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May 17, 2022

**Via Email**

Ms. Amy Sweeney  
Director  
U.S. Department of Energy  
Office of Fossil Energy and Carbon Management  
Office of Regulation, Analysis, and Engagement  
1000 Independence Avenue S.W.  
Washington, D.C. 20585  
fergas@hq.doe.gov

Re: Lake Charles Exports, LLC  
Docket Nos. 11-59-LNG and 16-110-LNG  
DOE/FE Order Nos. 2987, 3324 and 4011 (each as may have been amended)  
Notice of Change in Control

Dear Ms. Sweeney:

Pursuant to the authorizations issued by the Department of Energy Office of Fossil Energy and Carbon Management (“DOE/FE”) in Docket Nos. 11-59-LNG and 16-110-LNG and DOE/FE’s Change in Control Procedures,<sup>1</sup> Lake Charles Exports, LLC (“Lake Charles Exports”) provides notice of change in control.

**BACKGROUND**

On May 6, 2011, Lake Charles Exports submitted an application in Docket No. 11-59-LNG requesting long-term multi-contract LNG export authorization under Section 3 of the Natural Gas Act. On July 22, 2011, DOE/FE issued Order No. 2987 granting authorization to export LNG to free trade agreement nations. On August 7, 2013, DOE/FE issued Order No. 3324 granting conditional authorization to export LNG to non-free trade agreement nations. On July 29, 2016, DOE/FE issued Order No. 3324-A granting final authorization to export LNG to non-free trade agreement nations. On June 29, 2017, DOE/FE issued Order No. 4011 granting authorization to export an additional 121 bcf/year of natural gas to free trade and non-free trade agreement nations. On October 6, 2020, DOE/FE issued an order amending the prior authorizations to amend the term of the export authorizations and the commencement of operations deadline.

At the time of the initial application, Lake Charles Exports was a joint venture between Energy Transfer Equity, L.P. (“Energy Transfer”) and BG LNG Services, LLC. In the February

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<sup>1</sup> 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) (“DOE/FE Change in Control Procedures”).

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17, 2016 Notice of Change in Control submitted in Docket No. 11-59-LNG, Lake Charles Exports reported that Royal Dutch Shell plc (“Shell”) acquired BG LNG Services, LLC’s membership interests in Lake Charles Exports.

### **NOTICE OF CHANGE IN CONTROL**

The DOE/FE Change in Control Procedures define a change in control as “a change, directly or indirectly, of the power to direct the management or policies of an entity 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>2</sup> Additionally, “DOE has explained a rebuttable presumption that control exists will arise from the ownership or the power to vote, directly or indirectly, 10 percent or more of the voting securities of such entity.”<sup>3</sup>

On April 1, 2020, Energy Transfer acquired Shell’s membership interests in Lake Charles Exports. Lake Charles Exports is now a wholly owned subsidiary of Energy Transfer. The DOE/FE Change in Control Procedures provide that upon receipt of the notice of change in control for existing authorizations, DOE/FE will give immediate effect to the change in control and take no further action.<sup>4</sup>

If you have any questions regarding this filing, please do not hesitate to contact me at (202) 220-6922 or tknight@lockelord.com. Thank you for your assistance.

Respectfully submitted,

/s/ Thomas E. Knight  
Thomas E. Knight  
Jennifer Brough  
*Counsel to Lake Charles Exports, LLC*

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<sup>2</sup> *Id.* at 65,542.

<sup>3</sup> *Id.*

<sup>4</sup> Due to various business interruptions caused by the emerging COVID-19 pandemic in March 2020, Lake Charles Exports inadvertently did not submit a timely notice regarding this change of control. Lake Charles Exports requests any necessary waivers for DOE/FE to accept this Notice of Change in Control at this time.