

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

IRVING OIL LIMITED)
(formerly IRVING OIL COMMERCIAL GP))

DOCKET NO. 22-36-NG

ORDER GRANTING REQUEST TO AMEND AUTHORIZATION
TO EXPORT NATURAL GAS TO CANADA
TO REFLECT CORPORATE REORGANIZATION

DOE/FECM ORDER NO. 4821-A

AUGUST 25, 2022

On May 9, 2022, the Department of Energy’s (DOE) Office of Fossil Energy and Carbon Management (FECM) issued DOE/FECM Order No. 4821 (Docket No. 22-36-NG), under section 3 of the Natural Gas Act (NGA).¹ That order authorized the entity known at the time as Irving Oil Commercial GP (Irving Oil Commercial) to export up to 58 billion cubic feet of natural gas to Canada by pipeline, for a two-year term that began on March 17, 2022, and extends through March 16, 2024.

By letter received June 23, 2022, Irving Oil Limited of Saint John, New Brunswick, Canada (Irving Oil Limited), the parent company of Irving Oil Commercial, notified DOE of its intent to dissolve Irving Oil Commercial and assume all of Irving Oil Commercial’s assets and obligations.² The dissolution and transfer took effect July 1, 2022.³ As Irving Oil Commercial was a wholly-owned subsidiary of Irving Oil Limited, the company asserted that “[t]here will be no change in control, and the internal corporate reorganization will have no impact on the company’s external operations.”⁴ To reflect the reorganization, Irving Oil Limited requested that DOE amend DOE/FECM Order No. 4821 to transfer all authorizations therein to Irving Oil Limited.⁵

DOE finds that Irving Oil Limited’s corporate reorganization does not constitute a change in control. Irving Oil Limited’s stated intent was “to dissolve Irving Oil Commercial GP and

¹ Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for Fossil Energy and Carbon Management in Redelegation Order No. S4-DEL-FE1-2022, issued on June 13, 2022.

² See Letter from Andrea Grant and Martin Schaefermeier, Counsel, Irving Oil Commercial GP and Irving Oil Limited, to DOE (Irving Oil Letter), at 1 (June 23, 2022).

³ See Certificate of Dissolution of Partnership, Ref. No. 640808 (July 1, 2022).

⁴ Irving Oil Letter at 1.

⁵ See *id.*

transfer its entire business (e.g. all assets, liabilities, contracts and related matters) to the parent company, Irving Oil Limited” as of July 1, 2022.⁶ Accordingly, DOE agrees with Irving Oil Limited that no change in control will occur as a result of the corporate reorganization.

DOE further finds that the request to amend the specified authorization to reflect the corporate reorganization is consistent with the public interest, pursuant to NGA section 3.

ORDER

Pursuant to section 3 of the Natural Gas Act, it is ordered that:

- A. Effective July 1, 2022, the name of the authorization holder of DOE/FECM Order No. 4821 is amended to Irving Oil Limited of Saint John, New Brunswick, Canada.
- B. All obligations arising under DOE/FECM Order No. 4821 no longer apply to Irving Oil Commercial GP, and now apply to Irving Oil Limited of Saint John, New Brunswick, Canada.

Issued in Washington, D.C., on August 25, 2022.

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

⁶ Irving Oil Letter at 1.