) the Registrant's agreement to comply with this Order and all applicable requirements of DOE's regulations at 10 C.F.R. Part 590, including but not limited to destination restrictions; (2) the exact legal name of the Registrant, state/location of incorporation/registration, primary place of doing business, and the Registrant's ownership structure, including the ultimate parent entity if the Registrant is a subsidiary or affiliate of another entity; (3) the name, title, mailing address, e-mail address, and telephone number of a corporate officer or employee of the Registrant to whom inquiries may be directed; and (4) within 30 days of execution, a copy of any long-term contracts not previously filed with DOE, described in Ordering Paragraph E of this Order.

Any change in the registration materials—including changes in company name, contact information, length of the long-term contract, termination of the long-term contract, or other relevant modification—shall be filed with DOE within 30 days of such change(s).

G. Calcasieu Pass, or others for whom Calcasieu Pass acts as agent, shall include the following provision in any agreement or other contract for the sale or transfer of LNG exported pursuant to this Order:



Customer or purchaser acknowledges and agrees that it will resell or transfer LNG purchased hereunder for delivery only to countries identified in Ordering Paragraph B of DOE/FECM Order No. 4346-B, issued August 4, 2025, in Docket No. 15-25-LNG, and/or to purchasers that have agreed in writing to limit their direct or indirect resale or transfer of such LNG to such countries. Customer or purchaser further commits to cause a report to be provided to Venture Global Calcasieu Pass, LLC that identifies the country (or countries) into which the LNG was actually delivered, and to include in any resale contract for such LNG the necessary conditions to ensure that Venture Global Calcasieu Pass, LLC is made aware of all such actual destination countries.

H. Calcasieu Pass shall file with the Office of Regulation, Analysis, and Engagement, on a semi-annual basis, written reports. The reports shall be filed on or by April 1 and October 1 of each year, and shall include information on the operation of the Project and the status of any associated long-term supply and export contracts.

I. With respect to any change in control of the authorization holder, Calcasieu Pass must comply with DOE's Procedures for Change in Control Affecting Applications and Authorizations to Import or Export Natural Gas.<sup>243</sup>

J. Monthly Reports: With respect to the exports authorized by this Order, Calcasieu Pass 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 exports have been made. If exports have not occurred, a report of "no activity" for that month must be filed. If exports 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)

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<sup>243</sup> See 79 Fed. Reg. at 65,541-42.

K. All monthly report filings on Form FE-746R shall be made to the Office of Regulation, Analysis, and Engagement according to the methods of submission listed on the Form FE-746R reporting instructions available at <https://www.energy.gov/fecm/regulation>.

L. The motion to intervene submitted by Public Citizen, Inc. is deemed granted.<sup>244</sup>

Issued in Washington, D.C., on August 4, 2025.

A handwritten signature in dark ink that reads "Chris Wright". The signature is written in a cursive, slightly slanted style. Below the signature is a solid horizontal line.

Chris Wright  
U.S. Secretary of Energy

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<sup>244</sup> 10 C.F.R. § 590.303(g).

**APPENDIX: LONG-TERM AUTHORIZATIONS ISSUED FOR EXPORTS FROM THE  
CALCASIEU PASS LNG PROJECT**

**Table 1: Authorizations to FTA Countries**

<b>Docket No.</b>	<b>Order No. (with most recent amendment)</b>	<b>Date Issued</b>	<b>Volume (Bcf/yr)</b>	<b>Term</b>
13-69-LNG	3345-A	Sept. 27, 2013, as amended	243.6	Export term through Dec. 31, 2050
14-88-LNG	3520-A	Oct. 10, 2014, as amended	243.6	Export term through Dec. 31, 2050
15-25-LNG	3662-B	June 17, 2015, as amended	153.466	Export term through Dec. 31, 2050
<b>Total FTA Volume</b>			<b>640.666</b>	

**Table 2: Authorizations to Non-FTA Countries**

<b>Docket No.</b>	<b>Order No. (with most recent amendment)</b>	<b>Date Issued</b>	<b>Volume (Bcf/yr)</b>	<b>Term</b>
13-69-LNG 14-88-LNG 15-25-LNG	4346-A	Mar. 5, 2019, as amended	620	Export term through Dec. 31, 2050
15-25-LNG	4346-B	Aug. 4, 2025	20.666	Export term through Dec. 31, 2050
<b>Total Non-FTA Volume</b>			<b>640.666</b>	