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Amy Sweeney
Director, Division of Natural Gas Regulation
Office of Regulation, Analysis and Engagement
Office of Fossil Energy and Carbon Management, FE-34
1000 Independence Ave., S.W.
Washington, DC 20585

**Re: Freight LNG Development, L.P., FE Docket Nos. 10-160-LNG, 10-161-LNG, 11-161-LNG, 12-06 LNG, 16-108-LNG, 18-26-LNG and 21-98-LNG Statement of Change in Control
Answer in Support of Statement of Change in Control**

Dear Ms. Sweeney:

On January 13, 2022, Freight LNG Development, L.P. (“FLNG”) filed a Statement of Change in Control (“Statement”) notifying the Department of Energy, Office of Fossil Energy (“DOE/FE”) of a proposed transaction through which a change in control of FLNG’s upstream ownership will be effectuated.¹ On January 27 and March 3, 2022, FLNG supplemented the Statement with additional information.² Notice of the Statement was published in the Federal Register on May 12, 2022 (“Notice”).³ The Notice required that comments on the Statement be submitted on or before May 27, 2022.⁴

On May 27, 2022, Public Citizen, Inc. (“Public Citizen”) filed a motion to intervene and protest, alleging that “the change in control involving a transfer of ownership to a foreign national government undermines the public interest, as it attenuates economic benefits available to American households.”⁵ Public Citizen further alleged, without any evidence, that “LNG exports—including those authorized for Freight LNG—are directly responsible for spiking domestic natural gas prices, leading to increases in the rate of energy poverty for millions of American families.”⁶

¹ *Freight LNG Development, L.P.*, Statement of Change in Control, FE Docket Nos. 10-160-LNG *et al* (Jan. 13, 2022)

² *Freight LNG Development, L.P.*, FE Docket Nos. 10-160-LNG *et al* (Jan 27, 2022); *Freight LNG Development, L.P.*, FE Docket Nos. 10-160-LNG *et al* (Mar. 3, 2022).

³ *Change in Control; Freight LNG Development, L.P.*, 87 FR 29140, at fn. 4 (May 12, 2022).

⁴ *Id.* at 29140.

⁵ Public Citizen Motion to Intervene at 1 (May 27, 2022).

⁶ *Id.* at 2.

Answer

DOE/FE should reject the unsubstantiated claims raised by Public Citizen. DOE/FE has consistently held that “[a] commenter’s indiscriminate opposition to foreign controlling interests does not support a determination that the change in control in this proceeding is inconsistent with the public interest.”⁷ Furthermore, Public Citizen’s unsupported general statements regarding LNG exports fall outside of the scope of this proceeding. The issue before DOE/FE is not whether the LNG exports are in the public interest under the Natural Gas Act (“NGA”) section 3(a). As provided for within the Notice, granted interventions “would constitute intervention only in the change in control portion of these proceedings.”⁸ DOE/FE has previously determined that FLNG’s export applications met the Natural Gas Act section 3(a) requirement and were consistent with the public interest.⁹ Therefore, Public Citizen’s general challenges to LNG exports are beyond the scope of this proceeding.

Notwithstanding the fact that the underlying public interest determination of FLNG’s export authorizations are beyond the scope of the instant proceeding, Public Citizen makes misleading statements regarding the public interest standard and fails to provide a factual basis that the proposed transaction would be inconsistent with the public interest. Specifically, Public Citizen failed to provide any support to substantiate its claims that “the Department of Energy cannot approve the change in control until a full analysis is conducted that ensures that it will retain net economic benefits for American households”¹⁰ and a public interest determination “relies upon U.S. citizens obtaining direct financial benefits from their equity ownership of LNG export facilities...”¹¹ The citation provided in Public Citizen’s motion does not support those assertions: it merely states that ownership in LNG plants can offset higher energy prices.

⁷ *Cameron LNG, LLC, et al.*, Order Approving Change in Control, Docket Nos. 11-145-LNG et al., at 9 (quoting *Freeport LNG Expansion, L.P., et al.*, Letter Order, Docket Nos. 10-161-LNG, et al., at 4 (June 17, 2016); see also *Jordan Cove Energy Project L.P.*, DOE/FE Order No. 3413-A, Docket No. 12-32-LNG, Final Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, at 94 (July 6, 2020) (stating that “DOE/FE has never required an applicant to have domestic ownership under NGA section 3(a)”) (order vacated at Jordan Cove’s request)).

⁸ *Change in Control; Freeport LNG Development, L.P.*, 87 FR 29140, at fn. 4 (May 12, 2022).

⁹ *Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Free Trade Nations*, DOE/FE Order No. 2913 (FE Docket No. 10-160-LNG), February 10, 2011; DOE/FE Order No. 2913-A (Feb. 7, 2014); *Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Freeport LNG Terminal to Free Trade Agreement Nations*, DOE/FE Order No. 3066 (FE Docket No. 12-06-LNG), (Feb. 10, 2012); DOE/FE Order No. 3066-A, (Feb. 7, 2014); *Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Non-Free Trade Nations*, DOE/FE Order No. 3282-C (FE Docket No. 10-161-LNG) (Nov. 14, 2014); *Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Non-Free Trade Nations*, DOE/FE Order No. 3357-B (FE Docket No. 11-161-LNG) (Nov. 14, 2014); *Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Non-Free Trade Nations*, DOE/FE Order No. 3957 (FE Docket No. 16-108-LNG) (Dec. 19, 2016); *Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Nations*, DOE/FE Order No. 4374 (May 28, 2019). See also FE Docket No. 21-98-LNG (authorization pending).

¹⁰ Public Citizen Motion to Intervene at 2 (May 27, 2022).

¹¹ *Id.* at 1.

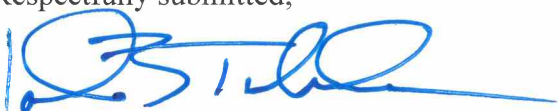
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Public Citizen has failed to satisfy its burden that the proposed transaction would be inconsistent with the public interest. Accordingly, FLNG respectfully requests that DOE/FE reject Public Citizen's comments.

This constitutes FLNG's answer in accordance with 10 C.F.R. § 590.304. FLNG waives the balance of the answer period and requests prompt action by DOE/FE on the record.

Thank you for your attention to this matter. Please contact the undersigned with any questions regarding this filing.

Respectfully submitted,



John B. Tobola
SVP, Chief Legal Officer
Freeport LNG Development, L.P.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list in the following proceedings: FE Docket Nos. 10-160-LNG, 10-161-LNG, 11-161-LNG, 12-06 LNG, 16-108-LNG, 18-26-LNG and 21-98-LNG.

Dated at Washington, DC this 6th day of June 2022.

/s/ Keturah A. Brown
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