

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

CHENIERE MARKETING, LLC AND)
CORPUS CHRISTI LIQUEFACTION, LLC)
)

FE DOCKET NO. 20-127-LNG

ORDER GRANTING BLANKET AUTHORIZATION
TO EXPORT LIQUEFIED NATURAL GAS
TO FREE TRADE AGREEMENT AND
NON-FREE TRADE AGREEMENT NATIONS
AND VACATING EXISTING BLANKET AUTHORIZATIONS

DOE/FE ORDER NO. 4633

DECEMBER 8, 2020

I. DESCRIPTION OF REQUEST

On October 2, 2020, Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC (collectively, Corpus Christi) 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 Corpus Christi requests a short-term blanket authorization to engage in exports of domestically produced liquefied natural gas (LNG). Corpus Christi seeks to export this LNG in a volume equivalent to 767 billion cubic feet (Bcf) of natural gas on a cumulative basis over a two-year period from the Corpus Christi Liquefaction Project (Liquefaction Project), located at the existing Corpus Christi LNG Terminal in San Patricio and Nueces Counties, Texas.³

Corpus Christi seeks 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),⁴ and (ii) any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries).⁵ Additionally, Corpus Christi seeks to export this LNG on its own behalf and as agent for other entities who hold title to the LNG at the time of export.⁶

¹ Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC, Application for Blanket Authorization to Export Liquefied Natural Gas, FE Docket No. 20-127-LNG (Oct. 2, 2020) [hereinafter App.].

² 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 App at 1.

⁴ 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, 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.

⁵ 15 U.S.C. § 717b(a); *see* App at 3.

⁶ App. at 3.

Corpus Christi states that its existing blanket authorizations, DOE/FE Order Nos. 4263⁷ and 4298,⁸ will expire on December 31, 2020 and December 11, 2020, respectively.⁹ Accordingly, Corpus Christi requests new FTA and non-FTA authorizations for a two-year term commencing on December 12, 2020.¹⁰ Corpus Christi further requests that DOE/FE take such action “that may be necessary to end the [existing] authorization[s] commensurate with the effective date of the new authorizations requested herein.”¹¹ Accordingly, DOE/FE construes Corpus Christi’s request as a request to vacate both Order Nos. 4263 and 4298 concurrently with the issuance of this Order.

In this consolidated Order, DOE/FE grants Corpus Christi’s Application and authorizes the requested export volume of 767 Bcf of natural gas over a two-year term to both FTA and non-FTA countries on a non-additive basis.

Specifically, DOE/FE grants the FTA portion of the Application under NGA section 3(c), 15 U.S.C. § 717b(c). Section 3(c) was amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486) to require that FTA applications “shall be deemed to be consistent with the public interest” and granted “without modification or delay.”¹² The FTA portion of the Application falls within NGA section 3(c) and, therefore, DOE/FE approves the requested FTA

⁷ *Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 4263, FE Docket No. 18-137-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas by Vessel from the Corpus Christi Liquefaction Project Located in Corpus Christi, Texas, to Free Trade Agreement Nations (Sept. 28, 2018) (commenced exports on December 31, 2018).

⁸ *Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 4298, FE Docket No. 18-137-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas by Vessel from the Corpus Christi Liquefaction Project Located in Corpus Christi, Texas, to Non-Free Trade Agreement Nations (Nov. 1, 2018) (commenced exports on December 11, 2018).

⁹ App. at 3 n.9.

¹⁰ *Id.* at 3.

¹¹ *Id.* at 3 n.9.

¹² 15 U.S.C. § 717b(c).

authorization without modification or delay. Accordingly, none of the public interest analysis discussed below applies to the FTA portion of this authorization.

DOE/FE has reviewed the non-FTA portion of the Application under NGA section 3(a), 15 U.S.C. § 717b(a). On October 16, 2020, DOE/FE published a Notice of Application for the requested non-FTA export authorization in the *Federal Register*.¹³ As explained below, DOE/FE received no filings in response to the Application, and therefore the Application is uncontested. Upon review of the record in this proceeding, DOE/FE finds that it has not been demonstrated that Corpus Christi's proposed exports to non-FTA countries are inconsistent with the public interest under NGA section 3(a), as would be required to deny the non-FTA portion of the Application under NGA section 3(a). Additional terms and conditions are set forth below.

II. **BACKGROUND**

Applicant. Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC are Delaware limited liability companies with their principal place of business in Houston, Texas. Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC are wholly-owned indirect subsidiaries of Cheniere Energy, Inc., a Delaware corporation with its principal place of business in Houston, Texas.¹⁴

Procedural History. Corpus Christi currently holds three long-term export authorizations to export LNG from the Liquefaction Project as follows:

- DOE/FE Order No. 3164, as amended by Order Nos. 3164-A and 3164-B,¹⁵ authorizing the export of 767 Bcf/yr to FTA countries;

¹³ U.S. Dep't of Energy, Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC; Application for Blanket Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Countries on a Short-Term Basis, 85 Fed. Reg. 65,795 (Oct. 16, 2020).

¹⁴ App. at 2.

¹⁵ *Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 3164, FE Docket No. 12-99-LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to Free Trade Agreement Nations (Oct. 16, 2012), *amended by* DOE/FE Order No. 3164-A

- DOE/FE Order No. 3638, as amended by Order No. 3638-B,¹⁶ authorizing the export of 767 Bcf/yr to non-FTA countries; and
- DOE/FE Order No. 4519,¹⁷ authorizing the export of 108.16 Bcf/yr to FTA countries.¹⁸

Under these long-term orders, Corpus Christi is currently authorized to export a total combined volume of LNG equivalent to 875.16 Bcf/yr of natural gas from the Liquefaction Project to FTA countries and 767 Bcf/yr to non-FTA countries on a non-additive basis.¹⁹

Source of Natural Gas. Corpus Christi previously has stated that it purchases natural gas to be used as fuel and feedstock for LNG production from the interstate and intrastate grid at points of interconnection with other pipelines and points of liquidity both upstream and downstream of the Corpus Christi Pipeline. Through these interconnections, the Liquefaction Project has access to almost any point on the U.S. interstate pipeline system through direct delivery or by displacement.²⁰

Business Model. Corpus Christi 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. Corpus Christi states

(Oct. 29, 2014) (amending order to add Corpus Christi Liquefaction, LLC as an authorization holder), DOE/FE Order No. 3164-B (Oct. 28, 2020) (extending export term through December 31, 2050).

¹⁶ *Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 3638, FE Docket No. 12-97-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to be located in Corpus Christi, Texas, to Non-Free Trade Agreement Nations (May 12, 2015), *reh'g denied* DOE/FE Order No. 3638-A (May 26, 2016), *amended by* DOE/FE Order No. 3638-B (Oct. 28, 2020) (extending export term through December 31, 2020).

¹⁷ *Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 4519, FE Docket No. 19-124-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement Nations (Apr. 14, 2020), *amended by* DOE/FE Order No. 4519-A (Oct. 28, 2020) (extending export term through December 31, 2020).

¹⁸ DOE/FE notes that, in FE Docket No. 19-124-LNG, Corpus Christi also has requested authority to export LNG in the same volume of 108.16 Bcf/yr to non-FTA countries on a non-additive basis. That portion of the application remains pending.

¹⁹ For additional procedural history about the Liquefaction Project and the related expansion project (the Stage 3 LNG Project), *see Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 4519, at 4-5.

²⁰ *See id.* at 5-6.

that it will comply with all DOE/FE requirements for both exporters and agents, as set forth in recent DOE/FE orders.²¹

Environmental Review for Non-FTA Portion of Application. Corpus Christi states that authorization of the requested exports will not require any changes to existing facilities.²² Corpus Christi asserts that the requested non-FTA authorization thus qualifies for a categorical exclusion from the preparation of an environmental assessment (EA) or environmental impact statement (EIS) under the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321, *et seq.*²³

III. APPLICANT'S PUBLIC INTEREST ANALYSIS FOR NON-FTA AUTHORIZATION

Corpus Christi asserts that its requested short-term authorization to export LNG to non-FTA countries is consistent with the public interest under NGA section 3(a). First, Corpus Christi states that DOE/FE previously has “conducted an extensive public analysis in granting Corpus Christi’s request for long-term multi contract export authorization.”²⁴ Corpus Christi asserts that granting the requested short-term authorization would provide Corpus Christi with enhanced operational flexibility and the ability to export produced LNG cargoes under short-term contracts.²⁵ Corpus Christi adds that, in granting applications for short-term export authorization from projects that previously have received long-term export authorizations, DOE/FE has concluded that “no additional public interest review beyond that conducted in the earlier non-FTA export proceedings is warranted.”²⁶

²¹ See App. at 3-4.

²² *Id.* at 6.

²³ *Id.*

²⁴ *Id.* at 5.

²⁵ *Id.*

²⁶ *Id.* (quoting *Dominion Cove Point LNG, LP*, DOE/FE Order No. 4046, FE Docket No. 16-205-LNG (June 2, 2017)).

Next, Corpus Christi states that the U.S. Energy Information Administration's (EIA) recent projections confirm the adequacy of domestic natural gas supplies to meet demand during the two-year term for the requested export authorization. According to Corpus Christi, EIA's *Annual Energy Outlook 2020* "states that the United States continues to produce historically high levels of natural gas, and that '[s]low growth in domestic consumption ... leads to increasing exports of liquefied natural gas.'"²⁷ Corpus Christi also notes that EIA's September 2020 *Short-Term Energy Outlook* forecasts that declines in U.S. natural gas consumption will outpace production declines.²⁸ For these and other reasons, Corpus Christi maintains that its proposed exports are consistent with the public interest.²⁹

IV. DOE/FE PROCEEDING FOR NON-FTA AUTHORIZATION

As noted above, DOE/FE gave public notice of the non-FTA portion of the Application (Notice of Application) in the *Federal Register* on October 16, 2020, and invited interested persons to submit protests, motions to intervene, notices of intervention, and/or comments addressing the Application no later than November 17, 2020.³⁰ In response to the Notice of Application, DOE/FE received no filings, and therefore the Application is uncontested.

V. DISCUSSION FOR REQUESTED NON-FTA AUTHORIZATION

A. Standard of Review

Section 3(a) of the NGA sets forth the applicable standard of review for the non-FTA portion of the Application. Section 3(a) provides:

[N]o 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 [Secretary of Energy]

²⁷ App. at 5 (quoting U.S. Energy Info. Admin., *Annual Energy Outlook 2020*, at 3 (Jan. 29, 2020), available at: <https://www.eia.gov/outlooks/aco/pdf/AEO2020%20Full%20Report.pdf>).

²⁸ App. at 5-6 (citing U.S. Energy Info. Admin., *Short-Term Energy Outlook, September 2020* (Sept. 9, 2020)).

²⁹ *Id.* at 7-9.

³⁰ See *supra* note 13.

authorizing it to do so. The [Secretary] shall issue such order upon application, unless after opportunity for hearing, [he] finds that the proposed exportation or importation will not be consistent with the public interest. The [Secretary] may by [the Secretary's] order grant such application, in whole or part, with such modification and upon such terms and conditions as the [Secretary] may find necessary or appropriate.³¹

DOE, as affirmed by the D.C. Circuit, has consistently interpreted NGA section 3(a) as creating a rebuttable presumption that a proposed export of natural gas is in the public interest.³²

Accordingly, DOE will conduct an informal adjudication and grant a non-FTA application unless DOE finds that the proposed exportation will not be consistent with the public interest.³³

In evaluating an export application under this standard, DOE/FE applies the principles described in DOE Delegation Order No. 0204-111;³⁴ the principles described in DOE's 1984 Policy Guidelines;³⁵ and other factors set forth in prior DOE export authorizations. These factors include economic impacts, international impacts, security of natural gas supply, and environmental impacts, among others.

In sum, DOE/FE's review of export applications under NGA section 3(a) focuses on: (i) the domestic need for the natural gas proposed to be exported, (ii) whether the proposed exports pose a threat to the security of domestic natural gas supplies, (iii) whether the arrangement is consistent with DOE/FE's policy of promoting market competition, and (iv) any other factors

³¹ 15 U.S.C. § 717b(a).

³² See *Sierra Club v. U.S. Dep't of Energy*, 867 F.3d 189, 203 (D.C. Cir. 2017) ("We have construed [NGA section 3(a)] as containing a 'general presumption favoring [export] authorization.'" (quoting *W. Va. Pub. Serv. Comm'n v. U.S. Dep't of Energy*, 681 F.2d 847, 856 (D.C. Cir. 1982))).

³³ See *id.* ("there must be 'an affirmative showing of inconsistency with the public interest' to deny the application" under NGA section 3(a)) (quoting *Panhandle Producers & Royalty Owners Ass'n v. Econ. Regulatory Admin.*, 822 F.2d 1105, 1111 (D.C. Cir. 1987)).

³⁴ DOE Delegation Order No. 0204-111 (Feb. 22, 1984).

³⁵ U.S. Dep't of Energy, *New Policy Guidelines and Delegation Orders From Secretary of Energy to Economic Regulatory Administration and Federal Energy Regulatory Commission Relating to the Regulation of Imported Natural Gas*, 49 Fed. Reg. 6,684 (Feb. 22, 1984) (incorporating DOE Delegation Order No. 0204-111).

bearing on the public interest described herein. In addition, NEPA requires DOE to give appropriate consideration to the environmental effects of its proposed decisions.

B. Public Interest Review

In the long-term orders issued to date, DOE/FE has authorized Corpus Christi to export domestically produced LNG from the Liquefaction Project to FTA countries in a total volume equivalent to 875.16 Bcf/yr and to non-FTA countries in a volume equivalent to 767 Bcf/yr of natural gas, on a non-additive basis.³⁶ In DOE/FE Order No. 3638 (as amended), DOE/FE conducted a public interest review for the non-FTA exports, including an evaluation of the domestic need for the natural gas proposed for export. Based on that review, DOE determined that Corpus Christi's long-term non-FTA exports were not inconsistent with the public interest under NGA section 3(a).³⁷

In this proceeding, Corpus Christi requests a short-term blanket authorization to export LNG in a volume equivalent to 767 Bcf of natural gas over two years, which averages to 383.5 Bcf each year. This volume is less than the long-term non-FTA exports that DOE/FE has previously authorized, which total 767 Bcf/yr of natural gas. Provided that the proposed exports—when added to any volumes exported under Corpus Christi's long-term authorizations—do not exceed 767 Bcf on an annual (*i.e.*, consecutive 12-month) basis, the public interest impacts associated with Corpus Christi's non-FTA exports will not increase as a consequence of DOE/FE's approval of this Application. Accordingly, DOE/FE agrees with Corpus Christi that no additional public interest review to support this Application is warranted.³⁸

³⁶ See *supra* § II.

³⁷ See *supra* note 16.

³⁸ See App. at 5-6.

For these reasons, DOE/FE has determined that it has not been demonstrated that the proposed exports of LNG will be inconsistent with the public interest, as would be required to deny Corpus Christi's request under NGA section 3(a).

C. Environmental Review

In issuing Corpus Christi's existing long-term non-FTA authorization, DOE/FE considered the potential environmental impacts of Corpus Christi's proposal to export LNG from the Liquefaction Project. DOE/FE considered both its obligations under NEPA and NGA section 3(a) to ensure that the proposal was not inconsistent with the public interest. In conducting these reviews, DOE/FE considered a wide range of information, such as the Federal Energy Regulatory Commission's (FERC) environmental approval for the Liquefaction Project, DOE's economic studies, DOE's Addendum,³⁹ DOE's 2014 Life Cycle Greenhouse Gas Report,⁴⁰ and various intervenor arguments opposing those non-FTA exports.

In addition, as explained above, the requested authorization will not result in an increase of LNG exports previously approved for export under Corpus Christi's long-term non-FTA authorization in any 12-month period. Under these circumstances, DOE/FE finds that approval of the Application will not result in any incremental environmental impacts as compared to the environmental impacts previously reviewed by FERC and DOE.

Corpus Christi further states that approval of the Application will not require additional construction or modification to its previously approved facilities at the Liquefaction Project.⁴¹

The Department's regulations at 10 C.F.R. Part 1021, Subpart D, Appendix B provide a list of

³⁹ See U.S. Dep't of Energy, Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States, 79 Fed. Reg. 48,132 (Aug. 15, 2014).

⁴⁰ See U.S. Dep't of Energy, Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States, 79 Fed. Reg. 32,260 (June 4, 2014). DOE has updated this Life Cycle Greenhouse Gas Report. See U.S. Dep't of Energy, Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update—Response to Comments, 85 Fed. Reg. 72 (Jan. 2, 2020).

⁴¹ See App. at 6.

categorical exclusions from preparation of either an EA or EIS under NEPA. Categorical exclusion B5.7 applies to natural gas import or export activities requiring minor operational changes to existing projects, but no new construction. On December 3, 2020, DOE/FE issued a categorical exclusion under this provision.⁴² This Order grants the non-FTA portion of the Application, in part, on the basis of this categorical exclusion.

VI. 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 Corpus Christi's Application falls within section 3(c), as amended, and therefore, DOE/FE grants the requested FTA authorization without modification or delay.⁴³

(2) 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.

(3) Upon a review of the record, DOE/FE finds that a grant of the non-FTA portion of the Application has not been shown to be inconsistent with the public interest under NGA

⁴² U.S. Dep't of Energy, Categorical Exclusion Determination, Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC, FE Docket No. 20-127-LNG (Dec. 3, 2020).

⁴³ 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 non-FTA countries.

section 3(a). Additionally, the proposed exports qualify for a categorical exclusion under NEPA, such that no EA or EIS will be required. DOE/FE therefore grants the non-FTA portion of Corpus Christi's Application.

(4) Corpus Christi 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 has determined that, in LNG export orders in which Agency Rights have been granted, DOE/FE shall require registration materials filed for, or by, a 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.⁴⁴

To ensure that the public interest is served, this authorization shall be conditioned to require that where Corpus Christi proposes to export LNG from the Liquefaction Project as agent for other entities who hold title to the LNG (Registrants), it must register with DOE/FE those entities on whose behalf it will export LNG in accordance with the procedures and requirements described herein.

(5) In connection with Corpus Christi's long-term authorizations discussed herein, Corpus Christi has commenced commercial exports of LNG from Trains 1 and 2 of the Liquefaction Project at the Corpus Christi LNG Terminal,⁴⁵ and Train 3 is currently undergoing commissioning.⁴⁶

⁴⁴ See, e.g., *Cameron LNG, LLC*, DOE/FE Order No. 3846, FE Docket No. 15-90-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from Trains 4 and 5 of the Cameron LNG Terminal to Non-Free Trade Agreement Nations, at 128-29 (July 15, 2016); *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, at 7-8 (Feb. 10, 2011).

⁴⁵ See *Cheniere Marketing, LLC, et al.*, DOE/FE Order No. 4519, at 2 (citing Cheniere Marketing, LLC and Corpus Christi 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. 19-124-LNG, at 7 (Sept. 27, 2019)).

⁴⁶ See Cheniere Energy, Inc., "Cheniere Reports Third Quarter 2020 Results and Provides Guidance Update" (Nov. 6, 2020), available at: <https://lngir.cheniere.com/news-events/press-releases/detail/210/cheniere-reports-third->

ORDER

Pursuant to section 3 of the Natural Gas Act, it is ordered that:

A. Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC (collectively, Corpus Christi) are authorized to export domestically produced LNG by vessel from the Corpus Christi Liquefaction Project at the Corpus Christi LNG Terminal, in a volume equivalent to 767 Bcf of natural gas, pursuant to transactions that have terms of no longer than two years. Corpus Christi is authorized to export this LNG on its own behalf or as agent for other entities who hold title to the natural gas at the time of export. This authorization shall be effective for a two-year term, beginning on December 8, 2020, and extending through December 7, 2022.

B. The volume of LNG authorized for export in this Order, when combined with the volume of LNG approved for export to FTA and non-FTA countries in Corpus Christi's long-term export authorizations, shall not exceed 875.16 Bcf/yr of natural gas to FTA countries and 767 Bcf/yr to non-FTA countries during any consecutive 12-month period. Under the terms of these existing authorizations, the volumes approved in Corpus Christi's long-term export authorizations to FTA and non-FTA countries are not additive to one another.

C. This LNG may be exported by vessel from the Corpus Christi Liquefaction Project to any country with the capacity to import ocean-going LNG carriers and with which trade is not prohibited by U.S. law or policy.

D. Corpus Christi 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

[quarter-2020-results-and-provides](#) (stating that, for the Corpus Christi Liquefaction Project, “[w]e operate two Trains and are commissioning one additional Train for a total production capacity of approximately 15 mtpa of LNG near Corpus Christi, Texas”).

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

E. Corpus Christi shall include, and require others for whom Corpus Christi acts as agent to 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 with the capacity to import ocean-going LNG carriers and identified in Ordering Paragraph C of DOE/FE Order No. 4633, issued December 8, 2020, in FE Docket No. 20-127-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 Cheniere Marketing, LLC and Corpus Christi 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 Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC are made aware of all such countries.

F. Corpus Christi is permitted to use its authorization in order to export LNG as agent for other entities, after registering the other entities with DOE/FE. Registration materials shall include an acknowledgement and agreement by the Registrant to supply Corpus Christi with all information necessary to permit Corpus Christi 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; and (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.

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

H. Corpus Christi shall ensure that all persons required by this Order to register with DOE/FE have done so.

I. Monthly Reports: With respect to the LNG exports authorized by this Order, Corpus Christi 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; (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 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>.

K. In light of the authority granted in this order, Corpus Christi's existing blanket authorizations in DOE/FE Order Nos. 4263 and 4298 are hereby vacated.

Issued in Washington, D.C., on December 8, 2020.

A handwritten signature in black ink, appearing to read "Steven Eric Winberg", is written over a light blue horizontal line.

Steven Eric Winberg
Assistant Secretary
Office of Fossil Energy