

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

LIBERTY UTILITIES (GAS NEW BRUNSWICK) LP)
FE DOCKET NO. 20-120-NG)

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

DOE/FE ORDER NO. 4606

OCTOBER 16, 2020

I. DESCRIPTION OF REQUEST

On September 4, 2020, Liberty Utilities (Gas New Brunswick) LP (Liberty Utilities (Gas New Brunswick)) 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)¹ for blanket authorization to import and export a combined total of 25 billion cubic feet (Bcf) of natural gas from and to Canada by pipeline. The applicant requests the authorization be granted for a two-year term beginning on October 15, 2020.² Liberty Utilities (Gas New Brunswick) is a Canada limited partnership with its principal place of business in Fredericton, New Brunswick, Canada.

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 Liberty Utilities (Gas New Brunswick) to import and export natural gas from and to 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

¹ 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.

² Liberty Utilities' (Gas New Brunswick) blanket authorization to import and export natural gas from and to Canada, granted in DOE/FE Order No. 4182 on May 14, 2018, extends through October 14, 2020. Liberty Utilities (Gas New Brunswick) notified DOE/FE by email of its corporate name change from Enbridge Gas New Brunswick Limited Partnership, effective October 1, 2019, along with provincial certificates, notices, and other documents confirming the change. See emails from Paul Hamilton, Liberty Utilities Energy Procurement, Senior Buyer (Sept. 29 and Oct. 1, 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. Liberty Utilities (Gas New Brunswick) is authorized to import and export a combined total of 25 Bcf of natural gas from and to Canada, pursuant to transactions that have terms of not greater than two years. This authorization shall be effective for a two-year term that began on October 15, 2020, and extends through October 14, 2022.

B. This natural gas may be imported 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, Liberty Utilities (Gas New Brunswick) 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); and (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 November 30, 2020, and should cover the reporting period from October 15, 2020, through October 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>.

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Office of Oil and Natural Gas