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**UNITED STATES OF AMERICA**

**DEPARTMENT OF ENERGY**

**OFFICE OF FOSSIL ENERGY**

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Delfin LNG, LLC )  
\_\_\_\_\_)

FE DOCKET NOS. 13-129-LNG  
and 13-147-LNG

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

**APPLICATION OF DELFIN LNG, LLC TO AMEND EXPORT TERMS  
FOR EXISTING FTA AND NON-FTA AUTHORIZATIONS**

**Section I—Existing Authorizations**

1. Relevant DOE/FE docket numbers:

FE Docket No. 13-147-LNG (Order No. 4028)

FE Docket No. 13-129-LNG (Order No. 3393)

2. Authorization holder:

Delfin LNG, LLC (“Delfin”) is the authorization holder.

3. Project Name and Location

Delfin LNG is the project name. It is a proposed floating liquefaction facility that will be located in West Cameron Block 327 in the Gulf of Mexico, approximately 40 miles offshore of Cameron Parish, Louisiana.

4. Existing long-term orders subject to this request:

Delfin’s existing authorizations were issued in Order No. 4028 on June 1, 2017, and in Order No. 3393 on February 20, 2014. There have been no prior requested amendments to those orders. Order No. 4028 authorizes Delfin to export domestically produced LNG to countries with which the United States does not have a Free-Trade Agreement requiring the national treatment of natural gas (“FTA”). Order No. 3393 authorizes Delfin to export LNG from the Project to countries with which the United States does have, or in the future will have, an FTA. The two orders authorize a single, combined export volume of 1.8 Bcf per day (657.5 Bcf/yr) of LNG. Delfin has not requested any increase in the authorized volume.

5. Facility Approvals

Delfin’s floating liquefaction facility will be a “deepwater port” within the meaning of the

Deepwater Port Act of 1974. As such, Delfin’s Project requires a deepwater port license from the U.S. Department of Transportation Maritime Administration (MARAD). MARAD issued a Record of Decision (ROD) dated March 13, 2017, entitled *The Secretary of Transportation’s Decision on the Deepwater Port License Application of Delfin LNG, LLC*, Docket USCG-2015-0472. MARAD authorized issuance of the license subject to Delfin satisfying certain conditions, which Delfin is in the process of satisfying.

On September 28, 2017, the Federal Energy Regulatory Commission (“FERC”) also issued an order (1) granting Delfin a certificate of public convenience and necessity to construct, operate, and maintain the proposed onshore facilities for the Project in Cameron Parish, Louisiana and (2) authorizing High Island Offshore System, LLC authority to abandon FERC-jurisdictional services on its off-shore pipeline facilities and instead use the facilities solely to transport gas for Delfin. *Delfin LNG LLC*, 160 FERC ¶ 61,130 (2017), *reh’g denied*, *High Island Offshore System, LLC*, 163 FERC ¶ 61,040 (2018). Pursuant to a June 8, 2019 request, on July 8, 2019, FERC granted Delfin a one-year extension to construct those facilities and make them available for service. Delfin submitted a request for a further extension on June 26, 2020; FERC granted the extension July 15, 2020, extending Delfin’s construction authorization to September 28, 2021.

## 6. Term Extensions Requested

Each of Delfin’s existing authorizations is for a term of twenty years. Delfin seeks the extension of those terms to December 31, 2050 pursuant to the final Policy Statement issued by the Office of Fossil Energy on July 29, 2020 (“Policy Statement”).

## **Section II: Public Interest Determination and NEPA**

### 1. Public Interest

Delfin’s request to extend the term of its export authorizations is in the public interest. As detailed in DOE/FE’s Extension Policy Statement, DOE’s 2018 LNG Export Study supports

extending the term of existing natural gas authorizations because the United States will experience net economic benefits from LNG exports through 2050. Those exports can in turn diversify global LNG supplies and thereby improve energy security for many U.S. allies and trading partners. The Delfin Project can contribute to that result.

As Delfin has informed DOE in its most recent progress report, Delfin has commenced the Newbuild Front End Engineering Design (“FEED”) for the Project’s liquefaction vessels as an additional option to the existing Conversion FLNGV design that, as described in previous reports to DOE, Delfin developed earlier in cooperation with Golar and for which Delfin secured an irrevocable licence. The Newbuild FEED work is being executed by Black & Veatch (Kansas City) in cooperation with Samsung Heavy Industries (Korea). The work is on schedule for completion this year. This will enable Delfin to enter into a final EPC contract for the Newbuild FLNGV before year-end, conditional on Delfin entering into an initial offtake agreement.

Once built, the Project will have an operational life that extends beyond 2050. The requested extension of Delfin’s export authorization will provide stronger regulatory support for the Project, and thus better position Delfin to negotiate long-term sales agreements. Accordingly, the requested extension to December 31, 2050 is in the public interest.

## 2. NEPA Compliance

As part of its environmental review of the Project, MARAD issued a final environmental for the deepwater port license on November 28, 2016. FERC was a cooperating agency in that NEPA review, and DOE/FE adopted the EIS as part of its issuance of the LNG export authorization in Order No. 4028. Based on the environmental review, as noted above, MARAD imposed certain conditions in its deepwater port license, which Delfin is working to

satisfy. FERC adopted the MARAD NEPA analysis. There have been no significant design changes in the Project that would alter the environmental impacts that MARAD analyzed in its final EIS. Additionally, extending the term of the export authorization as requested here, will not involve any change in the facilities or operation of the Project.

### **III. Procedural Matters**

Pursuant to 18 C.F.R. § 590.103(c), Delfin represents that, to the best of its knowledge, the same or a related matter is not being considered by any other part of the Department of Energy, including FERC. Compliance with the conditions MARAD set forth in the ROD entitled *The Secretary of Transportation's Decision on the Deepwater Port License Application of Delfin LNG, LLC* is ongoing, but there are no active proceedings there or at any other federal agency. Delfin is submitting electronically the non-refundable filing fee of \$100, covering the two dockets in which we seek extensions, as required by 10 C.F.R. § 590.207. The verification of the matters stated herein is accompanies this filing as Exhibit A, as required by 10 C.F.R. §590.103(c), and an opinion of counsel is attached hereto as Exhibit B as required by 10 C.F.R. §590.202(c).

Please advise the undersigned if you require any additional information in order to act on the requested export term extensions in compliance with the Extension Policy Statement.

Respectfully submitted,



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October 7, 2020

**EXHIBIT A**

**VERIFICATION**

**(Provided as a separate document)**

**EXHIBIT B**  
**OPINION OF COUNSEL**



## OPINION OF COUNSEL

This opinion is submitted pursuant to 10 C.F.R. § 590.202(c). The undersigned is outside counsel to and an authorized representative of Delfin LNG, LLC. I have reviewed the organizational documents of Delfin LNG LLC, and it is my opinion that the proposed amendment to Delfin's export authorization is within the powers of the limited liability company.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary Anne Sullivan". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

Mary Anne Sullivan

### **Certificate of Service**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service lists compiled by the Department of Energy, Office of Fossil Energy in these proceedings.

Dated at Washington, D.C. this 7<sup>th</sup> day of October, 2020.

A handwritten signature in black ink that reads "Mary Anne Sullivan". The signature is written in a cursive, flowing style.

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