

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

PHIBRO LLC

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FE DOCKET NO. 99-39-NG

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

DOE/FE ORDER NO. 1492

JUNE 14, 1999

I. DESCRIPTION OF REQUEST

On June 9, 1999, Phibro LLC (Phibro) filed an application with the Office of Fossil Energy of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA)^{1/} and DOE Delegation Order Nos. 0204-111 and 0204-127, for authorization to import up to 200 Bcf of natural gas, including liquefied natural gas (LNG), and to export up to 200 Bcf of natural gas from and to Canada over a two-year term beginning on the date of the first import or export delivery. Phibro, a Delaware corporation with its principal place of business in Westport, Connecticut, is a limited liability company and a wholly-owned subsidiary of Citigroup Inc. Phibro will import and export the natural gas and LNG under short-term and spot market transactions which will reflect current market conditions. The proposed authorization does not involve the construction of new pipeline facilities.

II. FINDING

The application filed by Phibro has been evaluated to determine if the proposed import and export arrangement meets 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 or export of natural gas from or to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, is deemed to be consistent with the public interest and must be granted without modification or delay. The authorization sought by Phibro to import natural gas, including LNG, and to export natural gas from and to Canada, a nation with which a free trade agreement is in effect, meets the section 3(c) criterion and, therefore, is

^{1/} 15 U.S.C. § 717b.

consistent with the public interest. This blanket Order authorizes transactions under contracts with terms of no longer than two years.

ORDER

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

A. Phibro LLC (Phibro) is authorized to import up to 200 Bcf of natural gas, including liquefied natural gas (LNG), from Canada and to export up to 200 Bcf of natural gas to Canada over a two-year term beginning on the date of the first import or export delivery.

B. This natural gas and LNG may be imported and exported at any point on the border between the United States and Canada.

C. Within two weeks after deliveries begin, Phibro shall provide written notification to the Office of Natural Gas & Petroleum Import & Export Activities of the date that the first import or export of natural gas authorized in Ordering Paragraph A above occurred.

D. With respect to the natural gas imports and exports authorized by this Order, Phibro shall file with the Office of Natural Gas & Petroleum Import & Export Activities, within 30 days following each calendar quarter, quarterly reports indicating whether imports or exports of natural gas have been made. If no imports or exports of natural gas have been made, a report of "no activity" for that calendar quarter must be filed. If imports or exports have occurred, Phibro must report the following: (1) total monthly volumes in Mcf; (2) the average monthly purchase price of gas per MMBtu at the international border; (3) the name of the seller(s); (4) the name of the purchaser(s); (5) the estimated or actual duration of the agreement(s); (6) the name of the United States transporter(s); (7) the point(s) of entry and exit; and (8) the geographic market(s) served (for imports, by State). For import transactions only, the report shall also include: (1) whether

sales are being made on an interruptible or firm basis; and, if applicable, (2) the per unit (MMBtu) demand/commodity/reservation charge breakdown of the contract price. [OMB No.: 1901-0294]

E. The notification and reports described in Ordering Paragraph C and D of this Order shall be filed with the Office of Natural Gas & Petroleum Import & Export Activities, Fossil Energy, Room 3E-042, FE-34, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

F. The first quarterly report required by Ordering Paragraph D of this Order is due not later than July 30, 1999, and should cover the period from the date of this Order until the end of the second calendar quarter, June 30, 1998.

Issued in Washington, D.C., on June 14, 1999.

John W. Glynn
Manager, Natural Gas Regulation
Office of Natural Gas & Petroleum
Import & Export Activities
Office of Fossil Energy