

## RECORDS OF CATEGORICAL EXCLUSION DETERMINATION

### CFE International LLC

#### Docket EA-484

**PROPOSED ACTIONS:** CFE International LLC has applied to the United States Department of Energy (DOE) Office of Electricity for an electricity export authorization which will allow it to export electricity to Mexico pursuant to Section 202(e) of the Federal Power Act.<sup>1</sup> CFE International LLC is a Delaware limited liability company with its principal place of business in Houston, Texas. CFE International LLC clarifies it is a wholly-owned, direct subsidiary of the Comisión Federal de Electricidad ('CFE'), which itself is wholly owned by the Mexican Federal Government. CFE International LLC states in its application that it "does not directly or indirectly own, operate or control any electric generation facilities, electric transmission facilities, distribution facilities, or inputs to electric power production."<sup>2</sup> CFE International LLC proposes to use existing authorized international electric transmission facilities that are appropriate for open access by third parties.<sup>3</sup>

Specifically, CFE International LLC is a power marketer seeking an export authorization to sell electric energy into Mexico for a term of five years. The existing international transmission facilities to be utilized by CFE International LLC have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. The Presidential permits for these facilities were issued by DOE after an appropriate level of NEPA review.

**CX TO BE APPLIED:** The elements identified above fit within the class listed in Appendix B to Subpart D, of 10 C.F.R. Part 1021-Categorical exclusions applicable to specific agency actions. Specifically:

*B4.2 Export of electric energy as provided by Section 202(e) of the Federal Power Act over existing transmission systems or using transmission systems that are themselves categorically excluded.*

10 C.F.R. Part 1021, App. B to Subpart D, § B4.2.

**REGULATORY REQUIREMENT:** The proposed action has previously been determined by DOE not to have a significant effect on the human environment either individually or cumulatively. Authorizing the proposed action will not (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive orders; (2) require siting of new facilities or expansion of existing facilities; (3) disturb hazardous substances, pollutants, or contaminants; or (4) adversely affect environmentally sensitive resources.

**DETERMINATION:** Based on my review of the above information concerning the proposed action, as NEPA Compliance Officer (as authorized under DOE Policy 451.1), I have determined that the proposed action fits within the specified class of actions, that other regulatory requirements set forth above are met, and that the proposed action is hereby categorically excluded from further NEPA review.

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<sup>1</sup> 16 U.S.C. § 824a(e).

<sup>2</sup> See Application of CFE International LLC for Authorization to Export Electricity from the United States to Mexico, at 3-4 (June 29, 2020).

<sup>3</sup> See *id.* at 3.

Signature: CPK

Date: August 26, 2020

Charles P. Kosak  
Deputy Assistant Secretary  
Transmission Permitting and Technical Assistance  
DOE Office of Electricity