
United States
Department of Energy

Office of Electricity Delivery and Energy Reliability

Nexen Marketing U.S.A. Inc.

OE Docket No. EA-332-A



Rescission of Export Authorization

Order No. EA-332-A

November 30, 2010

Nexen Marketing U.S.A. Inc.

Order No. EA-332-A

I. BACKGROUND

Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e))¹.

On March 19, 2008, DOE issued Order No. EA-332 to Nexen Marketing U.S.A. Inc. (Nexen). That Order authorized Nexen to export electric energy as a power marketer to Canada for a five-year term. That order will expire on March 19, 2013.

On September 23, 2010, Nexen informed DOE that it wishes to rescind its existing authorization to export electricity to Canada, effective September 30, 2010. In its application, Nexen asserts that it no longer exports electricity to Canada. Nexen also reports that it had no export transactions in the third quarter of 2010, and will not export electricity to Canada after September 30, 2010.

II. COMPLIANCE

Upon issuance of this Rescission Order, Nexen shall no longer have authority to export electricity to Canada. However, this Rescission Order is being issued without prejudice and does not preclude Nexen, upon proper application, from requesting authority to export electric energy again in the future. It should be noted that DOE requires at least sixty days to adequately process an application to export electric energy.

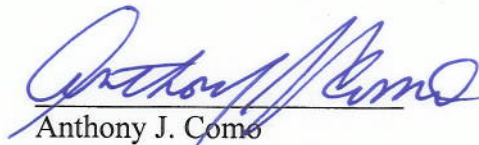
Obtaining a valid Order from DOE authorizing the export of electricity under section 202(e) of the FPA is a necessary condition before engaging in an export. Therefore, Nexen must obtain a new authorization from DOE before engaging in the further export of electricity. Failure to obtain such an order before exporting may subject Nexen to sanctions and penalties under the FPA. Nexen should implement appropriate internal procedures to monitor the status of its electricity trading activities to ensure that it does not cause electricity to be exported in the absence of a valid order.

¹ The authority to administer the International Electricity Regulatory Program through the regulation of electricity exports and the issuance of Presidential permits has been delegated to the Assistant Secretary for the Office of Electricity Delivery and Energy Reliability in Redelegation Order No. 00-002.10C issued on May 29, 2008.

III. ORDER

Based on the above and pursuant to section 202(e) of the FPA and the Rules and Regulations issued thereunder (Title 10, Code of Federal Regulations, sections 205.300-309), the electricity export authorization issued to Nexen on March 19, 2008, in Order No. EA-332, is hereby rescinded, effective as of September 30, 2010.

Issued in Washington, D.C., on November 30, 2010.



Anthony J. Como
Director, Permitting and Siting
Office of Electricity Delivery
And Energy Reliability