

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

SABINE PASS LIQUEFACTION, LLC

)
) DOCKET NO. 19-125-LNG
)

ORDER GRANTING LONG-TERM AUTHORIZATION
TO EXPORT LIQUEFIED NATURAL GAS TO
FREE TRADE AGREEMENT NATIONS

DOE/FE ORDER NO. 4520

APRIL 14, 2020

I. DESCRIPTION OF REQUEST

On September 27, 2019, Sabine Pass Liquefaction, LLC (Sabine Pass or SPL) filed an application (Application)¹ with the Office of Fossil Energy (FE) of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA), 15 U.S.C. § 717b.² Sabine Pass requests long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to 152.64 billion standard cubic feet (Bcf) per year (Bcf/yr) of natural gas. Sabine Pass seeks authorization to export this LNG by vessel from the Sabine Pass LNG Terminal located in Cameron Parish, Louisiana—specifically, from both the Sabine Pass Liquefaction Project (Trains 1 through 4) and the Liquefaction Expansion Project (Trains 5 and 6) (collectively, the Project).³ Sabine Pass states that Trains 1 through 5 are in service, and Train 6 is currently under construction.⁴

Sabine Pass requests 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. This includes: (i) any country with which the United States currently has, or in the future will have, a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries)⁵ for a 25-year term, and (ii) any other country with which trade is not

¹ Sabine Pass Liquefaction, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations, FE Docket No. 19-125-LNG (Sept. 27, 2019) [hereinafter Sabine Pass App.].

² 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 Redelegation Order No. 00-002.04G, issued on June 4, 2019.

³ Sabine Pass App. at 1-2. The Federal Energy Regulatory Commission (FERC) has authorized the construction and operation of Trains 1-6 at the Sabine Pass LNG Terminal. As approved by FERC to date, the total authorized production capacity of the Project is approximately 29 million metric tons per annum of LNG, or 4.14 Bcf per day of natural gas (1511.1 Bcf/yr). *See, e.g., Sabine Pass Liquefaction Expansion, LLC, et al., Order Granting Authorization Under Section 3 of the Natural Gas Act and Issuing Certificates*, 151 FERC ¶ 61,012 (Apr. 6, 2015), *reh'g denied*, 151 FERC ¶ 61,253 (June 23, 2015).

⁴ Sabine Pass App. at 7.

⁵ 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,

prohibited by U.S. law or policy (non-FTA countries)⁶ for a 20-year term.⁷ Sabine Pass requests that the term of the authorization commence on the date of first commercial export of the requested volume.⁸ Sabine Pass requests this authorization on its own behalf and as agent for other entities who will hold title to the LNG at the time of export.⁹

Sabine Pass is currently authorized under several DOE/FE orders to export domestically produced LNG in a total volume equivalent to 1,509.3 Bcf/yr of natural gas from the Project to FTA and non-FTA countries.¹⁰ Sabine Pass states that, concurrently with this Application, it is seeking authorization from FERC to increase the authorized LNG production capacity of the Project at the Sabine Pass LNG Terminal to 1,661.94 Bcf/yr.¹¹ According to Sabine Pass, this LNG production capacity is the “projected combined LNG production capacity of Trains 1-6, based on certain enhancements during the engineering, design, and construction process, as well as operational experience to date.”¹² Sabine Pass states that “[t]his capacity optimization does not involve additional construction of new facilities or impacts to existing permits applicable to the Sabine Pass LNG Terminal.”¹³ Sabine Pass further states that it is requesting authorization from DOE/FE to export an additional volume of 152.64 Bcf/yr from the Project to align its authorized export volumes (currently 1,509.3 Bcf/yr) with the planned liquefaction production capacity of the Project for a total export volume of 1,661.94 Bcf/yr.¹⁴

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.

⁶ 15 U.S.C. § 717b(a).

⁷ Sabine Pass App. at 1-3.

⁸ *Id.* at 2-3.

⁹ *Id.* at 4.

¹⁰ *See infra* at § II (Procedural History) and Appendix (tables identifying DOE/FE orders).

¹¹ Sabine Pass App. at 7.

¹² *Id.*

¹³ *Id.* at 8.

¹⁴ *Id.* at 2 n.4; *see also id.* at 7-8.

The portion of Sabine Pass's Application that seeks authorization to export domestically produced LNG to FTA countries is being reviewed pursuant to NGA section 3(c), 15 U.S.C. § 717b(c), and approved in this Order. The portion of the Application that seeks authorization to export LNG to non-FTA countries will be reviewed pursuant to NGA section 3(a), 15 U.S.C. § 717b(a), and addressed in a separate order.¹⁵

II. BACKGROUND

Applicant. Sabine Pass is a Delaware limited liability company with its principal place of business in Houston, Texas. Sabine Pass is an indirect subsidiary of Cheniere Energy, Inc., a Delaware corporation with its principal place of business in Houston, Texas.¹⁶

Procedural History. Sabine Pass holds several long-term export authorizations from DOE/FE to export LNG from the Project to both FTA and non-FTA countries. Sabine Pass's long-term authorizations (and, where applicable, their amendments) include:

- DOE/FE Order No. 2833, authorizing the export of 803 Bcf/yr from Trains 1-4 to FTA countries;¹⁷
- DOE/FE Order No. 2961-A, authorizing the export of 803 Bcf per year from Trains 1-4 to non-FTA countries;¹⁸
- DOE/FE Order No. 3306, authorizing the export of 101 Bcf/yr from Trains 5 and 6 to FTA countries;¹⁹

¹⁵ See U.S. Dep't of Energy, Sabine Pass Liquefaction, LLC; Application for Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, 84 Fed. Reg. 65,142 (Nov. 26, 2019).

¹⁶ Sabine Pass App. at 9.

¹⁷ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 2833, FE Docket No. 10-85-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Sabine Pass LNG Terminal to Free Trade Nations (Sept. 7, 2010).

¹⁸ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 2961-A, FE Docket No. 10-111-LNG, Final Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Sabine Pass LNG Terminal to Non-Free Trade Agreement Nations (August 7, 2012); *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 2961-A, FE Docket No. 10-111-LNG, Errata (Sept. 4, 2012).

¹⁹ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3306, FE Docket No. 13-30-LNG, Order Granting Authorization to Export Liquefied Natural Gas by Vessel Pursuant to the Long-Term Contract with Total Gas & Power North America, Inc. from the Sabine Pass LNG Terminal to Free Trade Agreement Nations (Jul. 11, 2013); see also *Sabine Pass Liquefaction, LLC*, DOE/FE Order Nos. 3306-A, 3307-A, 3384-A, and 3669-B, FE Docket Nos.

- DOE/FE Order No. 3307, authorizing the export of 88.3 Bcf/yr from Trains 5 and 6 to FTA countries;²⁰
- DOE/FE Order No. 3384, authorizing the export of 314 Bcf/yr from Trains 5 and 6 to FTA countries;²¹
- DOE/FE Order No. 3595, authorizing the export of 203 Bcf/yr from Trains 1-4 to FTA countries;²²
- DOE/FE Order No. 3669-B, authorizing the export of 503.3 Bcf/yr from Trains 5 and 6 to non-FTA countries;²³ and
- DOE/FE Order No. 3792, authorizing the export of 203 Bcf/yr from Trains 1-4 to non-FTA countries.²⁴

Under the terms of these authorizations, the FTA and non-FTA volumes are not additive to one another. Sabine Pass is thus authorized to export LNG from Trains 1-6 to FTA and non-FTA countries in a total volume equivalent to 1,509.3 Bcf/yr of natural gas, pursuant to long-term authorizations.²⁵

13-30-LNG, 13-42-LNG, and 13-121-LNG (Consolidated), Order Granting Withdrawal of Filing and Request for Clarification (Oct. 31, 2017).

²⁰ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3307, FE Docket No. 13-42-LNG, Order Granting Authorization to Export Liquefied Natural Gas by Vessel Pursuant to the Long-Term Contract with Centrica plc from the Sabine Pass LNG Terminal to Free Trade Agreement Nations (Jul. 12, 2013); *see also Sabine Pass Liquefaction, LLC*, DOE/FE Order Nos. 3306-A, 3307-A, 3384-A, and 3669-B, FE Docket Nos. 13-30-LNG, 13-42-LNG, and 13-121-LNG (Consolidated), Order Granting Withdrawal of Filing and Request for Clarification (Oct. 31, 2017).

²¹ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3384, FE Docket No. 13-121-LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal to Free Trade Agreement Nations (Jan. 22, 2014); *Sabine Pass Liquefaction, LLC*, DOE/FE Order Nos. 3384, 3595, FE Docket Nos. 13-121-LNG, 14-92-LNG, Errata (Feb. 24, 2015); *see also Sabine Pass Liquefaction, LLC*, DOE/FE Order Nos. 3306-A, 3307-A, 3384-A, and 3669-B, FE Docket Nos. 13-30-LNG, 13-42-LNG, and 13-121-LNG (Consolidated), Order Granting Withdrawal of Filing and Request for Clarification (Oct. 31, 2017).

²² *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3595, FE Docket No. 14-92-LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal in Cameron Parish, Louisiana, to Free Trade Agreement Nations (Feb. 12, 2015); *Sabine Pass Liquefaction, LLC*, DOE/FE Order Nos. 3384, 3595, FE Docket Nos. 13-121-LNG, 14-92-LNG, Errata (Feb. 24, 2015).

²³ *See Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3669, FE Docket Nos. 13-30-LNG, 13-42-LNG, and 13-121-LNG (Consolidated), Final Opinion and Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations (June 26, 2015).

²⁴ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 3792, FE Docket No. 15-63-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Sabine Pass LNG Terminal Located in Cameron Parish, Louisiana, to Non-Free Trade Agreement Nations (Mar. 11, 2016).

²⁵ *See also Sabine Pass App.* at 2. The Appendix to this Order provides additional information about these

Additionally, Sabine Pass holds a short-term blanket authorization to export domestically produced LNG from the Sabine Pass LNG Terminal to FTA and non-FTA countries in a non-additive volume equivalent to 600 Bcf of natural gas over a two-year period, which expires on January 15, 2022.²⁶ The volume authorized under this blanket authorization is not additive to the volumes authorized under the long-term authorizations.

Source of Natural Gas. Sabine Pass states that it purchases natural gas to be used as fuel and feedstock for LNG production at the Project from the interstate and intrastate grid at points of interconnection with other pipelines and points of liquidity both upstream and downstream of the Cheniere Creole Trail Pipeline, L.P. system and other systems that interconnect with the Project. As a result, the Project has access to almost any point on the U.S. interstate pipeline system through direct delivery or by displacement.²⁷

Business Model. Sabine Pass requests this authorization on its own behalf and as agent for other entities that will hold title to the LNG at the time of export. Sabine Pass states that it has entered into (and submitted to DOE/FE) a number of long-term gas supply purchase transactions associated with the long-term supply of natural gas to the Project.²⁸ Sabine Pass states that it has not yet entered into any long-term export contracts specific to the requested authorization.²⁹ Sabine Pass states, however, that it will file, or cause to be filed, all long-term contracts either unredacted or under seal with DOE/FE. Sabine Pass also states that it will

authorizations.

²⁶ *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 4487, FE Docket No. 19-133-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas to Free Trade and Non-Free Trade Agreement Nations (Jan. 15, 2020).

²⁷ Sabine Pass App. at 8.

²⁸ *Id.* at 9.

²⁹ *Id.*

comply with all DOE/FE requirements for both exporters and agents, as set forth in recent DOE/FE orders.³⁰

IV. 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 (a) the import and export of natural gas, including LNG, from and to a nation with which there is in effect a FTA requiring national treatment for trade in natural gas, and/or (b) the import of LNG from other international sources, be deemed consistent with the public interest and granted without modification or delay. The FTA portion of Sabine Pass's Application falls within section 3(c), as amended, and therefore, DOE/FE grants the requested FTA authorization without modification or delay.³¹

(2) In light of DOE's statutory obligation to grant this Application without modification or delay, there is no need for DOE/FE to review other arguments asserted by Sabine Pass in support of the Application. The instant grant of authority should not be read to indicate DOE/FE's views on those arguments or on Sabine Pass's request for non-FTA export authorization.

(3) The countries with which the United States has a FTA requiring national treatment for trade in natural gas currently are: Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore.

³⁰ *Id.* at 4, 9-10.

³¹ 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 countries with which the United States does not have a FTA requiring national treatment for trade in natural gas.

(4) Sabine Pass requests authorization to export LNG on its own behalf and as agent for other entities who hold title to the LNG at the time of export. DOE/FE previously addressed the issue of Agency Rights in DOE/FE Order No. 2913,³² which granted Freeport LNG Expansion, L.P., *et al.* (collectively, FLEX) authority to export LNG to FTA countries. In that order, DOE/FE approved a proposal by FLEX to register each LNG title holder for whom FLEX sought to export LNG as agent. DOE/FE found that this proposal was an acceptable alternative to the non-binding policy adopted by DOE/FE in *The Dow Chemical Company*,³³ which established that the title for all LNG authorized for export must be held by the authorization holder at the point of export. We find that the same policy considerations that supported DOE/FE's acceptance of the alternative registration proposal in DOE/FE Order No. 2913 apply here as well.

DOE/FE has reiterated its policy on Agency Rights procedures in other authorizations, including *Cameron LNG, LLC*, DOE/FE Order No. 3680.³⁴ In that order, DOE/FE determined that, in LNG export orders in which Agency Rights have been granted, DOE/FE 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.³⁵

To ensure that the public interest is served, the authorization granted herein shall require that, where Sabine Pass proposes to export LNG as agent for other entities who hold title to the

³² *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No 2913, FE 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).

³³ *The Dow Chem. Co.*, DOE/FE Order No. 2859, FE 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.

³⁴ *Cameron LNG, LLC*, DOE/FE Order No. 3680, FE 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).

³⁵ *See id.* at 8-9.

LNG (Registrants), Sabine Pass must register with DOE/FE those entities on whose behalf it will export LNG in accordance with the procedures and requirements described herein.

(5) Section 590.202(b) of DOE's regulations requires applicants to supply transaction-specific factual information "to the extent practicable."³⁶ Additionally, DOE regulations at 10 C.F.R. § 590.202(e) allow confidential treatment of the information supplied in support of or in opposition to an application if the submitting party requests such treatment, shows why the information should be exempted from public disclosure, and DOE determines it will be afforded confidential treatment in accordance with 10 C.F.R. § 1004.11.

(6) DOE/FE will require that Sabine Pass file or cause to be filed with DOE/FE any relevant long-term commercial agreements or contracts pursuant to which Sabine Pass exports LNG as agent for a Registrant once those agreements or contracts have been executed. DOE/FE finds that the submission of all such agreements or contracts within 30 days of their execution using the procedures described below will be consistent with the "to the extent practicable" requirement of section 590.202(b). By way of example and without limitation, a "relevant long-term commercial agreement" would include an agreement with a minimum term of two years, such as a long-term purchase and sales agreement involving LNG stored or liquefied at the Project.

(7) DOE/FE also will require Sabine Pass to file any long-term contracts Sabine Pass enters into providing for the long-term export of LNG on its own behalf from the Project. DOE/FE finds that the submission of these contracts within 30 days of their execution using the procedures described below will be consistent with the "to the extent practicable" requirement of section 590.202(b).

³⁶ 10 C.F.R. § 590.202(b).

(8) In addition, DOE/FE finds that section 590.202(c) of DOE/FE's regulations³⁷ requires that Sabine Pass file, or cause to be filed, all long-term contracts associated with the long-term supply of natural gas to the Project, whether signed by Sabine Pass or the Registrant, within 30 days of their execution.

(9) DOE/FE recognizes that some information in Sabine Pass's or a Registrant's long-term commercial agreements associated with the export of LNG, and/or long-term contracts associated with the long-term supply of natural gas to the Project, may be commercially sensitive. DOE/FE therefore will provide Sabine Pass the option to file or cause to be filed either unredacted contracts, or in the alternative: (A) Sabine Pass may file, or cause to be filed, long-term contracts under seal, but it also will file either: (i) a copy of each long-term contract with commercially sensitive information redacted, or (ii) a summary of all major provisions of the contract(s) including, but not limited to, the parties to each contract, contract term, quantity, any take or pay or equivalent provisions/conditions, destination, re-sale provisions, and other relevant provisions; and (B) the filing must demonstrate why the redacted or non-disclosed information should be exempted from public disclosure.

To ensure that DOE/FE destination and reporting requirements included in the Order are conveyed to subsequent title holders, DOE/FE will include as a condition of this authorization that future contracts for the sale or transfer of LNG exported pursuant to the Order shall include an acknowledgement of these requirements.

³⁷ *Id.* § 590.202(c).

ORDER

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

A. Sabine Pass Liquefaction, LLC (Sabine Pass) is authorized to export domestically produced LNG by vessel from the Sabine Pass Liquefaction Project and Expansion Project (collectively, the Project) at the Sabine Pass LNG Terminal, located in Cameron Parish, Louisiana. The volume authorized in this Order is equivalent to 152.64 Bcf/yr of natural gas for a 25-year term, beginning on the date of first commercial export of the authorized volume. Sabine Pass is authorized to export this LNG on its own behalf and as agent for other entities who hold title to the natural gas, pursuant to one or more long-term contracts (a contract greater than two years).

B. This LNG may be exported to Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore, and to any nation with which the United States subsequently enters into a FTA requiring national treatment for trade in natural gas, provided that the destination nation has the capacity to import LNG via ocean-going vessels. FTA countries are currently identified by DOE/FE at:

<http://www.fossil.energy.gov/programs/gasregulation/index.html>

C. Sabine Pass 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 and FERC. Failure to comply with this requirement could result in rescission of this authorization and/or other civil or criminal remedies.

D. (i) Sabine Pass shall file, or cause others to file, with the Office of Regulation, Analysis, and Engagement a non-redacted copy of all executed long-term contracts associated with the long-term export of LNG from the Project as agent for other entities. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described above.

(ii) Sabine Pass shall file, or cause others to file, with the Office of Regulation, Analysis, and Engagement a non-redacted copy of all executed long-term contracts associated with the long-term supply of natural gas to the Project. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described above.

E. Sabine Pass is permitted to use its authorization to export LNG as agent for other LNG title-holders (Registrants), after registering those entities with DOE/FE. Registration materials shall include an agreement by the Registrant to supply Sabine Pass with all information necessary to permit Sabine Pass to register that person or entity with DOE/FE, 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) within 30 days of execution, a copy of any long-term contracts not previously filed with DOE/FE, described in Ordering Paragraph D of this Order.

Any change in the registration materials—including changes in company name, contact information, length of the long-term contract, termination of the long-term contract, or other

relevant modification—shall be filed with DOE/FE within 30 days of such change(s).

F. Sabine Pass, or others for whom Sabine Pass acts as agent, shall include the following provision in any agreement or other 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/FE Order No. 4520, issued April 14, 2020, in FE Docket No. 19-125-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 Sabine Pass Liquefaction, 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 Sabine Pass Liquefaction, LLC is made aware of all such actual destination countries.

Each registration submitted pursuant to this Order shall have current information on file with DOE/FE. Any changes in company name, contact information, length of the long-term contract, termination of the long-term contract, or other relevant modification shall be filed with DOE/FE within 30 days of such change(s).

G. Sabine Pass shall file with the Office of Regulation, Analysis, and Engagement, on a semi-annual basis, written reports describing the status of the long-term contracts associated with the long-term export of LNG and any long-term supply contracts. The reports shall be filed on or by April 1 and October 1 of each year, and shall include information on the operation of the Project.

H. With respect to any change in control of the authorization holder, Sabine Pass must comply with DOE/FE Procedures for Change in Control Affecting Applications and Authorizations to Import or Export Natural Gas.³⁸ For purposes of this Ordering Paragraph, a

³⁸ See U.S. Dep't of Energy, Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas, 79 Fed. Reg. 65,541 (Nov. 5, 2014).

“change in control” shall include any change, directly or indirectly, of the power to direct the management or policies of Sabine Pass, whether such power is exercised through one or more intermediary companies or pursuant to an agreement, written or oral, and whether such power is established through ownership or voting of securities, or common directors, officers, or stockholders, or voting trusts, holding trusts, or debt holdings, or contract, or any other direct or indirect means.³⁹

I. Monthly Reports: With respect to the exports authorized by this Order, Sabine Pass shall file with the Office of Regulation, Analysis, and Engagement, 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. The first monthly report required by this Order is due not later than the 30th day of the month following the month of first export. In subsequent months, if exports have not occurred, a report of “no activity” for that month must be filed. If exports of LNG have occurred, the report must give the following details of each LNG cargo: (1) the name(s) of the authorized exporter registered with DOE/FE; (2) the name of the U.S. export terminal; (3) the name of the LNG tanker; (4) the date of departure from the U.S. export terminal; (5) the country (or countries) into which the LNG was actually delivered; (6) the name of the supplier/seller; (7) the volume in thousand cubic feet (Mcf); (8) the price at point of export per million British thermal units (MMBtu); (9) the duration of the supply agreement (indicate spot sales); and (10) the name(s) of the purchaser(s).

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

J. 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,

³⁹ See *id.* at 65,542.

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 April 14, 2020.

Steven E. Winberg
Assistant Secretary
Office of Fossil Energy

APPENDIX

The long-term orders issued by DOE/FE to Sabine Pass, including this Order, are identified in the following tables:

Table 1: Orders Issued by DOE/FE to Sabine Pass for the Long-Term Export of Domestic LNG from the Sabine Pass LNG Terminal to FTA Countries

Docket No.	Order No.	Date Issued	Trains	Volume (Bcf/yr)	Term/Type
10-85-LNG	2833	Sept. 7, 2010	1-4	803.0	30 years, ⁴⁰ multi-contract
13-30-LNG	3306-A	July 11, 2013, as amended ⁴¹	5-6	101.0	20 years, multi-contract
13-42-LNG	3307-A	July 12, 2013, as amended ⁴²	5-6	88.3	20 years, multi-contract
13-121-LNG	3384-A	Jan. 22, 2014, as amended ⁴³	5-6	314.0	20 years, multi-contract
14-92-LNG	3595	Feb. 12, 2015	1-4	203.0	25 years, multi-contract
19-125-LNG	4520	Apr. 14, 2020	1-6	152.64	25 years, multi-contract
Total FTA Volume				1,661.94	

⁴⁰ See *Sabine Pass Liquefaction, LLC*, Errata to DOE/FE Order Nos. 3595 & 3384, FE Docket Nos. 14-92-LNG & 13-121-LNG (Feb. 24, 2015).

⁴¹ See *Sabine Pass Liquefaction, LLC*, DOE/FE Order Nos. 3306-A, 3307-A, 3384-A, and 3669-B, FE Docket Nos. 13-30-LNG, 13-42-LNG, and 13-121-LNG (Consolidated), Order Granting Withdrawal of Filing and Request for Clarification (Oct. 31, 2017).

⁴² See *id.*

⁴³ See *id.*

Table 2: Orders Issued by DOE/FE to Sabine Pass for the Long-Term Export of Domestic LNG from the Sabine Pass LNG Terminal to Non-FTA Countries

Docket No.	Order No.	Date Issued	Trains	Volume (Bcf/yr)	Term/Type
10-111-LNG	2961-A	Aug. 7, 2012, as amended ⁴⁴	1-4	803.0	20 years, multi-contract
13-30-LNG 13-42-LNG 13-121-LNG	3669-B	June 26, 2015, as amended	5-6	503.3	20 years, multi-contract
15-63-LNG	3792	Mar. 11, 2016	1-4	203.0	20 years, multi-contract
Total Non-FTA Volume				1,509.3	

⁴⁴ See *Sabine Pass Liquefaction, LLC*, DOE/FE Order No. 2961-C, FE Docket No. 10-111-LNG, Order Amending DOE/FE Order Nos. 2961-A and 2961-B (May 4, 2016).