

UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

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ADVANCED ENERGY SOLUTIONS, LLC ) DOCKET NO. 13-104-LNG  
\_\_\_\_\_)

ORDER GRANTING REQUEST TO VACATE LONG-TERM  
AUTHORIZATION TO EXPORT LIQUEFIED NATURAL GAS  
TO FREE TRADE AGREEMENT NATIONS  
IN CENTRAL AMERICA AND THE CARIBBEAN

DOE/FECM ORDER NO. 3360-A

SEPTEMBER 22, 2021

Advanced Energy Solutions, LLC (AES) holds a long-term authorization issued by the Office of Fossil Energy and Carbon Management (FECM)<sup>1</sup> of the Department of Energy (DOE) under section 3(c) of the Natural Gas Act (NGA).<sup>2</sup> Under this order, AES is authorized to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 8 billion cubic feet per year (Bcf/yr) of natural gas from the proposed Floridian LNG production facility to be located in Martin County, Florida (Floridian Facility). The LNG may be exported for a term of 25 years to any country in Central America or the Caribbean 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.<sup>3</sup> DOE granted this authorization on November 14, 2013, in Order No. 3360.<sup>4</sup>

On September 8, 2021, AES submitted a request asking DOE to vacate Order No. 3360 (Request),<sup>5</sup> effective retroactively on August 31, 2021. In support of this Request, AES states that the Floridian Facility—the source of AES’s authorized exports—was not built.<sup>6</sup>

DOE finds good cause to grant AES’s Request. Accordingly, pursuant to NGA section 3(c), AES’s authorization granted in Order No. 3360 is hereby vacated, effective

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<sup>1</sup> The Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management on July 4, 2021.

<sup>2</sup> 15 U.S.C. § 717b(c). The authority to regulate the imports and exports of natural gas, including liquefied natural gas (LNG), under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FECM in Redelegation Order No. S4-DEL-FE1-2021, issued on March 25, 2021.

<sup>3</sup> Within this region, the United States currently has FTAs requiring national treatment for trade in natural gas with Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, and Panama. The FTA with Costa Rica does not require national treatment for trade in natural gas.

<sup>4</sup> *Advanced Energy Solutions, LLC*, DOE/FE Order No. 3360, Docket No. 13-104-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas in ISO Containers Loaded at the Floridian Facility in Martin County, Florida, and Exported Via Ocean-Going Vessel to Free Trade Agreement Nations in Central America and the Caribbean (Nov. 14, 2013).

<sup>5</sup> See Emails from Anthony De Sensi, DE SENSIS & ASSOCIATES, LLC, to DOE, Docket No. 13-104-LNG (July 16, 2021; Sept. 8, 2021).

<sup>6</sup> See *id.*

August 31, 2021.

Issued in Washington, D.C., on September 22, 2021.

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Office of Resource Sustainability