UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

HYDROCARBONS AND GEOTHERMAL ENERGY OFFICE

XPRESS NATURAL GAS LLC)	DOCKET NO. 26-91-CNG

ORDER GRANTING LONG-TERM AUTHORIZATION
TO EXPORT COMPRESSED NATURAL GAS TO CANADA

DOE/HGEO ORDER NO. 5466

SEPTEMBER 2, 2026

I. DESCRIPTION OF REQUEST

On July 23, 2026, Xpress Natural Gas LLC (XNG) filed an application (Application)[1] with the Department of Energy's (DOE) Hydrocarbons and Geothermal Energy Office (HGEO)[2] under section 3 of the Natural Gas Act (NGA).[3] XNG requests long-term, multi-contract authorization to export domestically produced compressed natural gas (CNG) in a volume equivalent to 12.5 billion cubic feet (Bcf) per year (Bcf/yr) of natural gas.[4] XNG seeks to export this CNG to Canada, a country with which the United States has a free trade agreement (FTA) requiring national treatment for trade in natural gas, under NGA section 3(c).[5] XNG requests authorization to export the CNG by truck from its Baileyville Compression Station in Baileyville, Maine (Facility), which it states it has operated since 2013.[6]

XNG requests this authorization for a 12-year term, to align with executed long-term contracts with Canadian customers submitted as an Appendix to the Application.[7] Additionally,

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[1] Xpress Natural Gas LLC, Application for Long-Term Multi-Contract Authorization to Export Compressed Natural Gas by Truck from the Compression Station in Baileyville, Maine to Canada, Docket No. 26-91-CNG (July 23, 2026) [hereinafter App.]. The Application is dated July 21, 2026, but was not received for docketing until July 23, 2026.

[2] 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.

[3] 15 U.S.C. § 717b. The authority to regulate the imports and exports of natural gas, including compressed natural gas, under section 3 of the NGA 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] App. at 2, 3, 5.

[5] App. at 2, 4; 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.

[6] *See* App. at 5.

[7] *Id.* at 2, 4, 5. DOE notes that, effective January 12, 2021, long-term export authorizations contain authority to export the same approved volume of natural gas—including compressed natural gas 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 Policy Statement, 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).

XNG requests authority to export the CNG on its own behalf and as agent for other entities that hold title to the CNG at the time of export.[8]

DOE notes that CNG, like liquefied natural gas (LNG), constitutes "natural gas" subject to section 3 of the NGA.[9] Accordingly, pursuant to NGA section 3(c), 15 U.S.C. § 717b(c), DOE grants XNG's Application.

II. BACKGROUND

Applicant. XNG is a Delaware limited liability company with its principal place of business in Andover, Massachusetts.[10] XNG states that it is authorized to do business in Maine and Massachusetts.[11] XNG adds that it "currently operates five (5) proprietary CNG compression stations and trucks natural gas annually to domestic and Canadian commercial users under long-term contracts."[12] XNG also affirms that, although its Facility "is situated on a non-jurisdictional plant-line off the Maritimes & Northeast Pipeline," XNG holds no ownership interest in the pipeline.[13]

Procedural History. On January 8, 2013, DOE issued DOE/FE Order No. 3222, in which it authorized XNG to export CNG to Canada from the Facility in a volume equivalent to 12.5 Bcf/yr of natural gas for a 12-year term beginning on the earlier of the date of first export or

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[8] *Id.* at 4.
[9] 15 U.S.C. § 717b(c). *See also K N Energy, Inc.*, Order Denying Reh'g, 24 FERC ¶ 61,200, at p. 61,474 (Aug. 2, 1983) ("CNG is natural gas within the meaning of the Natural Gas Act. We see no legal basis . . . for treating the subject sales of gas for resale in the form of CNG differently than similar sales of gas for resale in the form of liquefied natural gas, for example . . . . The Natural Gas Act contains no basis for such a distinction."), *aff'g Kansas-Nebraska Natural Gas Co., Inc.*, Order Granting in Part and Denying in Part Petition for Declaratory Order and Denying Untimely Mots. to Intervene, 22 FERC ¶ 61,176 (1983), *cited in Emera CNG, LLC*, DOE/FE Order No. 3727, Docket No. 13-157-CNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Compressed Natural Gas by Vessel from a Proposed CNG Compression and Loading Facility at the Port of Palm Beach, Florida, to Non-Free Trade Agreement Nations, at 12 n.32 (Oct. 19, 2015).
[10] App. at 2.
[11] *See id.*
[12] *Id.*
[13] *Id.* at 2–3.

January 8, 2014.[14] By its terms, XNG's authorization pursuant to DOE/FE Order No. 3222 lapsed on April 24, 2025, and it now requests another 12-year export term in its Application.[15] Because XNG seeks authorization to export CNG to Canada, an FTA country, DOE is charged with evaluating the Application under NGA section 3(c). As discussed below, DOE grants XNG's authorization, effective as of the date of today's order and extending through the end of the term requested in the Application (April 24, 2037).

Baileyville Compression Station. XNG states that its Facility has operated since 2013, when DOE previously authorized XNG to export CNG from the Facility to Canada.[16] According to XNG, the Facility includes "(1) staging space for twenty (20) trucks and loading facilities for up to eight (8) trucks simultaneously, piping, and appurtenances; (2) a natural gas compression facility, compression units, piping, and control equipment; (3) associated utilities, infrastructure, and support systems; and (4) a 0.25-mile pipeline spur connecting to the Maritimes & Northeast Pipeline."[17] XNG adds that "[t]he Facility has a peak capacity of 12.5 Bcf per year, which will allow XNG to compress approximately 272,240 tons per year of CNG, and permits gas to be received by pipeline at the [Facility] and loaded onto trucks for transport."[18]

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[14] *See Xpress Natural Gas LLC*, DOE/FE Order No. 3222, Docket No. 12-168-CNG, Order Granting Long-Term Multi-Contract Authorization to Export Compressed Natural Gas by Truck from the Proposed Compressor Station in Baileyville, Maine to Canada, at 6 (Ordering Para. A) (Jan. 8, 2013). Although the Order authorized exports "from XNG's Compressor Station", we take administrative notice that "XNG's Compressor Station" is the Facility described *supra*.

[15] In discussions with DOE, XNG stated that it imposed new controls to prevent future export activity without an active DOE authorization. DOE considered several factors, including Xpress' cooperative posture and a willingness to take any needed steps to rectify any lack of compliance, and determined that additional measures were not needed to ensure future compliance.

[16] *See* DOE/FE Order No. 3222, *supra* note 14.

[17] App. at 2–3.

[18] *Id.* at 3.

XNG states that the Facility will receive the natural gas "from the pipeline at an arm's-length basis" to be compressed and loaded into International Organization for Standardization (ISO) containers and then "transported by truck across the U.S.-Canada border."[19]

Source of Supply. XNG requests "authorization to export natural gas available in the United States natural gas pipeline system, enabling its Canadian customers to have access to a stable and economical supply of natural gas."[20] XNG states that its "Facility is situated on a non-jurisdictional plant-line off the Maritimes & Northeast Pipeline,"[21] from which it would obtain natural gas for compression.[22]

Business Model. XNG seeks authorization to export CNG on its own behalf and as agent for other entities who will hold title to the CNG at the time of export.[23] XNG states that it "has executed long-term contracts with Canadian customers in connection with the export authorization" it has requested,[24] and that such customers will be "[t]he destination(s) of the CNG transported by truck."[25] XNG further states that it will file, or cause to be filed, all long-term commercial agreements, once executed, in accordance with DOE's established policy, and will comply with all DOE requirements for exporters and agents, including registration requirements.[26]

III. FINDINGS

(1) Section 3(c) of the NGA was amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486) to require that applications requesting authority for (a) the import and

[19] *Id.*
[20] *Id.* at 4.
[21] *Id.* at 2 & Appendix C.
[22] *See id.* at 3.
[23] *Id.* at 4.
[24] *Id.*
[25] *Id.* at 3.
[26] *See id.* at 4.

export of natural gas, which includes CNG, from and to a nation with which there is in effect a FTA requiring national treatment for trade in natural gas, and/or (b) the import of LNG from other international sources, be deemed consistent with the public interest and granted without modification or delay. This Application falls within section 3(c), as amended, and therefore, DOE grants the requested authorization without modification or delay.[27]

(2) In light of DOE's statutory obligation to grant this Application without modification or delay, there is no need for DOE to review other arguments asserted by XNG in support of the Application. The instant grant of authority should not be read to indicate DOE's views on those arguments.

(3) The countries with which the United States has a FTA requiring national treatment for trade in natural gas currently are: Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore.

(4) XNG requests authorization to export CNG on its own behalf and as agent for other entities that hold title to the CNG at the time of export. DOE previously addressed the issue of Agency Rights in DOE/FE Order No. 2913,[28] which granted Freeport LNG Expansion, L.P., *et al.* (collectively, FLEX) authority to export LNG to FTA countries. In that order, DOE approved a proposal by FLEX to register each LNG title holder for whom FLEX sought to export LNG as agent. DOE found that this proposal was an acceptable alternative to the non-binding policy adopted by DOE in *The Dow Chemical Company*, which established that the title for all LNG

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[27] DOE further finds that the requirements for public notice of applications and other hearing-type procedures in 10 C.F.R. Part 590 are applicable only to applications seeking to export natural gas, including CNG, to countries with which the United States does not have an FTA requiring national treatment for trade in natural gas.

[28] *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No. 2913, Docket No. 10-160-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Free Trade Nations (Feb. 10, 2011).

authorized for export must be held by the authorization holder at the point of export.[29] DOE finds that the same policy considerations that supported DOE's acceptance of the alternative registration proposal in DOE/FE Order No. 2913 apply here as well.

DOE has reiterated its policy on Agency Rights procedures in other authorizations, including *Cameron LNG, LLC*, DOE/FE Order No. 3680.[30] In that order, DOE determined that, in LNG export orders in which Agency Rights have been granted, DOE shall require registration materials filed for, or by, an LNG title-holder (Registrant) to include the same company identification information and long-term contract information of the Registrant as if the Registrant had filed an application to export LNG on its own behalf.[31]

To ensure that the public interest is served, this authorization requires that, where XNG proposes to export CNG as agent, it must register the Registrants with DOE in accordance with the procedures and requirements described herein.

(5) Section 590.202(b) of DOE's regulations requires applicants to supply transaction-specific factual information "to the extent practicable."[32] Additionally, DOE regulations at 10 C.F.R. § 590.202(e) allow confidential treatment of the information supplied in support of or in opposition to an application if the submitting party requests such treatment, shows why the information should be exempted from public disclosure, and DOE determines it will be afforded confidential treatment in accordance with 10 C.F.R. § 1004.11.

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[29] *The Dow Chemical Co.*, DOE/FE Order No. 2859, Docket No. 10-57-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas, at 7–8 (Oct. 5, 2010), discussed in *Freeport LNG*, DOE/FE Order No. 2913, at 7–8.

[30] *Cameron LNG, LLC*, DOE/FE Order No. 3680, Docket No. 15-36-LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Cameron LNG Terminal in Cameron and Calcasieu Parishes, Louisiana, to Free Trade Agreement Nations (July 10, 2015).

[31] *Id.* at 8–9.

[32] 10 C.F.R. § 590.202(b).

(6) DOE will require that XNG file or cause to be filed with DOE any relevant long-term commercial agreements or contracts pursuant to which XNG exports CNG as agent for a Registrant once those agreements or contracts have been executed. DOE finds that the submission of all such agreements or contracts within 30 days of their execution using the procedures described below will be consistent with the "to the extent practicable" requirement of section 590.202(b). By way of example and without limitation, a "relevant long-term commercial agreement" includes an agreement with a minimum term of two years.

(7) DOE also will require XNG to file any long-term contracts XNG enters into providing for the long-term export of CNG on its own behalf from the Facility. DOE finds that the submission of these contracts within 30 days of their execution using the procedures described below will be consistent with the "to the extent practicable" requirement of section 590.202(b).

(8) In addition, DOE finds that section 590.202(c) of DOE's regulations[33] requires that XNG file, or cause to be filed, all long-term contracts associated with the long-term supply of natural gas to the Facility, whether signed by XNG or the Registrant, within 30 days of their execution.

(9) DOE recognizes that some information in XNG's or a Registrant's long-term commercial agreements associated with the export of CNG, and/or long-term contracts associated with the long-term supply of natural gas to the Facility, may be commercially sensitive. DOE therefore will provide XNG the option to file or cause to be filed either unredacted contracts, or in the alternative: (A) XNG may file, or cause to be filed, long-term contracts under seal, but it also will file for public posting, within 30 days of the contract

[33] *Id.* § 590.202(c).

execution date, either: (i) a copy of each long-term contract with commercially sensitive information redacted, or (ii) a summary of all major provisions of the contract(s) including, but not limited to, the parties to each contract, contract term, quantity, any take or pay or equivalent provisions/conditions, destination, re-sale provisions, and other relevant provisions; and (B) the filing must demonstrate why the redacted or non-disclosed information should be exempted from public disclosure.[34]

To ensure that DOE destination and reporting requirements included in the Order are conveyed to subsequent title holders, DOE will include as a condition of this authorization that future contracts for the sale or transfer of CNG exported pursuant to the Order shall include an acknowledgement of these requirements.

ORDER

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

A. Xpress Natural Gas LLC (XNG) is authorized to export domestically produced CNG sourced from the Baileyville Compression Station in Baileyville, Maine (Facility) to Canada. XNG is authorized to export this CNG by truck in a volume equivalent to 12.5 Bcf/yr of natural gas for a term beginning on the date of issuance of this Order (September 2, 2026) and extending through April 24, 2037. XNG is authorized to export this CNG on its own behalf and as agent for other entities that hold title to the CNG, pursuant to one or more contracts of any duration.[35]

B. This CNG may be exported by truck at any point on the border between the United States and Canada.

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[34] *Id.* § 590.202(e) (allowing confidential treatment of information in accordance with 10 C.F.R. § 1004.11).

[35] *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).

C. XNG 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 United States Department of the Treasury. Failure to comply with this requirement could result in rescission of this authorization and/or other civil or criminal remedies.

D. (i) XNG shall file, or cause others to file, with the U.S. Department of Energy, Hydrocarbons and Geothermal Energy Office, Office of Strategic Resources, Office of Global Energy Security (EX-31) a non-redacted copy of <u>all executed long-term contracts associated with the long-term export of CNG</u> from the Facility 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 above.

(ii) XNG shall file, or cause others to file, with the Office of Global Energy Security a non-redacted copy of <u>all executed long-term contracts associated with the long-term supply of natural gas</u> to the Facility. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described above.

E. XNG is permitted to use its authorization to export CNG as agent for other CNG title-holders (Registrants), after registering those entities with DOE. Registration materials shall include an acknowledgement and agreement by the Registrant to supply XNG with all information necessary to permit XNG 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; (4) within 30 days of execution, a copy of any long-term contracts not previously filed with DOE, described in Ordering Paragraph D 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).

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

> Customer or purchaser acknowledges and agrees that it will resell or transfer CNG purchased hereunder for delivery only to Canada, as identified in Ordering Paragraph B of DOE/HGEO Order No. 5466, issued September 2, 2026 in Docket No. 26-91-CNG, and/or to purchasers that have agreed in writing to limit their direct or indirect resale or transfer of such CNG to Canada. Customer or purchaser further commits to cause a report to be provided to Xpress Natural Gas LLC that identifies the country (or countries) into which the CNG was actually delivered, and to include in any resale contract for such CNG the necessary conditions to ensure that Xpress Natural Gas LLC is made aware of all such actual destination countries.

G. With respect to any change in control of the authorization holder, XNG must comply with DOE's Procedures for Change in Control Affecting Applications and Authorizations to Import or Export Natural Gas.[36] For purposes of this Ordering Paragraph, a "change in control" shall include any change, directly or indirectly, of the power to direct the management or policies of XNG, whether such power is exercised through one or more intermediary companies or pursuant to an agreement, written or oral, and whether such power is established through

[36] *See* 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).

ownership or voting of securities, or common directors, officers, or stockholders, or voting trusts, holding trusts, or debt holdings, or contract, or any other direct or indirect means.[37]

H. Monthly Reports: With respect to the exports authorized by this Order, XNG shall file with the Office of Global Energy Security, within 30 days following the last day of each calendar month, a report on Form FE-746R indicating whether exports of CNG have been made. Monthly reports must be filed whether or not initial deliveries have begun. If exports have not occurred, a report of "no activity" for that month must be filed. If exports of CNG by truck 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/hgeo/guidelines-filing-monthly-reports.

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

I. All monthly report filings on Form FE-746R shall be made to the Office of Global Energy Security according to the methods of submission listed on the Form FE-746R reporting instructions available at https://www.energy.gov/hgeo/regulation.

Issued in Washington, D.C., on September 2, 2026.

AMY SWEENEY

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Amy Sweeney
Director, Office of Global Energy Security
Office of Strategic Resources

[37] *See id.* at 65,542.