

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

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VENTURE GLOBAL CP2 LNG, LLC ) DOCKET NO. 21-131-LNG  
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ORDER GRANTING LONG-TERM AUTHORIZATION  
TO EXPORT LIQUEFIED NATURAL GAS TO  
FREE TRADE AGREEMENT NATIONS

DOE/FECM ORDER NO. 4812

APRIL 22, 2022

## **I. DESCRIPTION OF REQUEST**

Venture Global CP2 LNG, LLC (CP2 LNG) filed an application (Application)<sup>1</sup> with the Office of Fossil Energy and Carbon Management (FECM)<sup>2</sup> of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA) on December 2, 2021,<sup>3</sup> and supplemented the Application on December 17, 2021.<sup>4</sup> CP2 LNG requests long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to 1,446 billion cubic feet per year (Bcf/yr) of natural gas, or approximately 28 million metric tons per annum (mtpa) of LNG.<sup>5</sup> CP2 LNG seeks authorization to export the LNG by vessel from the proposed CP2 LNG Project (Project), to be located on the east side of the Calcasieu Ship Channel, and on the nearby Monkey Island, in Cameron Parish, Louisiana.<sup>6</sup>

CP2 LNG requests authorization to export this LNG to any country with the capacity to import LNG via ocean-going carriers and with which trade is not prohibited by U.S. law or policy.<sup>7</sup> This includes both countries with which the United States currently has, or in the future enters into, a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries),<sup>8</sup> and any other country with which trade is not prohibited by U.S. law or policy

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<sup>1</sup> Venture Global CP2 LNG, LLC, Application for Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations, Docket No. 21-131-LNG (Dec. 2, 2021) [hereinafter CP2 LNG App.].

<sup>2</sup> The Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management on July 4, 2021.

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

<sup>4</sup> Venture Global CP2 LNG, LLC, Supplement to Application, Docket No. 21-131-LNG (Dec. 17, 2021) [hereinafter CP2 LNG Supp. to App.].

<sup>5</sup> CP2 LNG App. at 2.

<sup>6</sup> *Id.* at 1-2.

<sup>7</sup> *Id.* at 2.

<sup>8</sup> 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.

(non-FTA countries).<sup>9</sup> CP2 LNG requests this authorization on a non-additive basis for a term beginning on the earlier of the date of first export or seven years from the date the authorization is issued, and extending through December 31, 2050.<sup>10</sup> CP2 LNG requests this authorization on its own behalf and as agent for other entities that may hold title to the LNG at the time of export.<sup>11</sup>

The portion of CP2 LNG's Application that seeks authorization to export domestically produced LNG to FTA countries is being reviewed pursuant to NGA section 3(c), 15 U.S.C. § 717b(c), and approved in this Order. The portion of the Application that seeks authorization to export domestically produced LNG to non-FTA countries will be reviewed pursuant to NGA section 3(a), 15 U.S.C. § 717b(a), and addressed in a separate order.<sup>12</sup>

## II. **BACKGROUND**

**Applicant.** CP2 LNG is a Delaware limited liability company with its principal place of business in Arlington, Virginia. CP2 LNG states that it is a wholly-owned, direct subsidiary of Venture Global LNG, Inc. (Venture Global), a privately held Delaware corporation with the same principal place of business as CP2 LNG.<sup>13</sup>

According to CP2 LNG, approximately 63.54% of Venture Global's common stock is currently owned and controlled by Venture Global Partners, LLC, which in turn is wholly owned

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<sup>9</sup> 15 U.S.C. § 717b(a).

<sup>10</sup> CP2 LNG App. at 1-3, 12. *See also* U.S. Dep't of Energy, Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050; Notice of Final Policy Statement and Response to Comments, 85 Fed. Reg. 52,237 (Aug. 25, 2020) [hereinafter 2050 Policy Statement]. Additionally, DOE notes that, effective January 12, 2021, long-term export authorizations contain authority to export the same approved volume of LNG pursuant to transactions with terms of less than two years, including commissioning volumes, on a non-additive basis. *See* U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis; Policy Statement, 86 Fed. Reg. 2243 (Jan. 12, 2021); *see also* CP2 LNG App. at 12 (requesting authority consistent with this Short-Term Policy Statement).

<sup>11</sup> CP2 LNG App. at 2, 13.

<sup>12</sup> *See* Venture Global CP2 LNG, LLC, Application for Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, 87 Fed. Reg. 1,133 (Jan. 10, 2022).

<sup>13</sup> CP2 LNG App. at 3-4.

and controlled 50% each by Robert B. Pender and Michael A. Sabel (Principals).<sup>14</sup> CP2 LNG states that the Principals retain “the sole right to control Venture Global and to appoint its board of directors who direct its management and policies.”<sup>15</sup> CP2 LNG further states that the remaining 36.46% of Venture Global’s common stock is owned by various institutional investors, which each own a passive interest of less than 10%.<sup>16</sup>

CP2 LNG states that the CP2 LNG Project is the third LNG export project developed by Venture Global.<sup>17</sup> Venture Global’s first project—the Venture Global Calcasieu Pass, LLC export project (Calcasieu Pass)—is currently under construction in Cameron Parish, Louisiana.<sup>18</sup> CP2 LNG states that Venture Global’s second project—the Venture Global Plaquemines LNG, LLC export project (Plaquemines LNG)—has commenced construction in Plaquemines Parish, Louisiana.<sup>19</sup> In the Application, CP2 LNG provides additional details regarding Venture Global and these affiliated projects.<sup>20</sup>

**Proposed CP2 LNG Project.** CP2 LNG states that the Project will involve construction of the CP2 LNG Terminal, a proposed liquefaction and LNG export terminal to be located on an approximately 737.3-acre site in Cameron Parish, Louisiana.<sup>21</sup> Specifically, the Project will be located immediately adjacent to the Calcasieu Pass LNG Project, on the east side of the Calcasieu Ship Channel, as well as on nearby Monkey Island, which separates the Calcasieu Ship

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<sup>14</sup> *Id.* at 4.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *See id.* at 6.

<sup>18</sup> *See id.* at 4-5 & n.8; *see also* Docket Nos. 13-69-LNG, 14-88-LNG, and 15-25-LNG (DOE docket proceedings for Calcasieu Pass).

<sup>19</sup> *See* CP2 LNG App. at 5-6 & n.11; *see also* Docket No. 16-28-LNG (DOE docket proceeding for Plaquemines LNG).

<sup>20</sup> *See* CP2 LNG App. at 3-7.

<sup>21</sup> *See id.* at 7-8.

Channel and Calcasieu Pass.<sup>22</sup> CP2 LNG states that the Terminal Facilities will consist of the mainland-based Terminal site (totaling approximately 600.2 acres), marine facilities on Monkey Island (approximately 122.2 acres), and LNG transfer lines and associated utilities (approximately 14.9 acres).<sup>23</sup>

CP2 LNG states that it has contractually secured the land required for construction and operation of the Project through agreements with landowners.<sup>24</sup> In the Supplement to the Application, CP2 LNG provides six lease or lease option agreements, which it states relate to its “direct or indirect exclusive right to lease, or exclusive agreement for an option to lease ... a total of 1,069.5 acres for the terminal site and adjacent areas required for the construction and operation of the CP2 LNG Project.”<sup>25</sup>

CP2 LNG states that the Project design will follow the approach pioneered by Venture Global with its Calcasieu Pass and Plaquemines LNG projects. The CP2 LNG Project will consist of two phases with a peak achievable liquefaction and export capacity of up to 28 mtpa of LNG, or approximately 1,446 Bcf/yr of natural gas, under optimal operating conditions.<sup>26</sup> In total for both Phase 1 and Phase 2, the Project will consist of:

- 18 integrated single mixed refrigerant LNG blocks;
- Four 200,000 cubic meter (m<sup>3</sup>) above-ground full-containment LNG storage tanks;
- Natural gas pre-treatment systems;

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<sup>22</sup> See *id.* at 8. CP2 LNG provides maps showing the location of the Project and the site plan showing the major Project components as Appendix C to the Application.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> CP2 LNG Supp. to App. at 1 (stating that, prior to construction, each agreement either will be assigned to CP2 LNG by the relevant affiliate or the relevant affiliate will grant CP2 LNG a license to access the property during the period of construction).

<sup>26</sup> See CP2 LNG App. at 8.

- Two marine loading berths designed to accommodate ocean-going LNG carriers; and
- On-site electric power generation of up to 1,440 megawatts of collective generating capacity.<sup>27</sup>

CP2 LNG states that, although it plans to commence construction of Phase 1 of the Project first (with Phase 2 to be constructed subject to sufficient market demand), it is requesting to export the total volume of Phase 1 and 2 under optimal design conditions.<sup>28</sup> CP2 LNG notes that both phases of the Project are included in its pre-filing proceeding and formal application filed with the Federal Energy Regulatory Commission (FERC).<sup>29</sup>

In addition to these FERC-jurisdictional facilities, CP2 LNG states that it is proposing to add facilities at the Project to capture and sequester approximately 500,000 tons of carbon dioxide (CO<sub>2</sub>) emissions per year.<sup>30</sup> According to CP2 LNG, these CO<sub>2</sub> emissions “will be captured from operations and compressed at the Terminal, then transported and injected deep into subsurface saline aquifers for permanent storage.”<sup>31</sup> CP2 LNG maintains that the geology in the region supports injection and storage of the CO<sub>2</sub>, thus allowing CP2 LNG to reduce its emissions from the production of LNG and help to mitigate the overall greenhouse gas emissions of the Project.<sup>32</sup> CP2 LNG states that it will pursue all necessary regulatory authorizations for this aspect of the Project, while the FERC review proceeds for the FERC-jurisdictional facilities.<sup>33</sup>

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<sup>27</sup> *See id.* at 8-9 (identifying the specific components of Phase 1 and 2).

<sup>28</sup> *See id.* at 9-10.

<sup>29</sup> *See id.* at 10; *see also* Venture Global CP2 LNG, LLC and Venture Global CP Express, LLC, Application for Authorizations Under Section 3 and Section 7 of the Natural Gas Act, FERC Docket Nos. CP22-21-000, *et. al.* (Dec. 2, 2021).

<sup>30</sup> CP2 LNG App. at 9.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *See id.*

CP2 LNG states that it expects to have the Phase 1 facilities in-service by mid-2026, with the Phase 2 facilities to follow by “12 or fewer months after the first phase,” assuming timely and sufficient market support.<sup>34</sup>

**Source of Supply.** CP2 LNG states that it has entered into a precedent agreement as the anchor shipper on a natural gas pipeline proposed by its affiliate, Venture Global CP Express, LLC (CP Express).<sup>35</sup> CP2 LNG states that it has contracted for 100% of the firm capacity of the proposed CP Express Pipeline for an initial term of 20 years.<sup>36</sup>

According to CP2 LNG, the first phase of the CP Express Pipeline system will include:

- An 85.4 mile, 48-inch mainline extending through Jasper and Newton Counties, Texas, and Calcasieu and Cameron Parishes, Louisiana;
- A 6.0 mile, 24-inch lateral pipeline connecting to the mainline in Calcasieu Pass, Louisiana; and
- A compressor station with 69,600 horsepower of natural gas-fired compressor units located near Moss Lake in Calcasieu Parish, as well as appurtenant facilities.<sup>37</sup>

CP2 LNG states that the second phase of the Pipeline system will consist of additional gas-fired compression added at the Moss Lake station.<sup>38</sup>

CP2 LNG states that natural gas will be transported on the CP Express Pipeline and liquefied at the CP2 LNG Project. According to CP2 LNG, the CP Express Pipeline will have numerous direct interconnections with other pipelines. Therefore, CP2 LNG asserts that the Project will have access to a wide, geographically diverse range of conventional and non-conventional natural gas supply sources in the United States.<sup>39</sup> CP2 LNG adds that the natural

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<sup>34</sup> *Id.* at 10.

<sup>35</sup> *Id.* at 2, 11.

<sup>36</sup> CP2 LNG App. at 11.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.* at 11-12.

gas supply will be sourced in requisite volumes in the spot market or purchased under long-term arrangements.<sup>40</sup>

**Business Model.** CP2 LNG requests this authorization on its own behalf and as agent for other entities who will hold title to the LNG at the time of export.<sup>41</sup> CP2 LNG states that it will comply with all DOE requirements for exporters and agents, including registration requirements.<sup>42</sup>

At the time the Application was filed, CP2 LNG stated it had not yet entered into long-term natural gas supply or export contracts for the requested exports.<sup>43</sup> CP2 LNG further stated that it will file all long-term, binding contracts associated with the exports of LNG from the Project, once executed, in accordance with DOE’s established policy and precedent. DOE notes that, on March 16, 2022, CP2 LNG submitted to DOE its first executed contract associated with the long-term export of LNG from the Project—a “LNG Sales and Purchase Agreement by and between CP2 LNG and NFE North Trading, LLC, dated as of March 2, 2022.”<sup>44</sup>

### **III. 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 CP2 LNG’s Application falls within section 3(c), as

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<sup>40</sup> *Id.* at 12.

<sup>41</sup> *Id.* at 2, 13.

<sup>42</sup> CP2 LNG App. at 13-14.

<sup>43</sup> *See id.* at 10, 12.

<sup>44</sup> *See* Venture Global CP2 LNG, LLC, Informational Filing Regarding Off-Take Agreement, Docket No. 21-131-LNG (Mar. 16, 2022), available at: <https://www.energy.gov/sites/default/files/2022-04/CP2%20LNG%20DOE%20Filing%20of%20NFE%20North%20Trading%20SPA.pdf>.



amended, and therefore, DOE grants the requested FTA authorization without modification or delay.<sup>45</sup>

(2) In light of DOE's statutory obligation to grant the FTA portion of this Application without modification or delay, there is no need for DOE to review other arguments asserted by CP2 LNG in support of the Application. The instant grant of authority should not be read to indicate DOE's views on those arguments or on CP2 LNG's request for non-FTA export authorization.

(3) 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.

(4) CP2 LNG requests authorization to export LNG on its own behalf and as agent for other entities that hold title to the LNG at the time of export. DOE previously addressed the issue of Agency Rights in DOE/FE Order No. 2913,<sup>46</sup> which granted Freeport LNG Expansion, L.P., *et al.* (collectively, FLEX) authority to export LNG to FTA countries. In that order, DOE approved a proposal by FLEX to register each LNG title holder for whom FLEX sought to export LNG as agent. DOE found that this proposal was an acceptable alternative to the non-binding policy adopted by DOE in *The Dow Chemical Company*,<sup>47</sup> which established that the title for all LNG authorized for export must be held by the authorization holder at the point of

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<sup>45</sup> 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.

<sup>46</sup> *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No 2913, Docket No. 10-160-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Free Trade Nations (Feb. 10, 2011).

<sup>47</sup> *The Dow Chemical Company*, DOE/FE Order No. 2859, Docket No. 10-57-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas, at 7-8 (Oct. 5, 2010), discussed in *Freeport LNG*, DOE/FE Order No. 2913, at 7-8.

export. DOE finds that the same policy considerations that supported DOE's acceptance of the alternative registration proposal in DOE/FE Order No. 2913 apply here as well.

DOE has reiterated its policy on Agency Rights procedures in other authorizations, including *Cameron LNG, LLC*, DOE/FE Order No. 3680.<sup>48</sup> In that order, DOE determined that, in LNG export orders in which Agency Rights have been granted, DOE shall require registration materials filed for, or by, an 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.<sup>49</sup>

To ensure that the public interest is served, the authorization granted herein shall require that, where CP2 LNG proposes to export LNG as agent for other entities that hold title to the LNG, CP2 LNG must register those entities with DOE on whose behalf it will export LNG in accordance with the procedures and requirements described herein.

(5) Section 590.202(b) of DOE's regulations requires applicants to supply transaction-specific factual information "to the extent practicable."<sup>50</sup> Additionally, DOE regulations at 10 C.F.R. § 590.202(e) allow confidential treatment of the information supplied in support of or in opposition to an application if the submitting party requests such treatment, shows why the information should be exempted from public disclosure, and DOE determines it will be afforded confidential treatment in accordance with 10 C.F.R. § 1004.11.

(6) DOE will require that CP2 LNG file or cause to be filed with DOE any relevant long-term commercial agreements or contracts pursuant to which CP2 LNG exports LNG as agent for

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<sup>48</sup> *Cameron LNG, LLC*, DOE/FE Order No. 3680, Docket No. 15-36-LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas By Vessel from the Cameron LNG Terminal in Cameron and Calcasieu Parishes, Louisiana, to Free Trade Agreement Nations (July 10, 2015).

<sup>49</sup> *Id.* at 8-9.

<sup>50</sup> 10 C.F.R. § 590.202(b).

a Registrant once those agreements or contracts have been executed. DOE finds that the submission of all such agreements or contracts within 30 days of their execution using the procedures described below will be consistent with the “to the extent practicable” requirement of section 590.202(b). By way of example and without limitation, a “relevant long-term commercial agreement” would include an agreement with a minimum term of two years.

(7) DOE also will require CP2 LNG to file any long-term contracts CP2 LNG enters into providing for the long-term export of U.S. sourced natural gas as LNG on its own behalf from the CP2 LNG Project. DOE finds that the submission of these contracts within 30 days of their execution using the procedures described below will be consistent with the “to the extent practicable” requirement of section 590.202(b).

(8) In addition, DOE finds that section 590.202(c) of DOE’s regulations<sup>51</sup> requires that CP2 LNG file, or cause to be filed, all long-term contracts associated with the long-term supply of natural gas to the Project, whether signed by CP2 LNG or the Registrant, within 30 days of their execution.

(9) DOE recognizes that some information in CP2 LNG’s or a Registrant’s long-term commercial agreements associated with the export of LNG, and/or long-term contracts associated with the long-term supply of natural gas to the Project, may be commercially sensitive. DOE therefore will provide CP2 LNG the option to file or cause to be filed either unredacted contracts, or in the alternative: (A) CP2 LNG may file, or cause to be filed, long-term contracts under seal, but it also will file either: (i) a copy of each long-term contract with commercially sensitive information redacted, or (ii) a summary of all major provisions of the contract(s) including, but not limited to, the parties to each contract, contract term, quantity, any

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<sup>51</sup> *Id.* § 590.202(c).

take or pay or equivalent provisions/conditions, destination, re-sale provisions, and other relevant provisions; and (B) the filing must demonstrate why the redacted or non-disclosed information should be exempted from public disclosure.<sup>52</sup>

To ensure that DOE destination and reporting requirements included in the Order are conveyed to subsequent title holders, DOE will include as a condition of this authorization that future contracts for the sale or transfer of LNG exported pursuant to the Order shall include an acknowledgement of these requirements.

### **ORDER**

Pursuant to section 3 of the NGA, it is ordered that:

A. Venture Global CP2 LNG, LLC (CP2 LNG) is authorized to export domestically produced LNG by vessel from the proposed CP2 LNG Project, to be located on the east side of the Calcasieu Ship Channel, and on Monkey Island, in Cameron Parish, Louisiana. The volume authorized in this Order is equivalent to 1,446 Bcf/yr of natural gas for a term to commence on the earlier of the date of first commercial export or seven years from the date the requested authorization is granted, and to extend through December 31, 2050. CP2 LNG is authorized to export this LNG on its own behalf and as agent for other entities that hold title to the LNG, pursuant to one or more contracts of any duration.<sup>53</sup>

B. This LNG may be exported to Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore, and to any nation with which the

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<sup>52</sup> *Id.* § 590.202(e) (allowing confidential treatment of information in accordance with 10 C.F.R. § 1004.11).

<sup>53</sup> These contracts may include the export of commissioning volumes prior to the start of facility operations on a non-additive basis. *See* U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis; Policy Statement, 86 Fed. Reg. 2,243, 2,245 (Jan. 12, 2021).

United States subsequently enters into a FTA requiring national treatment for trade in natural gas, provided that the destination nation has the capacity to import LNG via ocean-going vessels.

FTA countries are currently identified by DOE at:

<https://www.energy.gov/fecm/how-obtain-authorization-import-and-or-export-natural-gas-and-lng>.

C. CP2 LNG 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 the Treasury and FERC. Failure to comply with this requirement could result in rescission of this authorization and/or other civil or criminal remedies.

D. (i) CP2 LNG shall file, or cause others to file, with the U.S. Department of Energy, Office of Fossil Energy and Carbon Management, Office of Resource Sustainability, Office of Regulation, Analysis, and Engagement (FE-34) a non-redacted copy of all executed long-term contracts associated with the long-term export of LNG from the CP2 LNG Project on its own behalf or as agent for other entities. The non-redacted must be filed within 30 days of their execution and may be filed under seal, as described above.

(ii) CP2 LNG shall file, or cause others to file, with the Office of Regulation, Analysis, and Engagement a non-redacted copy of all executed long-term contracts associated with the long-term supply of natural gas to the Project. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described above.

E. CP2 LNG is permitted to use its authorization to export LNG as agent for other LNG title-holders (Registrants), after registering those entities with DOE. Registration materials shall include an acknowledgement and agreement by the Registrant to supply CP2 LNG with all

information necessary to permit CP2 LNG to register that person or entity with DOE, 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; (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; and (4) within 30 days of execution, a copy of any long-term contracts not previously filed with DOE, described in Ordering Paragraph D of this Order.

Any change in the registration materials—including changes in company name, contact information, length of the long-term contract, termination of the long-term contract, or other relevant modification—shall be filed with DOE within 30 days of such change(s).

F. CP2 LNG, or others for whom CP2 LNG acts as agent, shall 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 identified in Ordering Paragraph B of DOE/FECM Order No. 4812, issued April 22, 2022, in Docket No. 21-131-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 Venture Global CP2 LNG, LLC that identifies the country (or countries) into which the LNG or natural gas was actually delivered, and to include in any resale contract for such LNG the necessary conditions to ensure that Venture Global CP2 LNG, LLC is made aware of all such actual destination countries.

G. Within two weeks after the first export of domestically produced LNG occurs from the Project, CP2 LNG shall provide written notification of the date of first export to DOE.

H. CP2 LNG shall file with the Office of Regulation, Analysis, and Engagement, on a semi-annual basis, written reports describing the progress of the proposed CP2 LNG Project. The reports shall be filed on or by April 1 and October 1 of each year, and shall include information on the progress of the Project, the date the Project is expected to be operational, and the status of any long-term supply and export contracts associated with the long-term export of LNG.

I. With respect to any change in control of the authorization holder, CP2 LNG must comply with DOE Procedures for Change in Control Affecting Applications and Authorizations to Import or Export Natural Gas.<sup>54</sup> For purposes of this Ordering Paragraph, a “change in control” shall include any change, directly or indirectly, of the power to direct the management or policies of CP2 LNG, whether such power is exercised through one or more intermediary companies or pursuant to an agreement, written or oral, and whether such power is established through ownership or voting of securities, or common directors, officers, or stockholders, or voting trusts, holding trusts, or debt holdings, or contract, or any other direct or indirect means.<sup>55</sup>

J. Monthly Reports: With respect to the LNG exports authorized by this Order, CP2 LNG 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 30<sup>th</sup> 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 have occurred, the report must provide the information specified for each applicable activity and mode

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<sup>54</sup> See U.S. Dep’t of Energy, Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas, 79 Fed. Reg. 65,541 (Nov. 5, 2014).

<sup>55</sup> See *id.* at 65,542.

of transportation, as set forth in the Guidelines for Filing Monthly Reports. These Guidelines are available at: <https://www.energy.gov/fecm/guidelines-filing-monthly-reports>.

(Approved by the Office of Management and Budget under OMB Control No. 1901-0294)

K. All monthly report filings on Form FE-746R shall be made to the 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/fecm/regulation>.

Issued in Washington, D.C., on April 22, 2022.

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Amy R. Sweeney  
Director, Office of Regulation, Analysis, and Engagement  
Office of Resource Sustainability