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May 24, 2022

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Larine A. Moore  
U.S. Department of Energy  
FE-34  
P.O. Box 44375  
1000 Independence Avenue, S.W.  
Washington, D.C. 20026-4375

RE: Lake Charles LNG Export Company, LLC  
Docket Nos. 13-04-LNG and 16-109-LNG  
Application to Amend Export Term for Existing Long-Term Authorizations Through  
December 31, 2050

Dear Ms. Moore:

Please find enclosed for filing on behalf of Lake Charles LNG Export Company, LLC (“Lake Charles LNG Export”) an Application to Amend Export Term for Existing Long-Term Authorizations Through December 31, 2050 in Docket Nos. 13-04-LNG and 16-109-LNG.

Lake Charles LNG Export is transmitting an electronic payment in the amount of \$50.00 in payment of the applicable filing fee pursuant to 10 C.F.R. § 590.207. Please contact the undersigned at (202) 220-6965 if you have any questions regarding this filing.

Respectfully submitted,

/s/ Jennifer Brough

Jennifer Brough

*Counsel to Lake Charles LNG Export  
Company, LLC*

**UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY**

Lake Charles LNG Export Company, LLC	)	FE Docket Nos.	13-04-LNG
	)		16-109-LNG

**APPLICATION TO AMEND EXPORT TERM FOR EXISTING LONG-TERM  
AUTHORIZATIONS THROUGH DECEMBER 31, 2050**

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Officer  
Lake Charles LNG Export Company, LLC  
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**UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY**

<b>Lake Charles LNG Export Company, LLC</b>	) ) )	<b>Docket Nos. 13-04-LNG 16-109-LNG</b>
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**APPLICATION TO AMEND EXPORT TERM FOR EXISTING LONG-TERM  
AUTHORIZATIONS THROUGH DECEMBER 31, 2050**

Pursuant to Section 3 of the Natural Gas Act (“NGA”), 15 U.S.C. § 717b, and Part 590 of the regulations of the Department of Energy (“DOE”), 10 C.F.R. § 590, and DOE’s Final Policy Statement regarding Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050,<sup>1</sup> Lake Charles LNG Export Company, LLC (“Lake Charles LNG Export”) submits this Application to the DOE Office of Fossil Energy (“DOE/FE”) for authorization to amend its existing authorizations to export liquefied natural gas (“LNG”) from the terminal in Lake Charles, Louisiana (“Lake Charles Terminal”).

**SECTION I**

**1. FE Docket Number**

This Application relates to DOE/FE Docket Nos. 13-04-LNG and 16-109-LNG.

**2. Authorizations Holder & Service List**

The exact legal name of the applicant is Lake Charles LNG Export Company, LLC. Lake Charles LNG Export is a limited liability company formed under the laws of Delaware with its principal place of business at 1300 Main Street, Houston, Texas 77002.

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<sup>1</sup> DOE/FE, Final Policy Statement Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050, FE Docket Nos. 10-111-LNG, et al. (July 29, 2020) (“Policy Statement”).

All correspondence and communications concerning this amendment application should be directed to the following persons:<sup>2</sup>

Michael T. Langston  
 Vice President & Chief Regulatory  
 Officer  
 Lake Charles LNG Export Company, LLC  
 1300 Main Street  
 Houston, TX 77002  
 michael.langston@energytransfer.com

Thomas E. Knight  
 Jennifer Brough  
 Locke Lord LLP  
 701 8th Street, NW  
 Suite 500  
 Washington, DC 20001  
 (202) 220-6922  
 tknight@lockelord.com  
 jbrough@lockelord.com

**3. Name and Location of Export Facility**

The Lake Charles Terminal is located in Lake Charles, Louisiana.

**4. Existing Long-Term DOE/FE Orders Subject to This Request**

<u>Order No. and Date Issued</u>	<u>Amendment and Date Issued</u>	<u>FTA/Non-FTA</u>	<u>Export Volume Authorized<sup>3</sup></u>
3252 (March 7, 2013)	3252-A (March 18, 2015) <sup>4</sup> 3252-B (October 6, 2020)	FTA	730 Bcf/year
3868 (July 29, 2016)	3868-A (October 6, 2020)	Non-FTA	730 Bcf/year
4010 (June 29, 2017)	4010-A (October 6, 2020)	FTA and Non-FTA	121 Bcf/year

**5. Final Federal Energy Regulatory Commission (“FERC”) Orders**

FERC issued the NGA Section 3 authorization for the liquefaction facilities at the Lake Charles Terminal in *Lake Charles LNG Company, LLC, et al.*, 153 FERC ¶ 61,300 (December 17, 2015), *reh’g denied*, 155 FERC ¶ 61,328 (June 30, 2016). In addition, on May 6, 2022, FERC

<sup>2</sup> Lake Charles LNG Export respectfully requests a waiver of Section 590.202(a) of the DOE/FE regulations, 10 C.F.R. § 590.202(a) (2022), to the extent necessary to include more than two persons on the official service list.

<sup>3</sup> Total Approved FTA Volumes: 851 Bcf/year. Total Approved Non-FTA Volumes: 851 Bcf/year. The approved export volumes are non-additive with those approved for Lake Charles Exports, LLC in Order Nos. 2987, 3324, and 4011.

<sup>4</sup> On March 18, 2015, DOE/FE issued Order No. 3252-A granting Lake Charles LNG Export’s name change request. Lake Charles LNG Export was previously known as Trunkline LNG Export, LLC.

granted a three-year extension of time, to December 17, 2028, to construct the project and make it available for service. *Lake Charles LNG Company, LLC, et al.*, 179 FERC ¶ 61,086 (2022).

## **6. Requested Amendment to Existing Export Term**

Lake Charles LNG Export requests that DOE/FE grant an extension to the currently authorized export term of each of the Authorizations through December 31, 2050 (inclusive of any make-up period), with an attendant increase in the total export volume over the life of the Authorizations.

## **SECTION II**

### **1. Information Regarding the Public Interest**

Lake Charles LNG Export respectfully submits that the term extensions are justified under NGA Section 3. With respect to the FTA authorizations, NGA Section 3(c), as amended by Section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486), provides that:

[T]he exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, shall be deemed to be consistent with the public interest, and applications for such importation or exportation shall be granted without modification or delay.<sup>5</sup>

Under this statutory presumption, that portion of this Application that seeks to extend the FTA export terms, shall be deemed to be consistent with the public interest and should be granted by DOE/FE without modification or delay.

With respect to the Non-FTA authorizations, Lake Charles LNG Export incorporates by reference the Policy Statement, in which DOE/FE “considered its obligations under NGA section 3(a), the public comments supporting and opposing the Proposed Policy Statement, and a wide range of information bearing on the public interest” and adopted a standard export term through

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<sup>5</sup> 15 U.S.C. § 717b(c).

December 31, 2050.<sup>6</sup> Global events following the August 2020 publication of the Policy Statement have only further reinforced that the exportation of natural gas through December 31, 2050 will not be inconsistent with the public interest. In addition, the U.S. Energy Information Administration’s Annual Energy Outlook for 2022 projects growing natural gas production in the United States through 2050, the requested term of the extensions sought herein.<sup>7</sup>

## **2. Compliance with the National Environmental Policy Act of 1969**

DOE/FE fully considered the potential environmental impacts associated with exports from the Lake Charles Terminal in approving the existing Authorizations. In addition, FERC fully considered the potential environmental impacts when it issued the NGA Section 3 authorization for the Lake Charles Terminal.<sup>8</sup> A categorical exclusion applies with respect to the instant Application because the request involves only an amendment to the term of the existing authorizations and does not involve any new construction or modifications to existing facilities.<sup>9</sup> DOE’s regulations provide a categorical exclusion for “[a]pprovals or disapprovals of new authorizations or amendments of existing authorizations to export natural gas under section 3 of the Natural Gas Act and any associated transportation of natural gas by marine vessel” as is the case with the authorizations requested in the instant Application.<sup>10</sup> DOE/FE consistently has cited this categorical exclusion in granting requests to extend the export term of existing authorizations

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<sup>6</sup> Policy Statement at 35.

<sup>7</sup> U.S. Energy Information Administration, *Annual Energy Outlook 2022* at 26, available at [https://www.eia.gov/outlooks/aeo/pdf/AEO2022\\_Narrative.pdf](https://www.eia.gov/outlooks/aeo/pdf/AEO2022_Narrative.pdf).

<sup>8</sup> FERC issued the Final Environmental Impact Statement on August 14, 2015. *See* Final Environmental Impact Statement for Lake Charles Liquefaction Project, FERC Docket Nos. CP14-119-001, et al. (issued Aug. 14, 2015).

<sup>9</sup> Policy Statement at 32-33. *See also* *Lake Charles LNG Company, LLC, et al.*, 179 FERC ¶ 61,086 at P 17 (2022) (“Moreover, there has been no showing that the environmental effects of the project have changed since the issuance of the Authorization Order.”).

<sup>10</sup> 10 C.F.R. Part 1021, Subpart D, Appendix B: Categorical Exclusions, B5.7.

through December 31, 2050.<sup>11</sup> There are no changes to the Lake Charles Terminal associated with this requested term extension, including operational changes or new construction.

**SECTION III**  
**APPENDICES**

The following appendices are included with this Application:

Appendix A	Verification
Appendix B	Opinion of Counsel

**SECTION IV**  
**CONCLUSION**

WHEREFORE, for the reasons set forth above, Lake Charles LNG Export Company, LLC respectfully requests that the DOE/FE proceed expeditiously to issue an order amending DOE/FE Order Nos. 3252, 3868, and 4010 (each as may have been amended) to extend the export terms through December 31, 2050. As demonstrated herein, the amendments requested are not inconsistent with the public interest and, accordingly, should be granted pursuant to NGA Section 3.

Respectfully submitted,

/s/ Michael T. Langston  
Michael T. Langston  
Vice President & Chief Regulatory Officer  
Lake Charles LNG Export Company, LLC

Dated: May 24, 2022

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<sup>11</sup> See, e.g., *Gulf LNG Liquefaction Company, LLC*, DOE/FE Order No. 3104-A at 7 (issued Jan. 12, 2021); *Cameron LNG, LLC*, DOE/FE Order No. 3846-B at 8 (issued Dec. 30, 2020).

**APPENDIX A  
VERIFICATION**



**VERIFICATION**

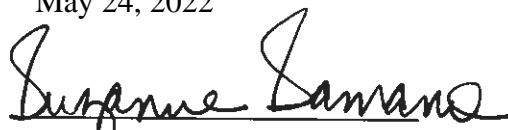
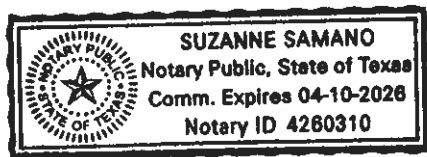
County of Harris

State of Texas

BEFORE ME, the undersigned authority, on this day personally appeared Michael T. Langston who, having been by me first duly sworn, on oath says that he is duly authorized to make this Verification on behalf of Lake Charles LNG Export Company, LLC; that he has read the foregoing instrument and that the facts therein stated are true and correct to the best of his knowledge, information and belief.



SWORN TO AND SUBSCRIBED before me on: May 24, 2022

  
Notary Public

**APPENDIX B**  
**OPINION OF COUNSEL**

May 24, 2022

Ms. Amy Sweeney  
U.S. Department of Energy  
Office of Regulation, Analysis, and Engagement  
Office of Fossil Energy  
Forrestal Building, Room 3E-042  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Re: Lake Charles LNG Export Company, LLC, Docket Nos. 13-04-LNG and 16-109-LNG

Dear Ms. Sweeney:

This opinion of counsel is submitted pursuant to Section 590.202(c) of the regulations of the U.S. Department of Energy, 10 C.F.R. § 590.202(c) (2022). The undersigned is counsel to Lake Charles LNG Export Company, LLC. I have reviewed the corporate documents of Lake Charles LNG Export Company, LLC and it is my opinion that the proposed export of natural gas as described in the amendment application filed by Lake Charles LNG Export Company, LLC to which this Opinion of Counsel is attached as Appendix B, is within the limited liability company powers of Lake Charles LNG Export Company, LLC.

Respectfully submitted,

/s/ Kevin Erwin

Kevin Erwin

Associate General Counsel

Lake Charles LNG Export Company, LLC