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UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

SABINE PASS LIQUEFACTION, LLC

)
) FE DOCKET NOS. 10-85-LNG
) 10-111-LNG
13-30-LNG
13-42-LNG
13-121-LNG
14-92-LNG
15-63-LNG
19-125-LNG

APPLICATION TO AMEND EXPORT TERM
FOR EXISTING LONG-TERM AUTHORIZATIONS
THROUGH DECEMBER 31, 2050

September 3, 2020

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capacity to import LNG and with which trade is not prohibited by U.S. law or policy (“Non-FTA Nations”). Through this application for amendment (“Application”), SPL seeks an extension to the currently authorized export term of each of the Authorizations through December 31, 2050 (inclusive of any make-up period), with an attendant increase in the total export volume over the life of the Authorizations. In support of the instant Application, SPL provides as follows:

SECTION I

1. FE Docket Number

This Application relates to the following DOE/FE Docket Nos: 10-85-LNG, 10-111-LNG, 13-30-LNG, 13-42-LNG, 13-121-LNG, 14-92-LNG, 15-63-LNG, 19-125-LNG.

2. Authorizations Holder & Service List

The exact legal name of the Authorizations holder is Sabine Pass Liquefaction, LLC. SPL is authorized to do business in Louisiana and Texas, and has its principal place of business in Houston, Texas. SPL is an indirect subsidiary of Cheniere Energy, Inc., a Delaware corporation with its primary place of business in Houston, Texas. All communications concerning this Application, including service of pleadings and notices, should be directed to the following persons:

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5. Final Federal Energy Regulatory Commission Orders

Relevant Federal Energy Regulatory Commission orders associated with the Sabine Pass LNG Terminal are described in Appendix A.

6. Requested Amendment to Existing Export Term

SPL requests that DOE/FE grant an extension to the currently authorized export term of each of the Authorizations through December 31, 2050 (inclusive of any make-up period), with an attendant increase in the total export volume over the life of the Authorizations. SPL requests that DOE/FE issue the term extensions as requested herein by November 4, 2020.

SECTION II

1. Information Regarding the Public Interest

The term extensions requested herein are justified under Section 3 of the NGA. SPL's request to extend the term of the Authorizations for exports to FTA Nations must be reviewed under Section 3(c) of the NGA. Pursuant to Section 3(c), applications for authorization to export LNG to nations with which the United States has an FTA requiring the national treatment for trade in natural gas are deemed to be in the public interest and must be granted without modification or delay.⁵ SPL's request to extend the term of the Authorizations for exports to Non-FTA Nations must be reviewed under Section 3(a) of the NGA, which provides that DOE/FE is required to authorize exports to a foreign country unless there is a finding that such exports "will not be consistent with the public interest,"⁶ which creates a presumption in favor of approval of an application for non-FTA authorization, which opponents bear the burden of overcoming.

⁵ 15 U.S.C. §717b(c).

⁶ 15 U.S.C. § 717b(a). Section 3(a) of the NGA states in relevant part: "After six months from June 21, 1938, no person shall export any natural gas from the United States to a foreign country or import any natural gas from a foreign country without first having secured an order of the Commission authorizing it to do so. The Commission shall issue such order upon application, unless, after opportunity for hearing, it finds that the proposed exportation or importation will not be consistent with the public interest." *Id.*

There is myriad evidence in the public record that continuing exports of LNG is in the public interest. In this regard, SPL incorporates by reference the considerable record that it has developed in FE Docket Nos. 10-111-LNG, 13-30-LNG, 13-42-LNG, 13-121-LNG, 15-63-LNG, and 19-125-LNG demonstrating the public interest benefits of exports from the Sabine Pass LNG Terminal.⁷

Additionally, SPL incorporates by reference DOE's Policy Statement,⁸ the studies commissioned by DOE regarding long-term exports, including the 2018 LNG Export Study, and DOE's supporting environmental studies.⁹ As discussed in the Policy Statement, an export term through 2050 is supported by the macroeconomic analysis presented in the 2018 LNG Export Study. In DOE's response to comments on the Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas from the United States: 2019 Update, DOE found that, "to the

⁷ See e.g. *Sabine Pass Liquefaction, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas*, FE Docket No. 10-111-LNG, at 33–67 (Sept. 7, 2010) (discussing how the Liquefaction Project would provide a market solution for further deliberate development of emerging sources of domestic natural gas, result in benefits to the public, and otherwise be in the public interest); see also *Sabine Pass Liquefaction, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas*, FE Docket No. 13-30-LNG, (Feb. 27, 2013); *Sabine Pass Liquefaction, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas*, FE Docket No. 13-42-LNG, (Apr. 2, 2013); *Sabine Pass Liquefaction, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas*, FE Docket No. 13-121-LNG, (Sept. 10, 2013); *Sabine Pass Liquefaction, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations*, FE Docket No. 15-63-LNG, (Apr. 20, 2015).

⁸ *Policy Statement*, *supra* note 3.

⁹ See e.g., DOE, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update-Response to Comments* (Applicable December 19, 2019), available at: <https://www.energy.gov/sites/prod/files/2020/01/f70/Life%20Cycle%20Response%20to%20Comments%202019-28306.pdf>. ("DOE Response to Comments"); National Energy Technology Laboratory, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update* (September 12, 2019), available at: <https://www.energy.gov/sites/prod/files/2019/09/f66/2019%20NETL%20LCA-GHG%20Report.pdf>; DOE, *Study on Macroeconomic Outcomes of LNG Exports; Response to Comments Received on Study*, 83 Fed. Reg. 67,251 (Dec. 28, 2018); NERA Economic Consulting, *Macroeconomic Outcomes of Market Determined Levels of U.S. LNG Exports* (June 7, 2018), available at <https://www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf>; U.S. Energy Information Administration ("EIA"), *Effect of Increased Levels of Liquefied Natural Gas Exports on U.S. Energy Markets* (Oct. 29, 2014), available at <http://www.eia.gov/analysis/requests/fe/>; NERA Economic Consulting, *Macroeconomic Impacts of LNG Exports from the United States* (Dec. 3, 2012), available at http://energy.gov/sites/prod/files/2013/04/f0/nera_lng_report.pdf; EIA, *Effect of Increased Natural Gas Exports on Domestic Energy Markets, as Requested by the Office of Fossil Energy* (Jan. 2012), available at http://energy.gov/sites/prod/files/2013/04/f0/fe_eia_lng.pdf.

extent U.S. LNG exports are preferred over coal in LNG-importing nations, U.S. LNG exports are likely to reduce global GHG emissions on per unit of energy consumed basis for power production.”¹⁰ Moreover, extending the term of the export authorization will serve to make U.S. LNG more competitive with foreign buyers.¹¹

2. Compliance with the National Environmental Policy Act of 1969

Potential environmental impacts associated with exports from the Sabine Pass LNG Terminal have been fully considered by DOE/FE in approving the Authorizations and by the Federal Energy Regulatory Commission in the proceedings authorizing the export facilities at the Sabine Pass LNG Terminal. With regard to the instant Application, SPL respectfully submits that a categorical exclusion applies to the request for term extension because the request does not involve any new construction or modifications to existing facilities. DOE’s regulations set forth a categorical exclusion for actions related to authorizations for the export of natural gas under Section 3 of the NGA that involve minor operational changes (such as changes in natural gas throughput, transportation and storage operations) but no new construction,¹² as is the case with the authorization requested in the instant Application.

SPL’s proposed term extensions involve no construction of new facilities and no modification of the previously authorized facilities. Further, the underlying NEPA documentation associated with FE Docket Nos. 10-85-LNG, 10-111-LNG, 13-30-LNG, 13-42-LNG, 13-121-LNG, 14-92-LNG, 15-63-LNG, and 19-125-LNG, detailed in Appendix A, demonstrates that

¹⁰ *DOE Response to Comments.*

¹¹ *Policy Statement, supra* note 3.

¹² 10 C.F.R. Part 1021, Subpart D, Appendix B: Categorical Exclusions Applicable to Specific Agency Actions, B5.7. Proposed actions within a categorical exclusion category do not require further analysis and documentation in an Environmental Assessment or an Environmental Impact Statement when there are no extraordinary circumstances indicating further environmental review is warranted. 10 C.F.R. §§ 1021.400, 1021.410.

environmental impacts associated with these facilities have been fully and previously considered, weighing further in support of a categorical exclusion in this proceeding.

WHEREFORE, SPL respectfully requests that DOE/FE grant its request for an extension to the currently authorized export term of each of the Authorizations through December 31, 2050 (inclusive of any make-up period), with an attendant increase in the total export volume over the life of the Authorizations. SPL respectfully requests that the DOE/FE issue the authorization as requested herein by November 4, 2020.

Respectfully submitted,

/s/ Janna Romaine Chesno

Counsel to Sabine Pass Liquefaction, LLC

APPENDIX A: Authorizations held by SPL for Long Term Export from Sabine Pass LNG Terminal

DOCKET NO.	ORDER NUMBER, DATE ISSUED;	AMENDMENT; DATE ISSUED	FTA/ NON-FTA	EXPORT VOLUME	ASSOCIATED FERC AUTHORIZATION	RELEVANT NEPA DOCUMENTS
10-85-LNG	2833 (09/07/2010)		FTA	803.0 Bcf/y	<p>Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P., ORDER GRANTING SECTION 3 AUTHORIZATION, 139 FERC ¶ 61,039 (Issued April 16, 2012) FERC Docket No. CP11-72-000</p> <p>Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P. ORDER AMENDING SECTION 3 AUTHORIZATION, 144 FERC ¶ 61,099 (Issued August 2, 2013) FERC Docket No. CP13-2-000</p>	<p>Environmental Assessment for the Sabine Pass Liquefaction Project (12/28/2011)</p> <p>Finding of No Significant Impact for Sabine Pass Liquefaction, LLC (08/07/2012)</p> <p>Environmental Assessment for Sabine Pass Liquefaction Project Modification (04/24/2013)</p>
10-111-LNG	2961-A (08/07/ 2012) Errata (09/4/2012)	2961-C, (5/4/2016)	Non-FTA	803.0 Bcf/y	<p>Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P., ORDER GRANTING SECTION 3 AUTHORIZATION, 139 FERC ¶ 61,039 (Issued April 16, 2012) FERC Docket No. CP11-72-000</p> <p>Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P. ORDER AMENDING SECTION 3 AUTHORIZATION, 144 FERC ¶ 61,099 (Issued August 2, 2013) FERC Docket No. CP13-2-000</p>	<p>Environmental Assessment for the Sabine Pass Liquefaction Project (12/28/2011)</p> <p>Finding of No Significant Impact for Sabine Pass Liquefaction, LLC (08/07/2012)</p> <p>Environmental Assessment for Sabine Pass Liquefaction Project Modification (04/24/2013)</p>

13-30-LNG	3306 (07/11/2013)	3306-A (10/31/2017)	FTA	101.0 Bcf/y	Sabine Pass Liquefaction Expansion, LLC, Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P., & Cheniere Creole Trail Pipeline, L.P., ORDER GRANTING AUTHORIZATION UNDER SECTION 3 OF THE NATURAL GAS ACT AND ISSUING CERTIFICATE, 151 FERC ¶ 61,012 (Issued April 6, 2015) Dockets : CP13-552-000 & CP13-553-000	Environmental Assessment for the Sabine Pass Liquefaction Expansion Project and Cheniere Creole Trail Pipeline (12/12/2014) Finding of No Significant Impact for Sabine Pass Liquefaction, LLC (06/26/2015)
13-42-LNG	3307 (07/12/2013)	3307-A (10/31/2017)	FTA	88.3 Bcf/y	Sabine Pass Liquefaction Expansion, LLC, Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P., & Cheniere Creole Trail Pipeline, L.P. ORDER GRANTING AUTHORIZATION UNDER SECTION 3 OF THE NATURAL GAS ACT AND ISSUING CERTIFICATE, 151 FERC ¶ 61,012 (Issued April 6, 2015) Dockets : CP13-552-000 & CP13-553-000	Environmental Assessment for the Sabine Pass Liquefaction Expansion Project and Cheniere Creole Trail Pipeline (12/12/2014) Finding of No Significant Impact for Sabine Pass Liquefaction, LLC (06/26/2015)
13-121-LNG	3384 (01/22/2014) Errata (02/24/2015)	3384-A (10/31/2017)	FTA	314.0 Bcf/y	Sabine Pass Liquefaction Expansion, LLC, Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P., & Cheniere Creole Trail Pipeline, L.P. ORDER GRANTING AUTHORIZATION UNDER SECTION 3 OF THE NATURAL GAS ACT AND ISSUING CERTIFICATE, 151 FERC ¶ 61,012 (Issued April 6, 2015) Dockets : CP13-552-000 & CP13-553-000	Environmental Assessment for the Sabine Pass Liquefaction Expansion Project and Cheniere Creole Trail Pipeline (12/12/2014) Finding of No Significant Impact for Sabine Pass Liquefaction, LLC (06/26/2015)

13-30-LNG 13-42-LNG 13-121-LNG	3669 (06/26/2015)	3669-B (10/31/2017)	Non-FTA	503.3 Bcf/y	Sabine Pass Liquefaction Expansion, LLC, Sabine Pass Liquefaction, LLC, Sabine Pass LNG, L.P., & Cheniere Creole Trail Pipeline, L.P. ORDER GRANTING AUTHORIZATION UNDER SECTION 3 OF THE NATURAL GAS ACT AND ISSUING CERTIFICATE, 151 FERC ¶ 61,012 (Issued April 6, 2015) FERC Dockets : CP13-552-000 & CP13- 553-000	Environmental Assessment for the Sabine Pass Liquefaction Expansion Project and Cheniere Creole Trail Pipeline (12/12/2014) Finding of No Significant Impact for Sabine Pass Liquefaction, LLC (06/26/2015)
14-92-LNG	3595 (02/12/2015) Errata (02/24/2015)		FTA	203.0 Bcf/y	Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P. ORDER AMENDING SECTION 3 AUTHORIZATION, 146 FERC ¶ 61,117 (Issued February 20, 2014) FERC Docket No. CP14-12-000	Environmental Assessment Report re Amendment (01/24/2014)
15-63-LNG	3792 (03/11/2016)		Non-FTA	203.0 Bcf/y	Sabine Pass Liquefaction, LLC & Sabine Pass LNG, L.P. ORDER AMENDING SECTION 3 AUTHORIZATION, 146 FERC ¶ 61,117 (Issued February 20, 2014) FERC Docket No. CP14-12-000	Environmental Assessment Report re Amendment (01/24/2014) Finding of No Significant Impact for Sabine Pass Liquefaction Project (03/11/16)
19-125-LNG	4520 (04/14/2020)		FTA	152.64 Bcf/y	Sabine Pass Liquefaction, LLC and Sabine Pass LNG, L.P., FERC Authorization Pending in CP19-515-000	Environmental Assessment Report for Sabine Pass Liquefaction, LLC's et al Sabine Pass Amendment Project (02/28/2020)

Total Approved FTA Volumes: 1,661.94
Total Approved Non-FTA Volumes: 1,509

VERIFICATION

State of Texas)

County of Harris)

BEFORE ME, the undersigned authority on this day personally appeared Sean Markowitz, who, having first by me been duly sworn, says he is the Executive Vice President, Chief Legal Officer and Corporate Secretary for Cheniere Energy, Inc. and is duly authorized to make this Verification; that he has read the forgoing instrument and that the facts therein stated are true and correct to the best of his knowledge, information, and belief.

Sean Markowitz

Sean Markowitz
*Executive Vice President, Chief Legal Officer and
Corporate Secretary
Cheniere Energy, Inc.*

SWORN TO and SUBSCRIBED on this 3rd day of September 2020.

NAME: _____

TITLE: Notary Public

Commission Expires:



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September 3, 2020

Ms. Amy Sweeney
U.S. Department of Energy
Division of Natural Gas Regulation
FE-34
Forrestal Building
1000 Independence Avenue, S.W.
Washington, DC 20585

**Re: Sabine Pass Liquefaction, LLC
Application To Amend Export Term For Existing Long-Term Authorizations
Through December 31, 2050
FE Docket Nos.: 10-85-LNG, 10-111-LNG, 13-30-LNG, 13-42-LNG, 13-121-
LNG, 14-92-LNG, 15-63-LNG & 19-125-LNG**

Dear Ms. Sweeney:

This opinion of counsel is provided in accordance with the requirements of section 590.202(c) of the U.S. Department of Energy's regulations, 10 C.F.R. § 590.202(c) (2020). I have examined the Limited Liability Company Agreement of Sabine Pass Liquefaction, LLC ("SPL") and other authorities as necessary, and have concluded that the proposed extension of the term of SPL's existing long-term authorizations to export domestically produced liquefied natural gas, as described in the above-referenced application, is within SPL's corporate powers.

Respectfully submitted,

Sean Markowitz

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