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February 5, 2014

VIA ELECTRONIC DELIVERY

Mr. John A. Anderson
Office of Fossil Energy
U.S. Department of Energy
Docket Room 3F-056, FE-50
Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Louisiana LNG Energy LLC, **Docket No. 14-19 - LNG**
Application for Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement Countries

Dear Mr. Anderson:

Louisiana LNG Energy LLC (“LLNG”) is developing a project to export liquefied natural gas (“LNG”) from the United States. The LNG will be produced at a liquefaction facility to be constructed on a 200 acre site near mile marker 46 on the East Bank of the Mississippi River down-river from the Port of New Orleans in Plaquemines Parish, Louisiana. The construction required will be the subject of an application by LLNG to the Federal Energy Regulatory Commission (“FERC”) for authorization under Section 3 of the Natural Gas Act. LLNG expects that it will file a request to initiate the FERC pre-filing review process in May, 2014.

In the enclosed application, LLNG seeks long-term multi-contract authorization under Section 3 of the Natural Gas Act to export two million metric tons of LNG per annum for a term of 25 years beginning on the earlier of the date of first export from the LLNG facility or ten years from the date the requested authorization is granted. LLNG is seeking authority to export LNG from the LLNG facility to any country with which the United States currently has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas.

Subject to the receipt of appropriate FERC authorization, and construction of the liquefaction facilities, LLNG will provide gas liquefaction services through liquefaction agreements under which individual customers who hold title to natural gas will have the right to deliver that gas to LLNG and receive LNG. LLNG seeks to export this LNG on its own behalf and also as agent for third parties.


Mr. John A. Anderson

February 5, 2014

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LLNG is transmitting a check in the amount of \$50.00 in payment of the applicable filing fee pursuant to 10 C.F.R. § 590.207. Please contact the undersigned at (713) 203-3054 if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven P. Martin", is written over a light gray rectangular background. The signature is fluid and cursive.

Steven P. Martin
Vice President, Finance & Contracts
Louisiana LNG Energy LLC

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

Louisiana LNG Energy LLC

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)
)

Docket No. 14 - ____ - LNG

**APPLICATION OF LOUISIANA LNG ENERGY LLC FOR
LONG-TERM AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS TO
FREE TRADE AGREEMENT COUNTRIES**

Steven P. Martin
Vice President, Finance & Contracts
Louisiana LNG Energy LLC
2115 Forest Falls Drive
Suite 100
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Washington, DC 20001
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jbrough@lockelord.com

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

Louisiana LNG Energy LLC)
)
) Docket No. 14 - ____ - LNG

**APPLICATION OF LOUISIANA LNG ENERGY LLC FOR
LONG-TERM AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS TO
FREE TRADE AGREEMENT COUNTRIES**

Pursuant to Section 3 of the Natural Gas Act (“NGA”), 15 U.S.C. § 717b, and Part 590 of the regulations of the Department of Energy (“DOE”), 10 C.F.R. § 590, Louisiana LNG Energy LLC (“LLNG”) submits this application (“Application”) to the DOE Office of Fossil Energy (“DOE/FE”) for long-term authorization to export two million metric tons per year of liquefied natural gas (“LNG”) (approximately 97.4 bcf of natural gas using a conversion factor of 48.7 bcf of natural gas per million metric tons of LNG) produced from domestic sources for a 25-year period commencing on the earlier of the date of first export from the LLNG facility or ten years from the date the requested authorization is granted.

LLNG seeks authorization to export LNG from its proposed facility near mile marker 46 on the East Bank of the Mississippi River down-river from the Port of New Orleans in Plaquemines Parish, Louisiana to any country with which the United States currently has, or in the future may enter into, a free trade agreement (“FTA”) requiring national treatment for trade in natural gas.¹ In support of this Application, LLNG respectfully states the following:

¹ 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.

I. DESCRIPTION OF THE APPLICANT AND LNG FACILITY

The exact legal name of the applicant is Louisiana LNG Energy LLC. LLNG is a limited liability company formed under the laws of Texas with its principal place of business at 2115 Forest Falls Drive, Houston, Texas 77345-1778. LLNG is owned and controlled by five members who also serve as officers of the LLC.

LLNG plans to construct a liquefaction facility on a 200 acre site near mile marker 46 on the East Bank of the Mississippi River down-river from the Port of New Orleans in Plaquemines Parish, Louisiana. The proposed site is currently under lease by LLNG with multiple renewal options extending through May 31, 2091.

The liquefaction facility will consist of four 74,380 Mcf/d liquefaction trains with an annual capacity of approximately 100 Bcf (or two MTPA) of LNG. In addition, two amine and dehydration units will be added upstream of the four liquefaction trains to remove residual moisture, CO₂ and natural gas liquids. The liquefaction facility will be built in a modular fashion and assembled on-site.

II. COMMUNICATIONS

All communications and correspondence regarding this Application should be directed to the following persons:

Steven P. Martin
Vice President
Finance & Contracts
2115 Forest Falls Drive
Suite 100
Houston, TX 77345-1778
(713) 203-3054
smartin@LouisianaLNGenergy.com

James F. Moriarty
Jennifer Brough
Locke Lord LLP
701 8th Street, NW
Suite 700
Washington, DC 20001
(202) 220-6915
jmoriarty@lockelord.com
jbrough@lockelord.com

III. AUTHORIZATION REQUESTED

LLNG requests long-term authorization to export two million metric tons per year of domestically-produced LNG for a 25-year period commencing upon the earlier of the date of first export from the LLNG facility or the tenth anniversary of the date authorization is granted by DOE/FE. LLNG requests that such long-term authorization provide for export to any country with which the United States currently has, or in the future may enter into, an FTA requiring national treatment for trade in natural gas.

The long-term export authorization sought in this Application is necessary in order to permit LLNG to proceed to incur the substantial cost of developing the liquefaction and export project. Any construction of facilities for the export of LNG would be subject to FERC approval after a full environmental review. LLNG expects that it will file a request to initiate the FERC pre-filing review process in May, 2014.

LLNG expects that it will enter into Liquefaction Tolling Agreements (“LTA”), under which individual customers who hold title to natural gas will have the right to deliver that gas to LLNG and receive LNG. LLNG seeks to export this LNG on its own behalf and also as agent for third parties under contracts to be executed on a date that is closer to the date of first export. LLNG contemplates that the title holder at the point of export² may be LLNG or one of LLNG’s customers, or another party that has purchased LNG from a customer pursuant to a long-term contract.

LLNG requests authorization to register each LNG title holder for whom LLNG seeks to export as agent, with such registration including a written statement by the title holder acknowledging and agreeing to comply with all applicable requirements included by DOE/FE in

² “LNG exports occur when the LNG is delivered to the flange of the LNG export vessel.” *See Freeport LNG Expansion, L.P. and FLNG Liquefaction, LLC*, DOE/FE Order No. 2913 at n.4 (Feb. 10, 2011); *Dow Chemical Company*, FE Order No. 2859 at 7 (Oct. 5, 2010).

LLNG's export authorization, and to include those requirements in any subsequent purchase or sale agreement entered into by that title holder. In addition to the registration of any LNG title holder for whom LLNG seeks to export as agent, LLNG will file under seal with DOE/FE any relevant long-term commercial agreements between LLNG and such LNG title holder, including LTAs, once they have been executed. This approach will conform to DOE/FE's goal of ensuring that all authorized exports are permitted and lawful under U.S. laws and policies, including the rules, regulations, orders, policies and other determinations of the Office of Foreign Assets Control of the U.S. Department of the Treasury.³

This approach has been consistently approved by DOE/FE.⁴ For example, in *Freeport LNG Expansion, L.P. and FLNG Liquefaction, LLC* ("FLEX"),⁵ DOE/FE found that "FLEX has requested an acceptable process by which FLEX can act as agent for others who want to export LNG" and that "FLEX's agency rights and registration procedures are an alternative to the non-binding policy adopted by DOE/FE in DOE Opinion and Order No. 2859 . . . which set forth a non-binding policy that the title for all LNG authorized to be exported shall be held by the authorization holder at the point of export."⁶ DOE/FE also accepted FLEX's proposal to file the relevant long-term commercial agreements under seal once they have been executed.⁷ DOE/FE stated that by "accepting FLEX's requested registration process and contract terms, DOE/FE will ensure that the title holder is aware of all requirements in the Order, including destination restrictions, that DOE will have a record of all authorized exports, and that DOE will have direct

³ See *The Dow Chemical Company*, DOE/FE Opinion and Order No. 2859 at 7-8 (Oct. 5, 2010).

⁴ See, e.g., *Gulf Coast LNG Export, LLC*, DOE/FE Opinion and Order No. 3163 (Oct. 16, 2012).

⁵ DOE/FE Order No. 2913 (Feb. 10, 2011).

⁶ *Id.* at 7 citing *The Dow Chemical Company*, DOE/FE Opinion and Order No. 2859 at 7-8 (Oct. 5, 2010).

⁷ *Id.* at 8. The practice of filing contracts after the DOE/FE has granted export authorization is well established. See *Yukon Pacific Corporation*, ERA Docket No. 87-68-LNG, Order No. 350 (Nov. 16, 1989); *Distrigas Corporation*, FE Docket No. 95-100-LNG, Order No. 1115 at 3 (Nov. 7, 1995).

contact information and point of contact with the title holder.”⁸ DOE/FE concluded that “[t]his process is responsive to current LNG markets and provides an expedited process by which companies seeking to export LNG can do so.”⁹ DOE/FE should approve LLNG’s proposed procedure as it is identical to that approved for FLEX.

IV. EXPORT SOURCES

LLNG seeks authorization to export natural gas available in the United States natural gas pipeline system. While LLNG anticipates that sources of natural gas will include Texas and Louisiana producing regions and the offshore gulf producing regions, the natural gas to be exported may be produced throughout the United States.

V. PUBLIC INTEREST

NGA Section 3(c), as amended by Section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486), provides that:

[T]he exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, shall be deemed to be consistent with the public interest, and applications for such importation or exportation shall be granted without modification or delay.¹⁰

Under this statutory presumption, this Application that seeks to export LNG to nations with which the United States currently has, or in the future may enter into, an FTA requiring national treatment for trade in natural gas, shall be deemed to be consistent with the public interest and should be granted by DOE/FE without modification or delay. Indeed, DOE/FE promptly grants authorization for export to FTA nations as a matter of statutory requirement.¹¹ DOE/FE recently

⁸ DOE/FE Order No. 2913 at 8.

⁹ *Id.*

¹⁰ 15 U.S.C. § 717b(c) (2009).

¹¹ *See, e.g., Barca LNG LLC*, DOE/FE Order No. 3365 (Nov. 26, 2013); *EOS LNG LLC*, DOE/FE Order No. 3364 (Nov. 26, 2013); *Advanced Energy Solutions, LLC*, DOE/FE Order No. 3360 (Nov. 14, 2013); *Argent Marine Management, Inc.*, DOE/FE Order No. 3356 (Nov. 6, 2013); *Venture Global LNG, LLC*, DOE/FE Order No. 3345 (Sept. 27, 2013); *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3307 (July 12, 2013); *Freeport-McMoRan*

noted that, in light of its “statutory obligation” to grant FTA applications “without modification or delay, there is no need for DOE/FE to review other arguments asserted by [the applicant] in support of the Application.”¹²

VI. ENVIRONMENTAL IMPACT

LLNG will file an application with FERC for authorization to construct the liquefaction facility, in accordance with NGA Section 3 and subpart B of part 153 of the Commission’s Regulations, 18 C.F.R. § 153.4 *et seq.* Pursuant to the terms of the National Environmental Policy Act, 42 U.S.C. § 4231 *et seq.* (“NEPA”), while DOE shall give appropriate consideration to the environmental effects of its proposed decisions, as in *Sabine Pass Liquefaction LLC*, that consideration is provided “in light of DOE’s statutory obligation to grant the application without delay or modification.”¹³ Because LLNG’s Application seeks authority to export LNG only to nations with which the United States currently has, or in the future may enter into, an FTA requiring national treatment for trade in natural gas, it “falls within Section 3(c), as amended, and therefore, DOE/FE is charged with granting the application without delay or modification.”¹⁴

VII. APPENDICES

The following appendices are included with this Application:

- | | |
|------------|--------------------|
| Appendix A | Verification |
| Appendix B | Opinion of Counsel |

VIII. CONCLUSION

WHEREFORE, for the reasons set forth above, Louisiana LNG Energy LLC respectfully requests that the DOE/FE issue an order granting LLNG long-term authorization to export two

Energy LLC, DOE/FE Order No. 3290 (May 24, 2013); *Gasfin Development USA, LLC*, DOE/FE Order No. 3253 (Mar. 7, 2013); *Trunkline LNG Export, LLC*, DOE/FE Order No. 3252 (Mar. 7, 2013).

¹² *Barca LNG LLC*, DOE/FE Order No. 3365 at 6 (Nov. 26, 2013).

¹³ DOE/FE Order No. 2833 (September 7, 2010) at 5.

¹⁴ *Id.*

million metric tons per year for a term of 25 years of domestic LNG to any country with which the United States currently has, or in the future enters into, an FTA requiring national treatment for trade in natural gas. As demonstrated herein, the authorization requested is not inconsistent with the public interest and, accordingly, should be granted without modification or delay pursuant to Section 3 of the Natural Gas Act.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven P. Martin", is written over a light gray rectangular background.

Steven P. Martin
Vice President, Finance & Contracts

On behalf of Louisiana LNG Energy LLC

Dated: February 5, 2014

APPENDIX A
VERIFICATION

VERIFICATION

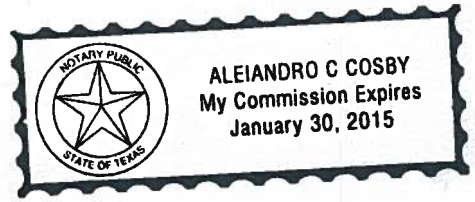
County of Montgomery)
)
State of Texas)

BEFORE ME, the undersigned authority, on this day personally appeared Steven P. Martin, who, having been by me first duly sworn, on oath says that he is the Vice President, Finance & Contracts of Louisiana LNG Energy LLC and is duly authorized to make this Verification on behalf of Louisiana LNG Energy LLC; that he has read the foregoing instrument and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

Steven P. Martin

SWORN TO AND SUBSCRIBED before me on: February 5, 2014

[Signature]
Notary Public



APPENDIX B
OPINION OF COUNSEL

February 5, 2014

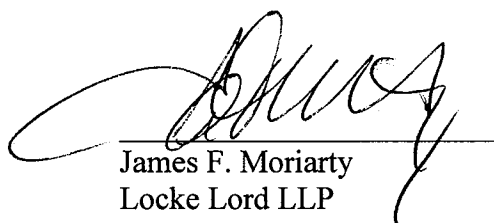
Mr. John A. Anderson
Office of Fossil Energy
U.S. Department of Energy
Docket Room 3F-056, FE-50
Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Louisiana LNG Energy LLC
Application for Long-Term Authorization to Export Liquefied Natural Gas to Free-Trade
Agreement Countries

Dear Mr. Anderson:

This opinion of counsel is submitted pursuant to Section 590.202(c) of the regulations of the U.S. Department of Energy, 10 C.F.R. § 590.202(c) (2013). The undersigned is counsel to Louisiana LNG Energy LLC. I have reviewed the corporate documents of Louisiana LNG Energy LLC and it is my opinion that the proposed export of natural gas as described in the application filed by Louisiana LNG Energy LLC to which this Opinion of Counsel is attached as Appendix B, is within the limited liability company powers of Louisiana LNG Energy LLC.

Respectfully submitted,



James F. Moriarty
Locke Lord LLP
On behalf of Louisiana LNG Energy LLC

RECEIVED

By Docket Room at 2:35 pm, Feb 10, 2014



February 10, 2014

VIA ELECTRONIC DELIVERY

Mr. John A. Anderson
Office of Fossil Energy
U.S. Department of Energy
Docket Room 3F-056, FE-50
Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

RE: Louisiana LNG Energy LLC, **Docket No. 14-19-LNG**
Application for Long-Term Authorization to Export Liquefied Natural Gas to Free
Trade Agreement Countries Filed February 5, 2014

Dear Mr. Anderson:

On February 5, 2014, Louisiana LNG Energy LLC ("LLNG") submitted an application for authorization to export two million metric tons of LNG per annum for a term of 25 years to countries with which the United States currently has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas.

LLNG is transmitting herewith a copy of the memorandum of lease for the parcel of land in Plaquemines Parish, Louisiana on which LLNG proposes to construct the LNG facility.

Please contact the undersigned at (713) 203-3054 if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven P. Martin", is written over a light gray rectangular background.

Steven P. Martin
Vice President, Finance & Contracts
Louisiana LNG Energy LLC

MEMORANDUM OF LEASE

STATE OF LOUISIANA

PARISH OF PLAQUEMINES

BEFORE ME, the undersigned authority, personally came and appeared the MORGAN CITY LAND AND FUR COMPANY, LLC, a Louisiana Limited Liability Company, appearing herein through Camille A. Cutrone, its Managing Partner, and LOUISIANA LNG ENERGY, LLC, a Texas Limited Liability Company, appearing herein through J.Q. Delap, its Chairman, who after being duly sworn declared:

MORGAN CITY LAND AND FUR COMPANY, LLC is the LESSOR and LOUISIANA LNG ENERGY, LLC is the LESSEE of the following described property (hereinafter, the "Property" or the "Leased Premises"), to-wit:

DESCRIPTION OF PROPERTY

A certain portion of property situated in the Parish of Plaquemines, State of Louisiana, in Sections 36, 37, 38 & 39, Township 17 South, Range 14 East, described as follows:

Bounded on its Southern most boundary by the Mississippi River, on its Eastern most boundary by the South one-half (½) of Section 39, on its Western most boundary by Section 35, and one arpent owned by others, and on the Northern most side by Louisiana Highway No. 39.

Said property comprises 190.87 acres, more or less.

The Property is subject to that certain Lease Agreement (the "Lease") made by the parties hereto and made effective the 1st day of December, 2013. The Lease has an initial term of thirty (30) months, commencing December 1, 2013 and ending May 31, 2016, and Lessee has three renewal options each for a term of twenty-five (25) years, the First Renewal Option commencing June 1, 2016, and ending May 31, 2041; the Second Renewal Option commencing June 1, 2041, and ending May 31, 2066; and the Third Renewal Option commencing June 1, 2066, and ending May 31, 2091. The parties hereto do hereby incorporate by reference all the terms, conditions and provisions of the Lease.

This Memorandum of Lease is being made for purpose of recording in the Conveyance Records of the Clerk of Court's office in and for the Parish of Plaquemines, State of Louisiana, for all notification and other purposes described by law.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned parties hereto have executed this Memorandum of Lease effective the 1st day of December, 2013, in the presence of the undersigned competent witnesses and Notary, after due reading of the whole.

WITNESSES:

Jeckyn Cutrone
J. Q. Delap

LESSOR:

**MORGAN CITY LAND & FUR COMPANY,
LLC, a Louisiana Limited Liability Company**

By: *Camille A. Cutrone*
CAMILLE A. CUTRONE, Its Managing Partner

LESSEE:

**LOUISIANA LNG ENERGY, LLC
a Texas Limited Liability Company**

By: _____
J.Q. Delap, its Chairman

IN WITNESS WHEREOF, the undersigned parties hereto have executed this Memorandum of Lease effective the 1st day of December, 2013, in the presence of the undersigned competent witnesses and Notary, after due reading of the whole.

WITNESSES:

LESSOR:

**MORGAN CITY LAND & FUR COMPANY,
LLC, a Louisiana Limited Liability Company**

By: _____
CAMILLE A. CUTRONE, Its Managing Partner

LESSEE:

**LOUISIANA LNG ENERGY, LLC
a Texas Limited Liability Company**

Tracey Parkes

Margaretus M. Buz

By: _____
J.Q. Delap, its Chairman

NOTARIAL ACKNOWLEDGMENT

STATE OF LOUISIANA


PARISH OF ORLEANS

On this 04 day of February, 2014, before me, the undersigned authority,

PERSONALLY CAME AND APPEARED:

CAMILLE A. CUTRONE,

known to me to be the person described in and who executed the foregoing instrument, as the Managing Partner of **MORGAN CITY LAND AND FUR COMPANY, LLC**, a Louisiana Limited Liability Company, and that said instrument was signed on behalf of said Company by authority of its Articles of Organization and said **CAMILLE A. CUTRONE** acknowledged that he executed same as the free act and deed of said Company.


NOTARY PUBLIC LA BAR NO 7148
Joe M. Lambert

NOTARIAL ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF HARRIS

On this _____ day of _____, 2014, before me, the undersigned authority,

PERSONALLY CAME AND APPEARED:

J.Q. DELAP,

known to me to be the person described in and who executed the foregoing instrument, as the Chairman of **LOUISIANA LNG ENERGY, LLC**, a Texas Limited Liability Company, and that said instrument was signed on behalf of said Company, and said **J.Q. DELAP** acknowledged that he executed same as the free act and deed of said Company.

NOTARY PUBLIC

NOTARIAL ACKNOWLEDGMENT

STATE OF LOUISIANA

PARISH OF _____

On this _____ day of _____, 2014, before me, the undersigned authority,

PERSONALLY CAME AND APPEARED:

CAMILLE A. CUTRONE,

known to me to be the person described in and who executed the foregoing instrument, as the Managing Partner of **MORGAN CITY LAND AND FUR COMPANY, LLC**, a Louisiana Limited Liability Company, and that said instrument was signed on behalf of said Company by authority of its Articles of Organization and said **CAMILLE A. CUTRONE** acknowledged that he executed same as the free act and deed of said Company.

NOTARY PUBLIC

NOTARIAL ACKNOWLEDGMENT

STATE OF TEXAS

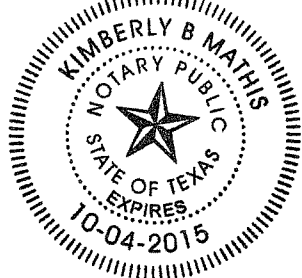
COUNTY OF HARRIS

On this 10th day of February, 2014, before me, the undersigned authority,

PERSONALLY CAME AND APPEARED:

J.Q. DELAP,

known to me to be the person described in and who executed the foregoing instrument, as the Chairman of **LOUISIANA LNG ENERGY, LLC**, a Texas Limited Liability Company, and that said instrument was signed on behalf of said Company, and said **J.Q. DELAP** acknowledged that he executed same as the free act and deed of said Company.



Kimberly B. Mathis
NOTARY PUBLIC