

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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SPARK ENERGY GAS, LLC  
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FE DOCKET NO. 18-38-NG  
FE DOCKET NO. 16-164-NG

ORDER GRANTING BLANKET AUTHORIZATION TO  
IMPORT NATURAL GAS FROM CANADA  
AND VACATING PRIOR AUTHORIZATION

DOE/FE ORDER NOS. 4174 AND 3910-A

APRIL 20, 2018

## I. DESCRIPTION OF REQUEST

On April 2, 2018, Spark Energy Gas, LLC (Spark Energy Gas) filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA)<sup>1</sup> for blanket authorization to import up to 2 billion cubic feet (Bcf) of natural gas from Canada via pipeline. The applicant requests the authorization be granted for a two-year term beginning on April 1, 2018.<sup>2</sup> Spark Energy Gas is a Texas limited liability company with its principal place of business in Houston, Texas.

Previously, on October 28, 2016, Spark Energy Gas was granted authorization in DOE/FE Order No. 3910 to import natural gas from Canada for a two-year term beginning on November 1, 2016, and extending through October 31, 2018. On April 2, 2018, Spark Energy Gas requested that DOE/FE vacate its existing authorization in DOE/FE Order No. 3910, effective the date the proposed Order is issued.<sup>3</sup>

## II. FINDING

The Application has been evaluated to determine if the proposed import and/or export arrangement meets the public interest requirement of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under section 3(c), the import and export of natural gas, including liquefied natural gas (LNG), from and to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas and the import of LNG from other international sources are deemed to be consistent with the public interest, and applications for such imports and exports, must be granted without modification or

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<sup>1</sup> Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FE in Redelegation Order No. 00-006.02 issued on November 17, 2014.

<sup>2</sup> E-mail from Stacey Richardson, Contracts and Records Manager, Spark Energy Gas, to DOE/FE (April 2, 2018).

<sup>3</sup>See *id.*

delay. The authorization sought by Spark Energy Gas to import natural gas from Canada, a nation with which a free trade agreement requiring national treatment for trade in natural gas is in effect, meets the section 3(c) criterion and, therefore, is consistent with the public interest.

This Order authorizes transactions with terms of no longer than two years.

### ORDER

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

A. Spark Energy Gas is authorized to import up to 2 Bcf of natural gas from Canada, pursuant to transactions that have terms of no longer than two years. This authorization shall be effective for a two-year term which began on April 1, 2018, and extends through March 31, 2020.

C. This natural gas may be imported and exported via pipeline at any point on the border between the United States and Canada.

D. **Monthly Reports:** With respect to the natural gas imports and exports authorized by this Order, Spark Energy Gas shall file with the Office of Regulation and International Engagement, within 30 days following the last day of each calendar month, a report indicating whether imports or exports of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports and/or exports have been made, a report of “no activity” for that month must be filed. If imports and/or exports of natural gas have occurred, the report must give the following details: (1) for imports, the country of origin; (2) for exports, the country of destination; (3) the point(s) of entry and exit; (4) the volume in thousand cubic feet (Mcf); (5) the average purchase price of gas per million British thermal units (MMBtu) at the international border; (6) the name of the supplier(s); (7) the name of the U.S. transporter(s); (8) the estimated or actual duration of the supply agreement(s); and (9) for

imports, the geographic markets served (list State(s), U.S. Census Region(s), or general U.S. geographic area(s)).

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

E. The first monthly report required by this Order is due not later than May 30, 2018, and should cover the reporting period from April 1, 2018, through April 30, 2018.

F. All monthly report filings shall be made to U.S. Department of Energy (FE-34), Office of Fossil Energy, Office of Regulation and International Engagement, P.O. Box 44375, Washington, D.C. 20026-4375, Attention: Natural Gas Reports. Alternatively, reports may be e-mailed to [ngreports@hq.doe.gov](mailto:ngreports@hq.doe.gov), or may be faxed to Natural Gas Reports at (202) 586-6050.

G. Spark Energy Gas's blanket authorization to import and export natural gas to and from Canada, granted in DOE/FE Order No. 3910 on October 28, 2016, is hereby vacated effective April 1, 2018.<sup>4</sup>

Issued in Washington, D.C., on April 20, 2018.



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Amy R. Sweeney  
Director, Division of Natural Gas Regulation

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<sup>4</sup> While Spark Energy Gas requested in its email that DOE/FE vacate Order No. 3910 on the date the proposed Order is issued, DOE/FE finds good cause to vacate DOE/FE Order No. 3910 effective the same date (April 1, 2018) that the authorization granted to Spark Energy Gas in this Order became effective.