UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

HYDROCARBONS AND GEOTHERMAL ENERGY OFFICE

GULF LNG LIQUEFACTION COMPANY, LLC	)	DOCKET NO. 12-101-LNG

ORDER AMENDING LONG-TERM AUTHORIZATION
TO EXPORT LIQUEFED NATURAL GAS
TO NON-FREE TRADE AGREEMENT COUNTRIES

DOE/HGEO ORDER NO. 4410-B

JULY 28, 2026

TABLE OF CONTENTS

I. INTRODUCTION AND BACKGROUND

On March 31, 2026, Gulf LNG Liquefaction Company, LLC (GLLC) filed with the Department of Energy's (DOE) Hydrocarbons and Geothermal Energy Office (HGEO)[1] a "Request for Extension of Commencement Deadline" (Request)[2] under section 3 of the Natural Gas Act (NGA)[3] and Part 590 of DOE's regulations.[4] As discussed below, GLLC asks DOE to amend its existing long-term authorization to export domestically produced liquefied natural gas (LNG)—specifically, to extend its deadline to commence exports from July 31, 2026, to July 31, 2031.[5]

Under DOE/FE Order No. 4410, as amended,[6] GLLC is authorized to export LNG by vessel in a volume equivalent to 558.9 billion cubic feet (Bcf) per year (Bcf/yr) of natural gas from the proposed Gulf LNG Liquefaction Project (Project), to be located at the Gulf LNG Terminal (Terminal) in Jackson County, Mississippi, near the city of Pascagoula.[7] GLLC is authorized to export this LNG to any country with which the United States has not entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries), pursuant to NGA section

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[1] The Office of Fossil Energy (FE) changed its name to the Office of Fossil Energy and Carbon Management (FECM) on July 4, 2021. Subsequently, on November 20, 2025, FECM changed its name to the Hydrocarbons and Geothermal Energy Office (HGEO). DOE uses the acronym in effect at the time of each order or action discussed herein.

[2] Gulf LNG Liquefaction Co., LLC, Request for Extension of Commencement Deadline, Docket No. 12-101-LNG (Mar. 31, 2026) [hereinafter Request].

[3] 15 U.S.C. § 717b. 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 (now the Assistant Secretary for HGEO) in Redelegation Order No. S4-DEL-FE1-2023, issued on April 10, 2023.

[4] 10 C.F.R. Part 590.

[5] Request at 1, 3, 5–6. For purpose of this Order, DOE uses the terms "authorization" and "order" interchangeably.

[6] *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), *amended by* DOE/FE Order No. 4410-A (Jan. 12, 2021) (extending export term).

[7] *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410-A, at 10 (Ordering Para. C). The Gulf LNG Terminal is an existing import terminal owned by GLLC's affiliate, Gulf LNG Energy, LLC. *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410, at 1.

3(a).[8] GLLC is authorized to export this LNG for a term extending through December 31, 2050.[9]

FERC Proceedings. On July 16, 2019, the Federal Energy Regulatory Commission (FERC) issued an order authorizing GLLC to site, construct, and operate the Gulf LNG Liquefaction Project.[10] GLLC's authorized exports of 558.9 Bcf/yr of natural gas reflect the maximum production capacity of the Project as approved by FERC (equivalent to 10.85 million metric tons per annum (mtpa) of LNG).[11] FERC initially required GLLC to complete construction of the Project and make it available for service within five years of the date of the FERC Order—*i.e.*, by July 16, 2024.[12] Subsequently, GLLC requested a five-year extension of this deadline. On May 23, 2024, FERC issued an order granting this extension through July 16, 2029, finding that GLLC and its affiliates "have made a good faith effort to meet the deadline in their authorization and that good cause exists for an extension."[13]

DOE Extension Proceeding. Under Order No. 4410, DOE required GLLC to "commence export operations using the planned liquefaction facility no later than seven years from the date of issuance of this Order"—*i.e.*, by July 31, 2026.[14] In the Request, GLLC asks

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[8] *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410 (as amended). Additionally, in DOE/FE Order No. 3104 (Docket No. 12-47-LNG), issued on June 15, 2012, GLLC is authorized to export LNG in a volume equivalent to 547.5 Bcf/yr of natural gas to FTA countries on a non-additive basis under NGA section 3(c), 15 U.S.C. § 717b(c), but that authorization is not at issue in this proceeding. 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.

[9] *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410-A, at 10 (Ordering Para. C).

[10] *Gulf LNG Liquefaction Co., LLC*, *et al.*, Order Granting Authorization Under Section 3 of the Natural Gas Act, FERC Docket No. CP15-521-000, 168 FERC ¶ 61,020 (2019), https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20190517-3020 [hereinafter FERC Authorization Order].

[11] *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410, at 2, 65–66 (Term & Condition H and I).

[12] *See* FERC Authorization Order at Ordering Para. B; *see also Gulf LNG Liquefaction Co., LLC et al.*, Order Granting Extension of Time, FERC Docket No. CP15-521-001, 187 FERC ¶ 61,096, at P 1 (2024), https://elibrary.ferc.gov/eLibrary/docinfo?accession_number=20240523-3049&sid=9f8ce2fc-b7ad-4c4c-a464-41f7b0b455c2 [hereinafter FERC Ext. Order].

[13] FERC Ext. Order at PP 8–9; *see also* Request at 2.

[14] *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410, at 61–62 (Term & Condition B), 66 (Ordering Para. D); *see also* Request at 2.

DOE to extend this export commencement deadline by five years, to July 31, 2031.[15] The end date of the order—December 31, 2050—would remain the same.[16]

On April 23, 2026, DOE published a Notice of Request (Notice) in the *Federal Register*.[17] DOE invited the public to submit protests, motions to intervene, notices of intervention, and written comments in response to this Notice by May 26, 2026.[18] In response to the Notice, DOE received one timely-filed comment submitted by Our Children's Trust (OCT) opposing the Request.[19] No protests or motions to intervene in opposition to the Request were filed, and therefore the Request is uncontested.[20]

With respect to GLLC's Request, DOE recently affirmed that it "will consider applications to extend an authorization holder's export commencement deadline and grant such extensions for good cause shown on a case-by-case basis."[21] Upon review of the record, and for the reasons set forth below, DOE finds that GLLC has shown good cause for the requested extension to the export commencement deadline, such that GLLC now has until July 31, 2031, to commence non-FTA exports from the Gulf LNG Liquefaction Project.

Amendment to Establish Make-Up Period. Additionally, to align the authorization with DOE's current practice, DOE has determined that it is necessary and appropriate to allow

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[15] *See* Request at 2, 5.
[16] *See Gulf LNG Liquefaction Co., LLC*, DOE/FE Order No. 4410-A, *supra* note 6.
[17] U.S. Dep't of Energy, Gulf LNG Liquefaction Co., LLC, Request for Extension of Export Commencement Deadline; Notice of Request, 91 Fed. Reg. 21,802 (Apr. 23, 2026) [hereinafter Notice].
[18] *See id.* at 21,803. 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).
[19] Comment of Our Children's Trust, Docket No. 12-101-LNG (May 25, 2026) [hereinafter OCT Comment]. In citing the "OCT Comment" herein, we refer to the attachment to the Comment, which is a letter from OCT to DOE.
[20] 10 C.F.R. § 590.102(b).
[21] U.S. Dep't of Energy, Rescission of Policy Statement on Export Commencement Deadlines in Authorizations to Export Natural Gas to Non-Free Trade Agreement Countries, 90 Fed. Reg. 14,411 (Apr. 2, 2025) [hereinafter Rescission Notice]. Previously, on April 21, 2023, DOE issued a "Policy Statement on Export Commencement Deadlines" for non-FTA authorizations (Policy Statement), which established mandatory criteria that an authorization holder must meet for DOE to consider an export commencement extension. However, on April 2, 2025, DOE rescinded the Policy Statement in the Rescission Notice, stating that DOE was returning to its prior practice of granting such extensions upon a showing of good cause on a case-by-case basis. *Id.*

three additional years for GLLC to export the approved non-FTA volume of LNG under Order No. 4410, as amended (equivalent to 558.9 Bcf/yr of natural gas) beyond the export term ending on December 31, 2050, solely to export any approved volume of LNG that it is unable to export during the original export term (the Make-Up Volume).[22] This three-year term during which the Make-Up Volume may be exported, known as the Make-Up Period, will extend through December 31, 2053, as reflected in the amendments below.[23]

Categorical Exclusion. DOE's procedures for the National Environmental Policy Act of 1969 (NEPA)[24] provide for a categorical exclusion if neither an environmental assessment (EA) nor an environmental impact statement (EIS) is required. Specifically, DOE has determined that categorical exclusion B5.7, *Export of natural gas and associated transportation by marine vessel*, applies to this proceeding, as discussed below.[25]

II. STANDARD OF REVIEW

As relevant here, NGA section 3(a) authorizes the exportation of natural gas from the United States to non-FTA countries unless, after opportunity for hearing, DOE "finds that the proposed exportation . . . will not be consistent with the public interest."[26] DOE also "may from time to time, after opportunity for hearing, and for good cause shown, make such supplemental order in the premises as it may find necessary or appropriate."[27] Additionally, under NGA

[22] See *supra* note 6 (Order No. 4410-A extending the original export term under the authorization to Dec. 31, 2050). For a discussion of the background of the Make-Up Period and DOE's decision to reinstate the Make-Up Period through December 31, 2053, for long-term authorizations, *see Port Arthur LNG Phase II, LLC*, DOE/FECM Order No. 5292-A, Docket No. 20-23-LNG, Order Amending Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (June 30, 2025).
[23] GLLC is not permitted to increase its annual non-FTA export volume under this order over the three-year Make-Up Period, absent appropriate authorization by DOE. *See infra* § VI (Ordering Para. A).
[24] 42 U.S.C. § 4321 *et seq*.
[25] *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 generally* 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].
[26] 15 U.S.C. § 717b(a).
[27] *Id.*

section 16, DOE may "prescribe, issue, make, amend, and rescind such orders . . . as it may find necessary or appropriate to carry out the provisions of this chapter."[28] When reaching a final decision on an application, DOE also complies with NEPA.[29]

III. DESCRIPTION OF REQUEST

GLLC asks DOE to extend its deadline to commence export operations set forth in Order No. 4410, as amended, by five years—from July 31, 2026, to July 31, 2031.[30] As discussed below, GLLC maintains that there is good cause for DOE to grant the requested extension.[31]

A. Inability to Meet the Current Export Commencement Deadline

GLLC states that, in the period since DOE issued Order No. 4410, GLLC "has been attempting to enter into commercial agreements" for exports from the Gulf LNG Liquefaction Project and "to proceed with the construction and operation of the terminal facilities as well as long-term export of LNG from those facilities."[32] GLLC states, however, that "those good faith efforts have been frustrated by events outside of GLLC's control."[33]

Specifically, GLLC states that, "within months after the issuance of Order No. 4410, the COVID-19 Pandemic commenced, significantly delaying both efforts to construct the export facilities [and] to reach commercial agreements."[34] Additionally, GLLC states that its affiliates at the Gulf LNG Terminal have been involved in litigation with import customers "which only recently resolved and which during its pendency caused uncertainty regarding the project."[35]

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[28] *Id.* § 717*o*; *see also*, *e.g.*, *Appalachian Voices v. Fed. Energy Regul. Comm'n*, 139 F.4th 903 (D.C. Cir. 2025) (holding that FERC reasonably concluded that good cause existed to extend deadline to construct natural gas pipeline facilities and denying petition for review, citing NGA § 16 and FERC regulations).
[29] *See Sierra Club v. U.S. Dep't of Energy*, 867 F.3d 189, 192 (D.C. Cir. 2017).
[30] Request at 3.
[31] *Id.* at 3–5.
[32] *Id.* at 4.
[33] *Id.*
[34] *Id.*
[35] *Id*.

According to GLLC, this uncertainty hampered its ability to execute commercial liquefaction offtake contracts with potential customers.[36] Finally, GLLC maintains that "uncertainty regarding the export commencement deadline has similarly frustrated [its] commercial efforts."[37]

B. Ongoing Efforts to Advance the Project

GLLC states that, notwithstanding these challenges, it has been actively developing the Project.[38] In particular, GLLC states that it "has obtained almost all required federal, state and local authorizations and permits related to construction and operation of the project facilities, and has worked to maintain those permits."[39] GLLC states that it "has also been working with a development group, including with an EPC [engineering, procurement, and construction] company" as well as seeking "to ensure that process structures and project resources are strategically in place to execute on front-end engineering design and post-FID [final investment decision] activities."[40]

C. Additional Arguments

GLLC states that the requested extension would not change the "scope or design" of its Project and would "'not alter DOE's public interest determination in granting' Order No. 4410."[41] GLLC further asserts that preventing Order No. 4410, as amended, from lapsing will allow the public interest benefits associated with its authorized non-FTA exports to be realized—specifically, the "'economic and employment impacts to the United States and the impact to the

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[36] Request at 4.
[37] *Id.*
[38] *Id.*
[39] *Id.*
[40] *Id.* at 4–5.
[41] *Id.* at 5 (quoting *Delfin LNG LLC*, DOE/FECM Order Nos. 3393-C and 4028-D, Docket Nos. 13-129-LNG and 13-147-LNG, Order Amending Authorization to Export Liquefied Natural Gas to Free Trade Agreement Countries, and Granting Request to Extend Deadline to Commence Exports of Liquefied Natural Gas to Non-Free Trade Agreement Countries, at 23 (Mar. 10, 2025)).

security of allies and partners.'"[42] GLLC adds that, by contrast, "a failure to extend the deadline would 'unduly burden the development of domestic energy resources, specifically natural gas,'" which GLLC argues would be inconsistent with DOE policy.[43] GLLC also asserts that its request for a five-year extension "is consistent with a recent five-year extension" that DOE provided to Delfin LNG LLC.[44] Finally, GLLC states that the requested extension would provide additional time after FERC's current construction and in-service deadline of July 16, 2029, for GLLC to execute commercial contracts and begin exports.[45]

IV. DOE PROCEEDING

In response to the Notice of GLLC's Request, DOE received one comment from Our Children's Trust (OCT), filed on May 25, 2026.[46] OCT states that it is "the Nation's only law firm dedicated to representing children and youth whose constitutional rights are being infringed by government conduct that causes and contributes to climate change."[47] OCT opposes GLLC's Request, asserting that the requested extension "would facilitate fossil fuel development that is unjustified by law, science, economic prosperity, energy security, or any other reason."[48] OCT further states that it is "advis[ing] [DOE] that [its] proposed action is an unconstitutional decision to implement the President's Executive Orders 14154, 14156, and 14261, in violation of U.S. Const. amend. V, XIV, § 1."[49] Specifically, OCT contends that "DOE has no statutory authority to allow pollution that deprives children and youth of their fundamental rights to life, personal security, family autonomy, bodily integrity, the practice and transmission of cultural and

[42] *See* Request at 5 (quoting Exec. Order No. 14154 of Jan. 20, 2025, *Unleashing American Energy*, 90 Fed. Reg. 8353, 8357 (Section 8(a)) (Jan. 29, 2025); *see also id.* at 3 & n.10 (same).
[43] *Id.* (quoting Rescission Notice, 90 Fed. Reg. at 14,411)
[44] *Id.* (citing *Delfin LNG LLC*, DOE/FECM Order Nos. 3393-C and 4028-D, at 22).
[45] *Id.*
[46] *See* OCT Comment, *supra* note 19.
[47] *Id.* at 1.
[48] *Id.*
[49] *Id.*

religious traditions, and children's equal protection of the law."[50] OCT further contends, among other arguments, that the "fossil fuel air pollution" allegedly associated with "the approval of this proposed amendment, from extraction, shipping, and combustion of fossil fuels of natural gas" is "demonstrably harmful to the lives, health, and welfare of children."[51]

In sum, citing concerns about the impacts of climate change, OCT argues that "[n]o regulation or deregulation should be adopted or agency action approved that allows for any new sources of fossil fuel greenhouse gas pollution . . . ."[52]

V. <u>DISCUSSION AND CONCLUSIONS</u>

A. Requested Export Commencement Extension

1. Comment Opposing Request

Although this proceeding is uncontested under DOE's regulations,[53] DOE received one comment submitted by OCT that opposes the Request.[54] OCT's comment consists of numerous arguments opposing "fossil fuel development" and the "extraction, shipping, and combustion of fossil fuels of natural gas" due to alleged "fossil fuel air pollution," which OCT argues would result in "dangerous disruptions of the climate system on which these youths' health and lives depend."[55]

First, we find that OCT's arguments are beyond the scope of this proceeding. In similar proceedings, DOE has explained that it does not have statutory authority over environmental arguments about non-transport related issues, under either NGA section 3(a) or NEPA.[56] We

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[50] *Id.* at 1–2.
[51] *Id.* at 2.
[52] OCT Comment at 2 (emphasis removed).
[53] *See supra* at 3 & note 20 (citing 10 C.F.R. § 590.102(b)).
[54] *See supra* § I.
[55] OCT Comment at 1–2.
[56] *See, e.g.*, *Freeport LNG Expansion L.P.*, *et al.*, DOE/HGEO Order No. 4374-B, Docket No. 18-26-LNG, Order Amending Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Countries, at 14 (May 26, 2026) (citations omitted).

thus reaffirm that the "'potential environmental effects associated with marine transport, the only reasonably foreseeable environmental impacts associated with DOE natural gas export authorizations, are minimal,'" and that such impacts are considered in this proceeding by DOE's categorial exclusion under NEPA.[57]

Additionally, OCT does not dispute either the facts presented in the Request or GLLC's assertion that good cause exists to extend its export commencement deadline until July 31, 2031.[58] Rather, OCT's comment is a catalog of broad arguments and allegations against DOE (and the federal government more broadly) that are extraneous to the narrow focus of this extension proceeding.[59] For example, OCT asserts that "[DOE's] proposed action is an unconstitutional decision to implement the President's Executive Orders."[60] DOE does not have a "proposed action" in this proceeding, nor is DOE taking action under an Executive Order. As referenced in the Notice of GLLC's Request,[61] DOE is reviewing the Request under NGA section 3(a)—which OCT does not acknowledge—and neither the applicability nor the legality of any Executive Order is at issue. As another example, OCT argues that "[n]o regulation or deregulation should be adopted or agency action approved that allows for any new sources of

[57] *Delfin LNG, LLC*, DOE/FECM Order Nos. 3393-E and 4028-F, Docket Nos. 13-129-LNG and 13-147-LNG, Order Amending Long-Term Authorizations to Export Liquefied Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Countries, at 21 (Nov. 25, 2025) (citation omitted); *see also Venture Global CP2 LNG, LLC*, DOE/FECM Order No. 5264-A, Docket No. 21-131-LNG, Final Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, at 55–57 (Oct. 21, 2025), *reh'g denied*, DOE/HGEO Order No. 5264-B, at 23–32 (Mar. 26, 2026). Sierra Club and Natural Resources Defense Council have filed a petition for review of the Venture Global CP2 LNG, LLC Final Order. *See Sierra Club, et al. v. U.S. Dep't of Energy*, Joint Petition for Review of Orders of the United States Department of Energy, Case No. 26-1036 (D.C. Cir. Feb. 17, 2026). Petitioners are challenging: (i) the Final Order; and (ii) DOE's B5.7 categorical exclusion rulemaking discussed herein, "both as applied" in the Final Order and "on its face." *Id.* at 2–3.
[58] *See* Request at 5.
[59] *See, e.g.*, *Lake Charles LNG Export Co., LLC*, DOE/FECM Order Nos. 3868-E and 4010-E, Docket Nos. 13-04-LNG and 16-109-LNG, Order Amending Long-Term Authorizations to Export Liquefied Natural Gas to Non-Free Trade Agreement Countries, at 30 (Aug. 22, 2025) ("Yet, '[o]ur inquiry when reviewing a request for extension of time is narrow—it is not an opportunity to revisit the determinations made in Natural Gas Act authorizations after orders have become final and unappealable.'") (quoting *Port Arthur LNG, LLC and Port Arthur Pipeline, LLC*, Order Granting Extension of Time, 181 FERC ¶ 61,024 (2022) (Danly, Comm'r, concurring)).
[60] OCT Comment at 1.
[61] *See* Notice, 91 Fed. Reg. at 21,803.

fossil fuel greenhouse gas pollution,"[62] yet this proceeding involves none of those things.[63]

Similarly, we find that OCT's arguments that DOE is "exceeding the authority . . . delegated by Congress" and that DOE "has no statutory authority to allow pollution" are unwarranted, indiscriminate attacks on DOE's lawful actions in implementing the NGA.

In the Notice of GLLC's Request published in the *Federal Register* on April 23, 2026, DOE expressly stated that "DOE will not consider comments or protests that do not bear directly on this Request."[64] Consistent with that statement and for the reasons discussed above, we reject OCT's arguments.

2. Demonstration of Good Cause for Extension

GLLC asserts that it has demonstrated good cause for an extension of the export commencement deadline set forth under Order No. 4410, as amended, from July 31, 2026, to July 31, 2031.

As GLLC notes, FERC has issued an order extending GLLC's construction and in-service deadline for the Gulf LNG Liquefaction Project until July 16, 2029.[65] Although DOE has the responsibility to independently evaluate any application to extend the deadline by which exports must commence from the proposed Project (and the discretion to impose a different deadline than FERC), we nonetheless find FERC's grant of the extension to be a compelling factor. FERC closely oversees both the operation of the Gulf LNG Terminal and GLLC's activities to advance the construction and operation of the Gulf LNG Liquefaction Project at the Gulf LNG Terminal.[66] Based on substantially the same facts submitted to DOE in the Request,

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[62] OCT Comment at 2 (emphasis removed).
[63] *See also id.* at 5 (alleging that "[t]he government has knowingly created a dangerous situation and is knowingly enhancing that danger through these regulatory processes . . . .").
[64] Notice, 91 Fed. Reg. at 21,803.
[65] *See* FERC Ext. Order at P 1.
[66] *Id.*

FERC granted GLLC's request for additional time to complete construction of the Project.[67]

Turning to the facts presented by GLLC, we find that GLLC's development of the Project has been delayed by a variety of circumstances beyond its control, including: (i) unforeseen impacts from the COVID-19 pandemic, which began shortly after GLLC received its non-FTA authorization; and (ii) GLLC's affiliates' involvement in litigation with import customers at the Gulf LNG Terminal, which caused uncertainty regarding the Project and thus affected GLLC's ability to execute commercial liquefaction offtake contracts with potential export customers. We find that these delays and associated uncertainties have impeded GLLC's ability to meet the current export commencement deadline of July 31, 2026.

Further, we find that GLLC has demonstrated good faith efforts to progress the Project to meet its existing export commencement deadline to the extent practicable. GLLC has obtained nearly all required authorizations and permits for the construction and operation of the Project and is working with a development group (including an EPC company) to advance the Project.[68] GLLC has also shown ongoing good faith efforts to pursue commercial agreements associated with the Project, including agreements supporting the addition of long-term tolling liquefaction service or long-term LNG supply service.[69]

In sum, DOE has observed that, to demonstrate good cause for an export commencement extension, "it is sufficient for an authorization holder to demonstrate that it has made good faith efforts to meet its existing export commencement deadline but encountered circumstances that

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[67] *See id.* at PP 5–9.
[68] *See* Request at 4–5; FERC Ext. Order at PP 7–8; *see also* Gulf LNG Liquefaction Co., LLC, Semi-Annual Report, Docket Nos. 12-101-LNG and 12-47-LNG, at 1–2 (Apr. 1, 2026), https://www.energy.gov/documents/gllc-semi-annual-doe-report-april-2026pdf [hereinafter GLLC Semi-Annual Report].
[69] *See*, *e.g.*, Request at 4; GLLC Semi-Annual Report at 2.

prevented it from doing so."[70] On the basis of the uncontested record evidence, we find that GLLC has met this standard.

3. Other Considerations

DOE finds that extending the deadline to commence non-FTA exports does not alter DOE's public interest determination in granting Order No. 4410, as amended, under NGA section 3(a). No facts associated with GLLC's original non-FTA application, and no requirements of the non-FTA authorization, are affected by this extension beyond the additional time period for GLLC to commence export operations.

Moreover, because the term of GLLC's non-FTA authorization ends on December 31, 2050, and its annual authorized export volume is fixed at 558.9 Bcf/yr of natural gas, a grant of the Request will postpone the commencement deadline and thus could result in a *lower* total volume of LNG exports over the term of the authorization. The requested extension therefore does not affect the cumulative volume of non-FTA exports that DOE has approved to date.[71] Nonetheless, based on the evidence discussed herein, we agree with GLLC that the requested extension would support the economic and energy security benefits identified by DOE in approving the exports in Order No. 4410.

B. Environmental Review

DOE's NEPA procedures provide for a categorical exclusion if neither an EA nor an EIS is required. Specifically, categorical exclusion B5.7, *Export of natural gas and associated transportation by marine vessel*, applies to this proceeding.[72] On July 24, 2026, DOE issued a

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[70] *Lake Charles LNG Export Co., LLC*, DOE/FECM Order Nos. 3868-E and 4010-E, Docket Nos. 13-04-LNG and 16-109-LNG, Order Amending Long-Term Authorizations to Export Liquefied Natural Gas to Non-Free Trade Agreement Countries, at 35 (Aug. 22, 2025).

[71] *See Southern LNG Co., L.L.C.*, DOE/HGEO Order No. 5404, Docket No. 23-109-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, at 49–53 (Apr. 2, 2026) (summarizing cumulative volume of non-FTA exports approved by DOE).

[72] *See* 10 C.F.R. Part 1021, Subpt. D, App. B, Categorical Exclusion B5.7.

categorical exclusion determination for the amendment to GLLC's non-FTA authorization (Order No. 4410, as amended) under this provision.[73]

C. Conclusion

Based on the evidence in the record, DOE finds that GLLC has demonstrated good cause for the requested extension to the export commencement deadline in its non-FTA authorization. Accordingly, GLLC now has until July 31, 2031, to commence exports from the Gulf LNG Liquefaction Project to non-FTA countries.

Additionally, as discussed above, DOE finds it necessary and appropriate to amend the authorization to provide three additional years for GLLC to export the approved non-FTA volume of LNG under Order No. 4410, as amended (558.9 Bcf/yr of natural gas), beyond the export term for the authorization ending on December 31, 2050 (Make-Up Period).[74] During this Make-Up Period, which will extend through December 31, 2053, GLLC will be permitted to export any approved volume of LNG that it is unable to export during the original export term (the Make-Up Volume).[75]

VI. ORDER

Pursuant to sections 3 and 16 of the Natural Gas Act, DOE hereby orders as follows:

A. Ordering Paragraph A of Order No. 4410, as amended, is further amended to state as follows:

> Gulf LNG Liquefaction Company, LLC (GLLC) is authorized to export domestically produced LNG by vessel from the proposed Gulf LNG Liquefaction Project, to be located at the Gulf LNG

[73] U.S. Dep't of Energy, Categorical Exclusion Determination, Gulf LNG Liquefaction Co., LLC, Docket No. 12-101-LNG (July 24, 2026).
[74] 15 U.S.C. § 717*o*; *see also supra* note 6 (citing DOE/FE Order No. 4410-A).
[75] *See supra* at 3–4.

> Terminal in Jackson County, Mississippi, near the city of Pascagoula. The volume authorized in this Order is equivalent to 558.9 Bcf/yr of natural gas for a term commencing on the date of first export and extending through December 31, 2050. GLLC may continue exporting any Make-Up Volume for a three-year Make-Up Period following this export term, *i.e.*, through December 31, 2053.[76] GLLC 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.[77]

This amended Ordering Paragraph A supersedes Ordering Paragraph A in Order No. 4410, as previously amended in Order No. 4410-A, in its entirety.

B. Ordering Paragraph D of Order No. 4410 is amended to state as follows:

> GLLC must commence export operations using the planned liquefaction facility no later than July 31, 2031.

This amended Ordering Paragraph D supersedes Ordering Paragraph D in Order No. 4410 in its entirety.

C. Any other references to an export commencement deadline in the Terms and Conditions or Ordering Paragraphs of DOE/FE Order No. 4410, as amended, are now moot.

D. All other obligations, rights, and responsibilities established by DOE/FE Order

[76] This three-year Make-Up Period does not affect or modify GLLC's approved non-FTA volume in this Order. Insofar as GLLC may seek to export additional volumes not previously authorized, it will be required to obtain appropriate authorization from DOE.
[77] *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).

No. 4410, as amended, remain in effect.

Issued in Washington, D.C., on July 28, 2026.

AMY SWEENEY

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Amy Sweeney
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