

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

CPV THREE RIVERS, LLC)
_____)

DOCKET NO. 22-82-NG

ORDER GRANTING LONG-TERM AUTHORIZATION
TO IMPORT NATURAL GAS FROM CANADA

DOE/FECM ORDER NO. 4900

OCTOBER 31, 2022

I. DESCRIPTION OF REQUEST

On August 2, 2022, CPV Three Rivers, LLC (CPV) filed an application (Application)¹ with the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management (formerly the Office of Fossil Energy)² under section 3 of the Natural Gas Act (NGA).³ CPV requests long-term authorization to import natural gas from Canada in a volume of 102 billion cubic feet (Bcf) of natural gas, for a term beginning November 1, 2022, and extending through December 31, 2033.⁴

CPV is a Delaware limited liability company with its principal place of business in Silver Spring, Maryland. CPV states that it is directly owned by the following companies: CPV Three Rivers Investment, LLC (10%), Osaka Gas Three Rivers, LLC (15%), Axiom Three Rivers AcquisitionCo LLC (25%), Concord 3 Rivers Holdings, LLC (25%), and HS Three Rivers, LLC (25%).⁵

CPV states that the natural gas would be transported from sources of supply in British Columbia and Alberta, Canada, through the Alliance Pipeline system, which crosses the U.S.-Canada border in Renville County, North Dakota.⁶ CPV further states that it is in the final stages of constructing the Three Rivers Energy Center, an approximately 1,250 megawatt natural gas-fueled combined-cycle electric generation facility in Grundy County, Illinois.⁷ According to

¹ CPV Three Rivers, LLC, Application for Long-Term Authorization to Import Natural Gas from Canada, Docket No. 22-82-NG (Aug. 2, 2022) [hereinafter App.].

² The Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management (FECM) on July 4, 2021.

³ 15 U.S.C. § 717b. 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-FE1-2022, issued on June 13, 2022.

⁴ App. at 1.

⁵ *Id.* at 3.

⁶ *Id.* at 4; *see also id.* at 4-5 (describing principal terms of CPV's agreement to purchase the natural gas).

⁷ *Id.* at 3.

CPV, the natural gas it seeks to import would be used to generate electric energy at the Three Rivers Energy Center.⁸

CPV states that it will comply with all reporting requirements deemed necessary by DOE, including the filing of monthly reports.⁹

II. FINDINGS

Section 3(c) of the NGA¹⁰ was amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486) to require that applications authorizing (a) the import and export of natural gas, including liquefied natural gas (LNG), from and to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas, and (b) the import of LNG from other international sources, be deemed consistent with the public interest and granted without modification or delay. The authorization sought by CPV to import natural gas from Canada, a nation with which a free trade agreement requiring national treatment for trade in natural gas is in effect, falls within section 3(c) of the NGA. Therefore, DOE is charged with granting the requested authorization without modification or delay.

ORDER

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

A. CPV Three Rivers, LLC (CPV) is authorized to import up to 102 Bcf of natural gas from Canada. This authorization shall be effective for a term beginning on November 1, 2022, and extending through December 31, 2033.

B. This natural gas may be imported by pipeline at any point on the border between the United States and Canada.

⁸ *Id.* at 4.

⁹ *Id.*

¹⁰ 15 U.S.C. § 717b(c).

C. Monthly Reports: With respect to the natural gas imports authorized by this Order, CPV 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 imports of natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports have been made, a report of “no activity” for that month must be filed. If imports have occurred, the report must provide the information specified for each applicable activity, 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)

D. The first monthly report required by this Order is due not later than December 30, 2022, and should cover the reporting period from November 1, 2022, through November 30, 2022.

E. All monthly report filings on Form FE-746R shall be made to the U.S. Department of Energy (FE-34), Office of Fossil Energy and Carbon Management, 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 October 31, 2022.

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