

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
HYDROCARBONS AND GEOTHERMAL ENERGY OFFICE
OFFICE OF GLOBAL ENERGY SECURITY**

In the Matter of Venture Global CP2 LNG, LLC
Docket No. 26-78-LNG
CP2 LNG Expansion Project Application

COMMENT OF IRYNA ISAIEVA

I. Introduction

I submit this comment on the application of Venture Global CP2 LNG, LLC for long-term authorization to export liquefied natural gas (LNG) from the CP2 LNG Expansion Project to countries with which the United States does not have a free trade agreement. I focus on one question in which I have practical experience: how the European Union's new ban on Russian gas changes the conditions under which U.S. LNG enters Europe. The Application does not address Regulation (EU) 2026/261, and I hope my analysis will assist the Department in assessing the public interest. In short, the European rules have handed U.S. LNG a real advantage in Europe. It will hold only while buyers can trace where U.S. gas comes from, and long-term contracts from a single project make that tracing easy.

II. Background of the Commenter

From August 2001 to August 2012, for more than ten years, I worked as a lead legal counsel within the Naftogaz of Ukraine group, Ukraine's state-owned national oil and gas company, established by the Cabinet of Ministers of Ukraine in 1998 and the owner of the largest oil and gas asset portfolio in the country. I first worked in the Foreign Economic Relations Department of Ukrtransgaz, a Naftogaz subsidiary that at the time operated Ukraine's gas transmission system and underground gas storage facilities, and later at another subsidiary of the group, Agrogaz.

From 2012 to 2014, I served as a national expert for the UNDP/GEF project "Transforming the Market for Efficient Lighting" in Ukraine. I was responsible for the project's legal work: I analyzed legislation and prepared draft regulations for Ukrainian government authorities, including drafts implementing EU energy efficiency requirements.

In 2016, I was awarded the degree of Candidate of Sciences in Public Administration in Ukraine, a doctoral degree comparable to a Ph.D. in Public Administration. My dissertation addresses the state governance of Ukraine's trunk pipeline systems in the context of European integration.

I have been an attorney-at-law (advocate) in Ukraine since 2012. I am not yet admitted to practice law in the United States. In 2026, I completed the School of American Law in Ukraine, a joint one-year pre-Master of Laws program of Chicago-Kent College of Law, Illinois Institute of Technology, and the Center of American Law in Ukraine, and I have been admitted to the Master of Laws program in U.S., International and Transnational Law at Chicago-Kent College of Law.

III. The European Ban Creates Long-Term Demand for U.S. LNG

Opponents of export projects have argued that new capacity will come online only after Europe's short-term needs have passed.[1] European law points the other way. On January 26, 2026, the European Union adopted Regulation (EU) 2026/261, which bans imports of Russian gas in stages.[2] The European Commission expressly distinguishes it from sanctions. The sanctions ban on Russian LNG is a temporary measure, reviewed every six months. The Regulation, in the Commission's words, "establishes a lasting import prohibition." [3] Europe is writing its exit from Russian gas into law.

The volumes to be replaced are significant. In 2025, Russia accounted for about 12% of EU gas imports. The EU imported more than 140 billion cubic meters of LNG, and the United States supplied almost 58% of it.[4] From January 1, 2027, all Russian LNG is banned, including supplies under long-term contracts.[5] These volumes must be replaced with supply that buyers can rely on for years.

I wrote about this shift long before the Regulation. In my 2016 dissertation, I noted the possible emergence of a new transatlantic energy partnership in which European consumers would receive LNG from the United States, and that Ukraine's role in supplying Russian energy to the EU would then decline.[6] In the same work, I analyzed how Russia used long-term contracts to keep Ukraine and Europe dependent. The 2009 gas supply and transit contracts were signed after the "gas war" on terms dictated by Moscow.[7] In January 2009, when Russian gas flows through Ukraine were halted, I was working in the Foreign Economic Relations Department of Ukrtransgaz and saw that crisis from the inside.

A reader may ask how this squares with my view of long-term contracts today. What made those contracts dangerous was the supplier, which used them as an instrument of pressure on a buyer with nowhere else to go. A buyer of U.S. LNG can send a cargo wherever it is needed, and the Department has recognized that flexibility as a contribution to the security of U.S. allies.[8] A long-term contract on those terms gives a European buyer stability and leaves its freedom intact. CP2 LNG has already entered into long-term contracts for 18.5 million tonnes of LNG per year. [9]

IV. The EU Exemption for U.S. LNG Depends on Traceable Supply

The Regulation also changes the rules for all other suppliers. As a general rule, gas from any country other than Russia may now enter the Union only with prior authorisation. No later than five working days before the cargo arrives, the importer must establish the country of production of the gas.[10] The country of production is the country where the gas was extracted, even if it was liquefied elsewhere.[11] There is an exception. Article 5(4) exempts countries that exported more than 5 billion cubic meters of gas to the Union in 2024 and that either prohibit Russian gas themselves, or apply other restrictive measures to it, or lack the infrastructure to import gas.[12] There are six such countries. The United States is one of them.[13]

In practice, U.S. LNG reaches European buyers with fewer procedures than gas from most other countries. The timing matters. In March 2026, the Commission acknowledged that the Strait of Hormuz was effectively closed and that the global LNG market faced significant supply shortages.[14] The advantage is conditional, though. It lasts as long as U.S. supply can be shown to be free of Russian gas.

When a cargo is loaded in the United States and goes straight to a European port, the importer needs neither an authorisation nor proof of the country of production.[15] But LNG cargoes are sometimes resold at sea, and sometimes transferred to another vessel. In that case, the import may no longer be treated as an import from the United States, and the importer will have to prove where the gas was extracted. If the evidence is not conclusive, the cargo will not be released.[16] The Commission states expressly that the burden of proof is on the declarant, usually the importer, and that the seller may be able to provide the necessary information.[17] The main evidence, such as documents on the place of extraction and on upstream gas deliveries to the liquefaction plant, is held by the seller and its counterparties.[18] For this reason, an origin warranty and supporting documents for each cargo are likely to become standard terms in contracts with European buyers.

My work in the Naftogaz group involved customs declarations and foreign trade contracts for gas transportation. It taught me that if the information in the documents does not match, the delivery stops.

U.S. exporters have a solid foundation here. The Department's export authorizations, including Order No. 4446-B, cover the export of domestically produced LNG. They also require that every sale contract include a clause under which the purchaser reports the country of actual delivery and passes this obligation on in any resale.[19] So the chain of contracts already carries news of where each cargo ends up. It could just as well carry the record of where the gas was extracted.

The exemption can be lost. Article 5(4) allows the Commission to revoke it if exporters from a listed country circumvent the ban, or if that country's authorities do not act adequately against circumvention.[20] If that happened, every U.S. supplier would lose the exemption at once, which makes traceability a matter of common interest for U.S. exporters.

Long-term contracts from one plant help here. Even where authorisation is required, the Commission, in times of supply shortage, advises authorities not to require the same documents for every cargo under one contract if the producer remains unchanged.[21] European buyers get less paperwork and less risk. That bears on a question the Department must weigh under Executive Order 14154: how long-term exports affect the energy security of U.S. allies.[22]

V. Conclusion

I respectfully ask the Department to take into account, in its public interest review, that Regulation (EU) 2026/261 exempts U.S. LNG from prior authorisation only while U.S. supply stays demonstrably free of Russian gas. Long-term exports from a project whose gas can be traced to its source help keep that exemption in place, and with it a reliable route for U.S. gas to allies in Europe.

I submit this comment in my personal capacity. I have no financial interest in the Applicant or the Project.

Respectfully submitted,
Iryna Isaieva

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October 2, 2026

Notes

[1] Venture Global Plaquemines LNG, LLC, DOE/HGEO Order No. 4446-B, Docket No. 16-28-LNG, at 31 (Mar. 13, 2026) [hereinafter Order No. 4446-B].

[2] Regulation (EU) 2026/261 of the European Parliament and of the Council of 26 January 2026 on phasing out Russian natural gas imports and preparing the phase-out of Russian oil imports, improving monitoring of potential energy dependencies and amending Regulation (EU) 2017/1938, OJ L, 2026/261, 2.2.2026 [hereinafter the Regulation].

[3] European Commission, Guidance on the implementation of Regulation (EU) 2026/261 (Feb. 2, 2026, last updated Mar. 18, 2026) [hereinafter Commission Guidance], Q. 3, at 4–5.

[4] Council of the European Union, Where does the EU’s gas come from? (last reviewed Apr. 13, 2026) (LNG import data from Bruegel).

[5] Commission Guidance, Q. 4, at 6.

[6] Iryna Isaieva, Organizational Mechanism of State Governance of Ukraine’s Trunk Pipeline Systems under European Integration (Cand. Sci. (Public Administration) dissertation, Ivano-Frankivsk National Technical University of Oil and Gas, 2016) (in Ukrainian), at 22.

[7] Id. at 97–99, 102–103.

[8] Order No. 4446-B, at 50.

[9] Application of Venture Global CP2 LNG, LLC, Docket No. 26-78-LNG, at 8 (July 7, 2026).

[10] The Regulation, art. 5(3); Commission Guidance, Q. 7, at 10.

[11] The Regulation, art. 2(29); Commission Guidance, Q. 20, at 14–15.

[12] The Regulation, art. 5(4).

[13] Commission Implementing Decision (EU) 2026/335 of 9 February 2026; Commission Guidance, Q. 6, at 9.

[14] Commission Guidance, Q. 5a, at 8; see also Order No. 4446-B, at 49.

[15] The Regulation, art. 5(4); Commission Guidance, at 15 n.32.

[16] The Regulation, art. 5(3), 5(5); Commission Guidance, Q. 15, at 12.

[17] Commission Guidance, Q. 20, at 15; *id.*, Q. 21, at 15–16.

[18] *Id.*, Q. 20, at 15.

[19] Order No. 4446-B, at 62, 64–65 (ordering paras. A, G).

[20] The Regulation, art. 5(4), fourth subparagraph.

[21] Commission Guidance, Q. 9, at 10.

[22] Exec. Order No. 14154, *Unleashing American Energy*, § 8(a), 90 Fed. Reg. 8353, 8357 (Jan. 29, 2025).

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 2, 2026.

Iryna Isaieva

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CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2026, I served a copy of the foregoing comment by electronic mail on the following:

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