

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

---

UPSTREAM PETROLEUM INC.

---

)  
)  
)

FE DOCKET NO. 19-158-NG

ORDER GRANTING BLANKET AUTHORIZATION TO  
IMPORT FROM MEXICO AND EXPORT NATURAL GAS  
TO CANADA AND MEXICO

DOE/FE ORDER NO. 4497

JANUARY 30, 2020

## I. DESCRIPTION OF REQUEST

On December 28, 2019, Upstream Petroleum Inc. (Upstream Petroleum) 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 from Mexico and export to Canada and Mexico a combined total of 64 billion cubic feet (Bcf) of natural gas by pipeline.<sup>2</sup> The applicant requests the authorization be granted for a two-year term beginning on February 28, 2020.<sup>3</sup> Upstream Petroleum is a Louisiana corporation with its principal place of business in Baton Rouge, Louisiana.

## II. FINDING

The application has been evaluated to determine if the proposed import and export arrangements meet 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 delay. The authorization sought by Upstream Petroleum to import from Mexico and export natural gas to Canada and Mexico, nations with which free trade agreements requiring national treatment for trade in natural gas are in effect, meets the section 3(c) criterion and, therefore, is

---

<sup>1</sup> The 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 Redefinition Order No. 00-002.04G issued on June 4, 2019.

<sup>2</sup> On January 16, 2020, Carl Spears, CEO for Upstream Petroleum, revised the requested volume and start date for the Application via email.

<sup>3</sup> Upstream Petroleum's blanket authorization to import and export natural gas from and to Canada and Mexico, granted in DOE/FE Order No. 4159 on February 28, 2018, extends through February 27, 2020.

consistent with the public interest. This Order authorizes transactions with terms of not greater than two years.

### ORDER

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

A. Upstream Petroleum is authorized to import from Mexico, and export to Canada and Mexico, a combined total of 64 Bcf of natural gas, pursuant to transactions that have terms of not greater than two years. This authorization shall be effective for a two-year term beginning on February 28, 2020, and extending through February 27, 2022.

B. This natural gas may be imported and exported by pipeline at any point on the border between the United States and Mexico, and exported by pipeline at any point on the border between the United States and Canada.

C. **Monthly Reports:** With respect to the natural gas imports and exports authorized by this Order, Upstream Petroleum shall file with the Office of Regulation, Analysis, and 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 or exports have been made, a report of “no activity” for that month must be filed. If imports 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); (9) for imports, the geographic market(s) 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)

D. The first monthly report required by this Order is due not later than April 30, 2020, and should cover the reporting period from February 28, 2020 through March 31, 2020.

E. All monthly report filings on Form FE-746R shall be made to the U.S. Department of Energy (FE-34), Office of Fossil Energy, Office of Regulation, Analysis, and Engagement, according to the methods of submission listed on the Form FE-746R reporting instructions available at <https://www.energy.gov/fe/services/natural-gas-regulation>.

Issued in Washington, D.C., on January 30, 2020.

---

Amy R. Sweeney  
Director, Office of Regulation, Analysis, and Engagement  
Office of Oil and Natural Gas