

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
HYDROCARBONS AND GEOTHERMAL ENERGY OFFICE

PORT ARTHUR LNG, LLC)
_____))
_____)

DOCKET NO. 26-50-LNG

ORDER GRANTING BLANKET AUTHORIZATION
TO EXPORT LIQUEFIED NATURAL GAS
PREVIOUSLY IMPORTED FROM FOREIGN SOURCES
TO FREE TRADE AGREEMENT AND NON-FREE TRADE AGREEMENT NATIONS

DOE/HGEO ORDER NO. 5490

SEPTEMBER 30, 2026

I. INTRODUCTION

On May 5, 2026, Port Arthur LNG, LLC (Port Arthur LNG) filed an Application¹ with the Department of Energy's (DOE) Hydrocarbons and Geothermal Energy Office (HGEO)² under section 3 of the Natural Gas Act (NGA).³ Port Arthur LNG requests blanket authorization to export liquefied natural gas (LNG) previously imported into the United States by vessel from foreign sources in a volume equivalent to 20 billion cubic feet (Bcf) of natural gas on a cumulative basis for a two-year period commencing as early as practicable, but no later than October 1, 2026.⁴ Port Arthur LNG seeks to export this LNG from the Port Arthur LNG Terminal located in Jefferson County, Texas.⁵

Port Arthur LNG seeks authorization to export this LNG to any country with the capacity to import LNG via ocean-going carrier and with which trade is not prohibited by U.S. law or policy.⁶ This includes both countries with which the United States currently has, or in the future enters into, a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries),⁷ and any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries).⁸ Port Arthur LNG states that it does not seek authorization to export any

¹ Port Arthur LNG, LLC, Application for Blanket Authorization to Export Previously Imported Liquefied Natural Gas, Docket No. 26-50-LNG (May 5, 2026) [hereinafter App.].

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 liquefied natural gas, under section 3 of the NGA was 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 1.

⁵ *See id.*

⁶ *See id.*

⁷ 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.

⁸ *Id.* § 717b(a).

domestically produced natural gas or LNG.⁹ Port Arthur LNG is requesting this authorization on its own behalf and as agent for other entities that hold title to the LNG at the time of export.¹⁰

In this Order, DOE grants Port Arthur LNG's Application and authorizes the requested export of previously imported LNG in a volume equivalent to 20 Bcf of natural gas on a cumulative basis over the requested two-year period.

Specifically, DOE grants the FTA portion of the Application under NGA section 3(c).¹¹ Section 3(c) was amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486) to require that FTA applications "shall be deemed to be consistent with the public interest" and granted "without modification or delay."¹² The FTA portion of the Application falls within NGA section 3(c) and, therefore, DOE approves the requested FTA authorization without modification or delay. Accordingly, none of the public interest analysis discussed below applies to the FTA authorization.

DOE has reviewed the non-FTA portion of the Application under NGA section 3(a).¹³ On June 4, 2026, DOE published a notice of the non-FTA portion of the Application in the *Federal Register* (Notice of Application).¹⁴ The Notice of Application called on interested persons to submit protests, motions to intervene, notices of intervention, requests for additional procedures, and written comments by July 6, 2026.

In response to the Notice of Application, DOE received three timely-filed comments: one comment from Our Children's Trust (OCT) opposing the Application;¹⁵ one comment from

⁹ App. at 4.

¹⁰ *Id.*

¹¹ 15 U.S.C. § 717b(c).

¹² *Id.*

¹³ *Id.* § 717b(a).

¹⁴ Port Arthur LNG, LLC, Application for Blanket Authorization to Export Previously Imported Liquefied Natural Gas, 91 Fed. Reg. 33,710 (June 4, 2026).

¹⁵ Comment of Our Children's Trust, Docket No. 26-50-LNG (July 6, 2026) [hereinafter OCT Comment].

Main Street Foundation’s Center for Regulatory Analysis (CRAE) supporting the Application;¹⁶ and one comment from the Persistence Analytics Group LLC (PAG) that addresses the Application but takes no position.¹⁷ No protests or motions to intervene were filed in response to the Application, and therefore the non-FTA portion of the Application is uncontested under DOE’s regulations.¹⁸

DOE has reviewed the record for the non-FTA portion of this proceeding under NGA section 3(a) and grants the requested non-FTA authorization, as set forth below.

II. BACKGROUND

Applicant. Port Arthur LNG is a Delaware limited liability corporation with its principal place of business in Houston, Texas.¹⁹ Port Arthur LNG states that it is a joint venture owned by affiliates of Sempra, ConocoPhillips Company, KKR Pinnacle Investor L.P., and the Abu Dhabi Investment Authority.²⁰

Procedural History. Port Arthur LNG is authorized to export LNG by vessel from the Port Arthur LNG Terminal, which is currently under construction in Jefferson County, Texas, under the following orders:

- DOE/FE Order No. 3698, as amended (Docket Nos. 15-53-LNG and 18-162-LNG),²¹ authorizing exports in a volume equivalent to 698 Bcf per year (Bcf/yr)

¹⁶ Comment of Main Street Foundation’s Center for Regulatory Analysis and Engagement, Docket No. 26-50-LNG (July 6, 2026) [hereinafter CRAE Comment].

¹⁷ Comment of Persistence Analytics Group LLC, Docket No. 26-50-LNG (July 6, 2026) [hereinafter PAG Comment].

¹⁸ See 10 C.F.R. § 590.102(b).

¹⁹ App. at 1–2.

²⁰ *Id.*

²¹ *Port Arthur LNG, LLC*, DOE/FE Order No. 3698, Docket No. 15-53-LNG, Order Amending Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Port Arthur LNG Project in Port Arthur, Texas, to Free Trade Agreement Nations (Aug. 20, 2015), *amended by* DOE/FE Order No. 3698-A (Nov. 20, 2018) (increasing export volume and amending start date of FTA export term), *further amended by* DOE/FE Order No. 3698-B (Oct. 28, 2020) (extending export term); DOE/FECM Order No. 3698-C (Apr. 21, 2023) (extending start date of FTA export term and non-FTA export commencement deadline). Although Order No. 3698 was issued in Docket No. 15-53-LNG, the amendments to Order No. 3698 were docketed in both Docket Nos. 15-53-LNG and 18-162-LNG.

of natural gas for a term extending through December 31, 2050, to FTA countries, pursuant to NGA section 3(c),²² and

- DOE/FE Order No. 4372, as amended (Docket No. 15-96-LNG),²³ authorizing exports in a volume equivalent to 698 Bcf/yr of natural gas for a term extending through December 31, 2050, to non-FTA countries, pursuant to NGA section 3(a).²⁴

These FTA and non-FTA export volumes are not additive to one another.

Additionally, on June 15, 2026, DOE issued DOE/HGEO Order No. 5434, authorizing Port Arthur LNG to import LNG from various international sources by vessel in a total volume equivalent to 25 Bcf of natural gas for a two year-term term commencing on June 15, 2026, and extending through June 14, 2028.²⁵ Under the terms of that authorization, Port Arthur LNG may import the LNG at any LNG import terminal in the United States and its territories.²⁶

III. DESCRIPTION OF REQUEST

Port Arthur LNG requests blanket authorization to export previously imported LNG on a short-term or spot market basis in a volume equivalent to 20 Bcf of natural gas cumulatively over a two-year period beginning as early as practicable, but no later than October 1, 2026.²⁷ Port Arthur LNG seeks to export this LNG from the Port Arthur LNG Terminal to FTA and non-FTA countries, both on its own behalf and as an agent for other entities.²⁸ Port Arthur LNG states that it will comply with all DOE requirements for exporters and agents.²⁹ Specifically, Port Arthur

²² 15 U.S.C. § 717b(c).

²³ *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), *amended by* DOE/FE Order No. 4372-A (Oct. 28, 2020) (extending export term), *further amended by* DOE/FECM Order No. 4372-B (Apr. 21, 2023) (extending start date of FTA export term and non-FTA export commencement deadline).

²⁴ 15 U.S.C. § 717b(a).

²⁵ *Port Arthur LNG, LLC*, DOE/HGEO Order No. 5434, Docket No. 26-47-LNG, Order Granting Blanket Authorization to Import Liquefied Natural Gas from Various International Sources by Vessel (June 15, 2026).

²⁶ *See id.*

²⁷ App. at 1.

²⁸ *Id.* at 1, 4.

²⁹ *Id.* at 4.

LNG states that, when acting as agent, it will register with DOE each LNG title holder for whom it seeks to export LNG as agent, and will comply with other registration requirements.³⁰

According to Port Arthur LNG, the LNG it proposes to export is derived from its importing activities and is located in LNG storage tanks at the Port Arthur LNG Terminal.³¹

Port Arthur LNG states that, prior to commencing commercial operations, it “intends to use cooldown cargoes with imported, foreign-sourced LNG to pre-cool its liquefaction facilities.”³²

Port Arthur LNG further states that, after the imported LNG completes the cooling process, and depending on market conditions, it will re-export the LNG to FTA or non-FTA countries.³³ Port Arthur LNG adds that no physical modifications to the Port Arthur LNG Terminal will be required to accommodate the requested authorization.³⁴

IV. APPLICANT’S PUBLIC INTEREST ANALYSIS FOR NON-FTA AUTHORIZATION

Port Arthur LNG maintains that its requested authorization is consistent with NGA section 3(a) and DOE’s policy. Port Arthur LNG asserts that the volume of previously imported foreign-sourced LNG that it proposes to export would have no adverse impact on the domestic supply or price of natural gas, is not necessary to meet domestic demands, and will not impact domestic policy objectives.³⁵ In support of this argument, Port Arthur LNG points to DOE’s findings in recent blanket authorizations, including *Golden Pass LNG Terminal LLC*, DOE/FECM Order No. 5340, in which DOE took administrative notice of the U.S. Energy Information Administration’s (EIA) *Annual Energy Outlook 2025* (AEO 2025) in finding that the

³⁰ *Id.* at 4 & n.7.

³¹ *Id.* at 4.

³² *Id.* at 3 (stating that “[t]his start-up process does not consume LNG; it only uses cold LNG to absorb process heat.”).

³³ App. at 3.

³⁴ *Id.*

³⁵ *Id.* at 7.

requested volume of foreign-sourced LNG was not needed to meet domestic demand.³⁶

Specifically, Port Arthur LNG notes that AEO 2025 “projected annual domestic dry natural gas production to exceed total natural gas consumption in 2026 and 2027.”³⁷ For these reasons, Port Arthur LNG asserts that the requested exports are not inconsistent with the public interest under NGA section 3(a).³⁸

V. DISCUSSION AND CONCLUSIONS FOR NON-FTA AUTHORIZATION

A. Procedural Matters

On July 6, 2026, DOE received timely-filed comments responding to the Notice of Application from OCT, CRAE, and PAG.³⁹ We summarize these comments below.

OCT Comment. OCT filed a comment on behalf of its youth clients, stating 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.”⁴⁰ OCT opposes Port Arthur LNG’s Application, asserting that the requested blanket authorization would facilitate fossil fuel development and consumption, which in turn (according to OCT) “violates children’s constitutional rights” and “is unjustified by law, science, economic prosperity, energy security, or any other reason.”⁴¹ OCT further contends that, “[i]n addition to being illegal, approval of the [Application] would continue to unleash fossil fuels,” and thus “worsen[] the adverse health effects of fossil fuel pollution” on its clients.⁴² Citing concerns

³⁶ See *id.* at 6–7 & n.16 (citing *Golden Pass LNG Terminal LLC*, DOE/FECM Order No. 5340, Docket No. 25-81-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas Previously Imported from Foreign Sources to Free Trade Agreement and Non-Free Trade Agreement Nations, at 10 (Sep. 22, 2025)).

³⁷ App. at 6.

³⁸ *Id.* at 5.

³⁹ See *supra* at 3–4.

⁴⁰ OCT Comment at 1. In citing the OCT Comment, we are citing the letter attachment submitted with the Comment.

⁴¹ *Id.* (arguing, *inter alia*, that approval of the Application “would be an unconstitutional effort to implement the President’s Executive Orders 14154 and 14156, in violation of U.S. Const. amend. V, XIV, § 1, I; 42 U.S.C. § 2000bb-1 (Religious Freedom Restoration Act)”).

⁴² *Id.*; see also *id.* at 2–3.

about the impacts of climate change, OCT also 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”⁴³

CRAE Comment. CRAE states that it is a project of the Main Street Foundation, a non-profit, non-partisan 501(c)(3) research and education foundation, with a mission of “bring[ing] a disciplined, commonsense perspective to the regulatory process.”⁴⁴ CRAE states that it supports Port Arthur LNG’s requested authorization, which it describes as involving “the efficient disposition of LNG that was . . . previously imported into the United States for operational purposes.”⁴⁵ Specifically, CRAE maintains that allowing the “efficient re-export” of previously imported LNG “avoids unnecessary waste, promotes efficient commercial operations, and contributes positively to international trade without increasing domestic resource extraction.”⁴⁶ Additionally, CRAE observes that the Application “involves a narrow operational activity that neither expands domestic production nor increases previously authorized export capacity,”⁴⁷ and that the requested authorization “is limited in duration, limited in volume, and limited to previously imported LNG used during facility startup.”⁴⁸

PAG Comment. PAG states that it is a national security and infrastructure risk analytics firm “focused on implementation-assumption verification, decision assurance, and energy-security risk,” among other things.⁴⁹ PAG states that it does not oppose the Application.⁵⁰ Rather, PAG states that DOE should evaluate the Application “through a practical

⁴³ *Id.* (emphasis removed).

⁴⁴ CRAE Comment at 1.

⁴⁵ *Id.* at 2.

⁴⁶ *Id.* at 4.

⁴⁷ *Id.* at 2.

⁴⁸ *Id.* at 4.

⁴⁹ PAG Comment at 1.

⁵⁰ *Id.*

implementation-verification framework.”⁵¹ Specifically, PAG asserts that the “core question” is “[w]hat evidence proves that this authorization will remain limited to previously imported, foreign-sourced LNG used for cooldown cargoes during start-up, and that the public-interest assumptions will hold during execution?”⁵² PAG recommends that DOE address these and other “verification issues” before issuing a final order to Port Arthur LNG.⁵³

B. Standard of Review

Section 3(a) of the NGA sets forth the applicable standard for DOE’s review of Port Arthur LNG’s requested non-FTA authorization. Section 3(a) provides:

[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] 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 part, with such modification and upon such terms and conditions as the [Secretary] may find necessary or appropriate.⁵⁴

This provision creates a rebuttable presumption that a proposed export of natural gas is in the public interest.⁵⁵ DOE must grant such an application unless the presumption is overcome by an affirmative showing of inconsistency with the public interest.⁵⁶

In evaluating an export application under this standard, DOE applies the principles described in DOE’s 1984 Policy Guidelines⁵⁷ and other matters determined to be appropriate to a

⁵¹ *Id.*

⁵² *Id.* at 1–2.

⁵³ *Id.* at 2.

⁵⁴ 15 U.S.C. § 717b(a).

⁵⁵ *See, e.g., Sierra Club v. U.S. Dep’t of Energy*, 867 F.3d 189, 203 (D.C. Cir. 2017) (citations omitted).

⁵⁶ *See id.* (citations omitted).

⁵⁷ U.S. Dep’t of Energy, New Policy Guidelines and Delegation Orders from Secretary of Energy to Economic Regulatory Administration and Federal Energy Regulatory Commission Relating to Regulation of Imported Natural Gas, 49 Fed. Reg. 6684, 6690 (Feb. 22, 1984).

determination of the public interest, such as the domestic need for the natural gas to be exported. When reaching a final decision on an application, DOE must also comply with the National Environmental Policy Act of 1969 (NEPA).⁵⁸

C. Domestic Need

Port Arthur LNG requests authorization to export LNG that was previously imported into the United States from foreign sources. Exporting this proposed volume of LNG will not reduce the availability of domestically produced natural gas. On the other hand, exporting previously imported LNG could affect the domestic natural gas market because, for the requested two-year period, the proposed exports will reduce the volume of natural gas potentially available for consumption within the United States.

DOE has issued numerous blanket authorizations to export previously imported LNG in other proceedings.⁵⁹ These orders were based, in part, on authoritative data indicating that United States consumers have access to substantial quantities of natural gas sufficient to meet domestic demand from other competitively-priced sources. Port Arthur LNG cites EIA's projections of natural gas production and consumption in AEO 2025, which DOE cited in a prior order. For this proceeding, DOE takes administrative notice of the most recent analysis prepared by EIA in *Annual Energy Outlook 2026* (AEO 2026).⁶⁰ AEO 2026 projects annual domestic dry natural gas production in 2026 and 2027 of 39.48 trillion cubic feet (Tcf) and 38.36 Tcf, respectively, with total natural gas consumption projected to be 33.24 Tcf and 31.73 Tcf in each respective year.⁶¹

⁵⁸ 42 U.S.C. § 4321 *et seq.*

⁵⁹ DOE maintains a list of its authorizations at <https://www.energy.gov/hgeo/articles/electronic-docket-room-e-docket-room>.

⁶⁰ See U.S. Energy Info. Admin., *Annual Energy Outlook 2026* (Apr. 8, 2026), <https://www.eia.gov/outlooks/aeo/> [hereinafter AEO 2026].

⁶¹ See AEO 2026 Counterfactual Baseline Case, Table 13: Natural gas Supply, Disposition, and Prices, <https://www.eia.gov/outlooks/aeo/data/browser/#/?id=13-AEO2026&cases=cb2026&sourcekey=0>.

Because domestic natural gas production levels are projected to reach an amount that well exceeds the amount of natural gas proposed for short-term export in Port Arthur LNG’s Application, we find that United States consumers will continue to have access to substantial quantities of natural gas sufficient to meet domestic demand from multiple other sources at competitive prices without drawing on the LNG that Port Arthur LNG seeks to export.

D. Other Public Interest Factors

Consistent with DOE’s Policy Guidelines and DOE precedent, DOE considers the potential effects of the proposed exports on other aspects of the public interest, as may be relevant.

In opposing the Application, OCT argues that approval of Port Arthur LNG’s Application would “continue to unleash fossil fuels” and thus “worsen[] the adverse health effects of fossil fuel pollution.”⁶² As a preliminary matter, the requested authorization involves the export of LNG previously imported into the United States from foreign sources. Therefore, as CRAE notes, a grant of the Application will neither expand domestic natural gas production nor increase previously authorized LNG export capacity—and thus it will not “unleash” fossil fuels as described by OCT.⁶³

We find that OCT’s other arguments are beyond the scope of this proceeding. DOE has explained in other proceedings that it does not have statutory authority over environmental arguments about non-transport related issues, under either NGA section 3(a) or NEPA.⁶⁴ We thus reaffirm that the “potential environmental effects associated with marine transport, the only

⁶² OCT Comment at 1.

⁶³ See CRAE Comment at 2; see also App. at 4.

⁶⁴ 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).

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 categorical exclusion under NEPA.⁶⁵

Additionally, OCT does not dispute the facts presented in the Application. 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 proceeding involving exports of foreign-sourced natural gas. For example, OCT asserts that “approval of Port Arthur’s application would be an unconstitutional effort to implement the President’s Executive Orders”⁶⁶ As referenced in the Notice of Application,⁶⁷ however, DOE is reviewing the Application under NGA section 3(a)—which OCT does not address—and neither the applicability nor the legality of any Executive Order is at issue. We also 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. For these and other reasons, we reject OCT’s arguments.

Turning to CRAE’s comment in support of the Application, we find that certain arguments made by CRAE are not relevant to this proceeding, such as its generalized statements that DOE “should continue modernizing LNG export administration” through the adoption of

⁶⁵ *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 are currently challenging both the Venture Global CP2 LNG, LLC Final Order and DOE’s B5.7 categorical exclusion rulemaking discussed herein. *See Sierra Club, et al. v. Wright*, Joint Petition for Review of Orders of the United States Department of Energy, Case No. 26-1036, at 2-3 (D.C. Cir. Feb. 17, 2026); *see also infra* note 75.

⁶⁶ OCT Comment at 1.

⁶⁷ *See* Notice of Application, 91 Fed. Reg. at 33,710.

various systems and operational choices.⁶⁸ We agree, however, with CRAE’s observations about Port Arthur LNG’s Application, including that the requested exports of foreign-sourced LNG will promote efficient commercial operations and contribute positively to international trade, among other positive benefits.⁶⁹

Finally, PAG takes no position on the Application and instead advocates for DOE to evaluate the Application through an “implementation-verification framework.”⁷⁰ Insofar as PAG’s questions and recommendations are relevant to this proceeding, we note that DOE’s longstanding process for reviewing non-FTA export applications, as well as DOE’s detailed authorizations, provide a strong evidence-based regulatory framework for implementing NGA section 3(a). For example, each application—including Port Arthur LNG’s Application—must be submitted with both a verification of the facts “under oath or affirmation”⁷¹ and a signed opinion of legal counsel.⁷² As shown in this Order (*see infra* at 16–19), DOE also attaches terms and conditions to each LNG export authorization to protect the public interest—including, for example, requiring authorization holders to provide monthly reports documenting their export activities.⁷³ Thus, DOE relies on near real-time monitoring and reporting of the disposition of LNG cargoes as one mechanism to ensure that authorization holders are complying with their non-FTA orders. Indeed, in regulating a robust program where exports of LNG have grown significantly,⁷⁴ DOE is satisfied that its regulatory and compliance processes are effective.

⁶⁸ See CRAE Comment at 4–5 (title of § 4).

⁶⁹ *Id.*

⁷⁰ PAG Comment at 1.

⁷¹ 10 C.F.R. § 590.103(b).

⁷² *Id.* § 590.202(c); *see* App. at Appendices A & B.

⁷³ *See infra* at 18 (Ordering Para. H).

⁷⁴ *See, e.g.,* U.S. Energy Info. Admin., *Today in Energy* (Feb. 24, 2026), <https://www.eia.gov/todayinenergy/detail.php?id=67224>.

E. Environmental Review

DOE's NEPA procedures 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.⁷⁵ On September 29, 2026, DOE issued a categorical exclusion for the non-FTA portion of Port Arthur LNG's Application under this provision.⁷⁶

F. Conclusion

Upon review of the record, DOE finds that a grant of the uncontested non-FTA portion of Port Arthur LNG's Application is not inconsistent with the public interest. In particular, the record shows that there is a sufficient supply of natural gas to satisfy domestic demand from multiple other sources at competitive prices without drawing on Port Arthur LNG's proposed exports of previously imported LNG during the two-year authorization period. Further, the proposed exports of previously imported LNG qualify for a categorical exclusion under NEPA, such that no EA or EIS will be required. DOE therefore grants the non-FTA portion of Port Arthur LNG's Application, as set forth below.

VI. 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 the export of natural gas, including LNG, to a nation with which there is in effect an FTA requiring national treatment

⁷⁵ 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).

⁷⁶ U.S. Dep't of Energy, Categorical Exclusion Determination, Port Arthur LNG, LLC, Docket No. 26-50-LNG (Sept. 29, 2026).

for trade in natural gas shall be deemed consistent with the public interest and granted without modification or delay.⁷⁷ The FTA portion of Port Arthur LNG's Application falls within section 3(c), as amended, and therefore, DOE grants the requested authorization without modification or delay.⁷⁸

(2) With respect to the non-FTA portion of the Application, and after due consideration based on all facts and evidence of record, DOE finds that a grant of the Application is not inconsistent with the public interest under NGA section 3(a).

(3) Port Arthur LNG requests authorization to export LNG on its own behalf and as agent for other entities that hold title to the LNG at the time of export. DOE previously addressed the issue of Agency Rights in DOE/FE Order No. 2913,⁷⁹ 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 authorized for export must be held by the authorization holder at the point of export.⁸⁰ We find 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.

⁷⁷ 15 U.S.C. § 717b(c).

⁷⁸ DOE further finds that the requirement 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 LNG, to non-FTA countries.

⁷⁹ *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).

⁸⁰ *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.

DOE reiterated its policy on Agency Rights procedures in other authorizations, including *Cameron LNG, LLC*, DOE/FE Order No. 3680.⁸¹ 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.⁸²

To ensure that the public interest is served, this authorization requires that, where Port Arthur LNG proposes to export LNG as agent for other entities who hold title to the LNG, it must register the Registrants with DOE in accordance with the procedures and requirements described herein.

ORDER

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

A. Port Arthur LNG, LLC (Port Arthur LNG) is authorized to export LNG previously imported from foreign sources in a volume equivalent to 20 Bcf of natural gas, pursuant to transactions that have terms of not greater than two years. Port Arthur LNG is authorized to export this LNG on its own behalf or as agent for other entities that hold title to the LNG at the time of export. This authorization shall be effective for a two-year term beginning on September 30, 2026, and extending through September 29, 2028.

B. This LNG may be exported by vessel from the Port Arthur LNG Terminal in Jefferson County, Texas, to any country with the capacity to import LNG via ocean-going LNG carriers and with which trade is not prohibited by U.S. law or policy.

⁸¹ *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).

⁸² *See id.* at 8–9.

C. Port Arthur LNG 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. Port Arthur LNG, or others for whom Port Arthur LNG acts as agent, shall include the following provision in any agreement or 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/HGEO Order No. 5490, issued September 30, 2026, in Docket No. 26-50-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 Port Arthur LNG, 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 Port Arthur LNG, LLC is made aware of all such countries.

E. Port Arthur LNG is permitted to use its authorization in order to export previously imported LNG as agent for other entities, after registering the other entities with DOE.

Registration materials shall include an acknowledgement and agreement by the Registrant to supply Port Arthur LNG with all information and copies of contracts necessary in order to permit Port Arthur LNG 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) an acknowledgement and agreement by the Registrant to include the provision in Ordering Paragraph D in any contract for the sale or transfer of LNG exported pursuant to this Order.

F. Each registration submitted pursuant to this Order shall have current information on file with DOE. Any changes in company name, contact information, or other relevant modifications shall be filed with DOE within 30 days of such change(s).

G. Port Arthur LNG shall ensure that all persons required by this Order to register with DOE have done so.

H. Monthly Reports: With respect to the exports authorized by this Order, Port Arthur LNG shall file with the U.S. Department of Energy, Hydrocarbons and Geothermal Energy Office, Office of Strategic Resources, Office of Global Energy Security (EX-31), within 30 days following the last day of each calendar month, a report on Form FE-746R indicating whether exports of LNG have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no exports have 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/hgeo/guidelines-filing-monthly-reports>.

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

I. The first monthly report required by this Order is due not later than November 30, 2026, and should cover the reporting period from September 30, 2026, through October 31, 2026.

J. 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 30, 2026.

AMY SWEENEY

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