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December 29, 2022

U.S. Department of Energy
Office of Fossil Energy and Carbon Management
FE-34 - ROOM 3E-056
1000 Independence Avenue, S.W.
Washington DC 20585
Attention: Amy Sweeney
Director, Division of Natural Gas Regulation
Office of Regulation, Analysis, and Engagement

Re: ***Eagle LNG Partners Jacksonville II LLC, Docket No. ____-LNG***
Application of Eagle LNG Partners Jacksonville II LLC for Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations

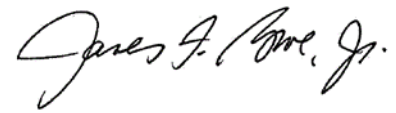
Dear Ms. Sweeney:

Enclosed for filing is the Application of Eagle LNG Partners Jacksonville II LLC (“Eagle Maxville”) for long-term authorization to export up to 51.75 Bcf of natural gas per year as liquefied natural gas (“LNG”) to: (1) any country with which the United States has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas; and (2) pursuant to the Department of Energy’s “small-scale natural gas exports” rule codified at 10 C.F.R. § 590.208(a), any country with which the United States does not have a free trade agreement requiring national treatment for trade in natural gas, which currently has or in the future develops the capacity to import LNG and with which trade is not prohibited by United States law or policy, for a term ending on December 31, 2050 (the “Application”).

We are emailing a PDF copy of the Application to the fergas@hq.doe.gov. We have submitted the \$50 filing fee through the online payment portal.

Please contact us if you have any questions.

Sincerely,

Handwritten signature of James F. Bowe, Jr. in cursive script.

James F. Bowe, Jr.
Partner

Handwritten signature of Tyler R. Brown in cursive script.

Tyler R. Brown
Counsel

JFB:
Attachments

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

Eagle LNG Partners Jacksonville II LLC)

Docket No. ____-____-LNG

**APPLICATION OF EAGLE LNG PARTNERS JACKSONVILLE II LLC FOR
LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT NATURAL GAS
TO FREE TRADE AGREEMENT AND NON-FREE TRADE AGREEMENT NATIONS**

December 29, 2022

Communications regarding this application should be directed to:

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

EAGLE LNG PARTNERS) **Docket No. ____-____-LNG**
JACKSONVILLE II LLC)

**APPLICATION OF EAGLE LNG PARTNERS JACKSONVILLE II LLC FOR
LONG-TERM, MULTI-CONTRACT AUTHORIZATION TO EXPORT NATURAL GAS
TO FREE TRADE AGREEMENT AND NON-FREE TRADE AGREEMENT NATIONS**

Eagle LNG Partners Jacksonville II LLC (“Eagle Maxville” or “Applicant”) hereby requests, pursuant to Section 3 of the Natural Gas Act of 1938, as amended (“NGA”)¹ and Part 590 of the Department of Energy’s (“DOE”) regulations,² that the DOE Office of Fossil Energy and Carbon Management (“DOE/FECM”) grant Eagle Maxville long-term, multi-contract authorization to export up to 51.75 Bcf of natural gas per year from domestic sources in the form of liquefied natural gas (“LNG”) to: (1) any country with which the United States has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas (“FTA nations”) and (2) any country with which the United States does not have a free trade agreement requiring national treatment for trade in natural gas, which currently has or in the future develops the capacity to import LNG and with which trade is not prohibited by United States law or policy (“non-FTA nations”), for a term ending on December 31, 2050. With respect to Eagle Maxville’s request for authorization to export LNG to non-FTA nations, this application is being filed under DOE’s “small-scale natural gas exports” rule codified at 10 C.F.R. § 590.208(a).

¹ 15 U.S.C. § 717b (2012).

² 10 C.F.R. Part 590 (2021).

Eagle Maxville previously sought, and was granted, authorization to export 2.8 Bcf/year of LNG to FTA and non-FTA nations for a term ending December 31, 2050.³ Similar to the application which DOE/FECM granted in Order No. 4078, this Application seeks authorization for exports of small volumes of LNG in approved ISO IMO7/TVAC-ASME LNG (“ISO”) containers to various countries, primarily in the Caribbean. The authorization under which Eagle Maxville currently operates contemplates that the LNG it exports will be produced in the small-scale LNG production facility located in west Jacksonville, Florida, which Eagle Maxville constructed and now operates (the “Maxville Facility”).

Eagle Maxville seeks by this Application to increase the quantities of natural gas it may export in the form of LNG and to expand its authorization so that it may export LNG produced not only in the Maxville Facility but in third party facilities. Eagle Maxville requests that, concurrently with its issuance of an order granting the authorization requested here, DOE/FECM vacate the existing authorization granted in Order Nos. 4078 and 4078-A.

In accordance with Section 3(c) of the NGA, the natural gas exports Eagle Maxville seeks authorization to undertake to FTA nations are entitled to the statutory presumption that such exports are “deemed to be within the public interest” and is subject to the statutory imperative that such applications “shall be granted without modification or delay.”⁴ The exports of natural gas Eagle Maxville proposes to make to non-FTA nations under the authorization sought in this Application will qualify as “small-scale natural gas exports” within the meaning of 10 C.F.R. §§ 590.102(p) and 590.208(a) as they will be less than 51.75 Bcf/year in the aggregate. For the reasons stated below, DOE/FECM’s approval of this Application does not require an

³ *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order No. 4078 (Sept. 15, 2017) (“Order No. 4078”); *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order No. 4078-A (Dec. 30, 2020) (“Order No. 4078-A”).

⁴ 15 U.S.C. §§ 717b (b) and (c).

environmental impact statement or an environmental assessment under the National Environmental Policy Act (“NEPA”).⁵ Therefore, the small-scale export authorization Eagle Maxville requests here is deemed to be consistent with the public interest under section 3(a) of the NGA.⁶

In support of this Application, Eagle Maxville provides as follows:⁷

I. COMMUNICATIONS

All correspondence and communications regarding this Application should be directed to:⁸

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1700 Pennsylvania Avenue, NW
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Sean Lalani
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Eagle LNG Partners Jacksonville LLC
2445 Technology Forest Blvd, Suite 500
The Woodlands, TX 77381
Tel: +1 832 709-0750
sean.lalani@eaglelng.com

II. APPLICANT

The exact legal name of the Applicant is Eagle LNG Partners Jacksonville II LLC. Eagle Maxville is a limited liability company organized under the laws of Delaware with its principal

⁵ 10 C.F.R. § 590.102.

⁶ See 10 C.F.R. §§ 590.102(p) and 590.208(a).

⁷ The following includes all “applicable” information specified in 10 C.F.R. §§ 590.202(a)-(b).

⁸ Eagle Maxville respectfully requests that DOE/FECM waive its regulation limiting the number of mailing addresses for the service list to two persons, 10 C.F.R. § 590.202(a), and allow the mailing addresses of three persons to be included on the service list for this Application.

place of business at Research Forest Lakeside No. 4, 2445 Technology Forest Boulevard, Suite 500, The Woodlands, Texas 77381. It is a wholly-owned subsidiary of Eagle LNG Partners LLC, which also is a Delaware limited liability company, and an affiliate of Eagle LNG Partners Jacksonville LLC.

III. ACTION SOUGHT FROM DOE/FECM

Eagle Maxville seeks long-term, multi-contract authorization from the DOE/FECM to export up to 51.75 Bcf of natural gas per year from domestic sources in the form of LNG to FTA nations and non-FTA nations, for a term ending on December 31, 2050.⁹ Eagle Maxville expects that it will primarily engage in short-term transactions, but Eagle Maxville is requesting long-term authorization to afford it the flexibility to enter into both short-term and long-term arrangements and because DOE/FECM's policy now allows for short-term exports under long-term export authorizations.¹⁰ Eagle Maxville expects its first export under the authorization requested in this Application will occur within thirty (30) days of the issuance of the authorization requested in this Application. In addition, Eagle Maxville requests that, when it grants the authorization requested in this Application, DOE/FECM concurrently vacate the authorization granted to Eagle Maxville in Order Nos. 4078 and 4078-A, so that from that point forward Eagle Maxville would export natural gas in the form of LNG under the authorization granted in response to this Application.

Eagle Maxville is requesting this authorization both on its behalf and as agent for other parties who may themselves hold title to the LNG at the time of export pursuant to long-term or short-term sale and purchase agreements with Eagle Maxville. Eagle Maxville will comply with

⁹ *Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050*, 85 Fed. Reg. 52,237 (Aug. 25, 2020).

¹⁰ *Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis*, 86 Fed. Reg. 2,243 (Jan. 12, 2021).

all DOE/FECM requirements for exports and agents, including registration requirements. Eagle Maxville will register with DOE/FECM each LNG title holder for which Eagle Maxville seeks to export LNG as agent. Eagle Maxville will provide DOE/FECM with registration materials that include an acknowledgement and agreement by the LNG title holder to supply information necessary to permit Eagle Maxville to register that person or entity with DOE/FECM, including (i) the LNG title holder's agreement to comply with any order issued by DOE/FECM pursuant to this Application and all applicable requirements of DOE's regulations at 10 C.F.R. Part 590, including but not limited to destination restrictions; (ii) the exact legal name of the LNG title holder, state/location of incorporation/registration, primary place of doing business, and the LNG title holder's ownership structure, including the ultimate parent entity if the registrant is a subsidiary or affiliate of another entity; (iii) the name, title, mailing address, e-mail address, and telephone number of a corporate officer or employee of the LNG title holder to whom inquiries may be directed; (iv) within 30 days of execution, a copy, to be filed with DOE/FECM, of any long-term contracts not previously filed with DOE/FECM, including a non-redacted copy for filing under seal of (x) the executed long-term contract associated with the long-term export of LNG and/or (y) the executed long-term contract associated with the long-term supply of natural gas supporting the export.

Eagle Maxville is not submitting any long-term supply agreements or export agreements with this Application because, as of the date of this Application, Eagle Maxville has not entered into any such agreements other than those which it has heretofore filed with DOE/FECM. In accordance with the DOE/FECM's policy, Eagle Maxville will file or cause to be filed with DOE/FECM all long-term contracts associated with the export of LNG and all long-term contracts associated with the supply of natural gas to liquefaction facilities for subsequent export within 30

days of their execution. These submissions will include contracts supporting arrangements under which Eagle Maxville will engage in exports as agent. Eagle Maxville expects that these submissions will be made under seal and will include either (i) a copy of each long-term contract with commercially sensitive information redacted or (ii) a summary of all major provisions of the contract(s), including, but not limited to, the parties to each contract, contract term, quantity, any take or pay or equivalent provisions/conditions, destination, re-sale provisions, and other relevant provisions.¹¹

IV. SOURCES OF NATURAL GAS TO BE EXPORTED

Eagle Maxville seeks by this Application (i) to increase the quantities of natural gas it may export in the form of LNG relative to the quantities authorized in Order Nos. 4078 and 4078-A, and (ii) to expand its export authorization so that it may export LNG produced in third party facilities as well as in the Maxville Facility.

1. Exports of LNG from the Maxville Facility in ISO Containers

Under the authorization requested herein, Eagle Maxville will continue to load LNG destined for export into approved ISO containers at its currently-operational Maxville Facility, and after loading, will transport the containers by truck and load the containers onto container ships or roll-on/roll-off oceangoing carriers for export at the nearby Port of Jacksonville or other ports capable of handling ISO containers. This mode of operation is identical to the mode described in the application for export authorization which DOE/FECM granted in Order Nos. 4078 and 4078-A.

¹¹ DOE/FECM has previously held that the commitment to file contracts once they are executed complies with the requirement of 10 C.F.R. § 590.202(b) to supply transaction-specific information “to the extent practicable.” *See, e.g., Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC*, DOE/FE Order No. 4519 at 9 (Apr. 14, 2020); *Commonwealth LNG, LLC*, DOE/FE Order No. 4521 at 8 (Apr. 17, 2020).

The natural gas received at the Maxville Facility is produced from natural gas supply sources that feed into the Southern Natural Gas Company, LLC (“SNG”) pipeline system, a portion of which occupies a right-of-way adjacent to the Maxville Facility. Through the SNG system, which connects to the Maxville Facility via pipeline operated by a local distribution company, Eagle Maxville has direct access to major sources of natural gas supply, including supplies produced in the Gulf Coast region, both onshore and offshore. Additionally, the Florida Gas Transmission Company, LLC pipeline system and other pipelines in the region are interconnected with the SNG system at various locations, providing indirect access to additional sources of natural gas supply, including sources located in the mid-continent region and in the Appalachian region, such as the Marcellus and Utica shale plays.

2. Exports of LNG Procured from Third Party Producers

In addition to exporting LNG produced in its Maxville Facility, in order to meet growing market demand, Eagle Maxville expects from time to time to procure LNG produced by third parties. This LNG may be produced in any one of several existing LNG production facilities located in Florida, Alabama, Georgia, Texas, Louisiana, Pennsylvania, Washington, and California. Those facilities include, but would not be limited to, the LNG facilities listed in Appendix C. Eagle Maxville anticipates purchasing LNG produced in these facilities and taking delivery of this LNG in ISO containers leased by Eagle Maxville for transfer to the point of export. Eagle Maxville expects that these third-party LNG suppliers will acquire natural gas from sources of natural gas supply located throughout the United States and delivered to the relevant LNG production facilities through the integrated natural gas pipeline grid. Any LNG Eagle Maxville purchases from third party suppliers will be transported by road using Department of

Transportation-approved highway trailers and will be transferred to ocean-going vessels in ISO containers.

V. AUTHORIZATION REQUESTED IS CONSISTENT WITH THE PUBLIC INTEREST

Granting the authorization requested herein is justified under Section 3 of the NGA. Section 3(c) of the NGA, as it was 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.¹²

Under this statutory presumption, this Application shall be “deemed to be within the public interest” with respect to the exports to FTA nations, and Eagle Maxville respectfully requests that DOE/FECM grant this Application without modification or delay.

With respect to export of natural gas and LNG to non-FTA nations, DOE/FECM has determined that small-scale exports of natural gas and LNG are “deemed to be consistent with the public interest under NGA section 3(a).”¹³ Small-scale natural gas exports are exports of natural gas, including LNG, that meet two criteria: (1) the quantity to be exported is 51.75 bcf per year or less and (2) DOE’s approval does not require an environmental impact statement or environmental assessment.¹⁴

Eagle Maxville is requesting authorization to export to non-FTA nations no more than 51.75 Bcf/year, which is consistent with the limit established in the small-scale natural gas exports

¹² 15 U.S.C. § 717b(c) (emphasis added).

¹³ 10 C.F.R. § 590.208(a).

¹⁴ 10 C.F.R. § 590.102(p).

authorization rule.¹⁵ Further, Eagle Maxville's proposed exports do not require an environmental review under NEPA because Eagle Maxville's proposed exports are subject to a categorical exclusion from the requirements of NEPA - specifically, categorical exclusion B5.7 (10 C.F.R. Part 1021, Subpart D, Appendix B5), *Export of natural gas and associated transportation by marine vessel*. Eagle Maxville will export LNG produced in existing facilities and transported in ISO containers by truck to commercial ports, where it will be loaded through existing facilities onto ocean-going vessels. For these reasons, DOE/FECM can find that the amount of LNG Eagle Maxville seeks to export qualifies as a small-scale export of natural gas, that categorical exclusion B5.7 applies, and that the export of such LNG to non-FTA nations is deemed to be consistent with the public interest under NGA section 3(a).

VI. APPENDICES

The following appendices are included with this Application:

- **Appendix A:** Opinion of Counsel
- **Appendix B:** Verification
- **Appendix C:** List of LNG Facilities from which Eagle Maxville may Obtain LNG

VII. CONCLUSION

For the reasons set forth above, Eagle Maxville respectfully requests that DOE/FECM issue an order granting Eagle Maxville authorization to export natural gas produced in the Maxville Facility and in third party facilities in ISO containers to FTA and non-FTA nations for a term ending December 31, 2050, in an amount of up to 51.75 Bcf/year. Eagle Maxville further requests that, upon granting this expanded authorization, DOE/FECM vacate the authorization to export LNG granted to Eagle Maxville in Order Nos. 4078 and 4078-A. Eagle Maxville requests that an

¹⁵ *See id.*

order granting the requested authorization and vacating the authorization previously granted in Order Nos. 4078 and 4078-A be issued as promptly as possible.

Respectfully submitted,

**EAGLE LNG PARTNERS JACKSONVILLE II
LLC**

By: /s/ James F. Bowe, Jr. _____

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King & Spalding LLP
1700 Pennsylvania Ave., NW, Suite 900
Washington, DC 20006-4707

Tyler R. Brown
King & Spalding LLP
1180 Peachtree Street, NE, Suite 1600
Atlanta, GA 30309

Counsel for Eagle LNG Partners Jacksonville II LLC

Dated: December 29, 2022

Appendix A

Legal Opinion of Counsel for Eagle LNG Partners Jacksonville II LLC

KING & SPALDING

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December 29, 2022

Ms. Amy Sweeney
Director, Office of Regulation, Analysis, and
Engagement
Office of Oil and Natural Gas
Office of Fossil Energy and Carbon Management
(FE-34)
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1000 Independence Avenue, SW
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**Re: *Eagle LNG Partners Jacksonville II LLC*, Docket No. _____-LNG
Application of Eagle LNG Partners Jacksonville II LLC for Long-Term,
Multi-Contract Authorization to Export Natural Gas to Free Trade
Agreement and Non-Free Trade Agreement Nations**

Dear Ms. Sweeney:

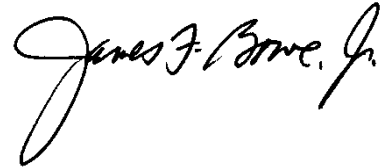
This opinion is provided pursuant to Section 590.202(c) of the Department of Energy Regulations, 10 C.F.R. § 590.202(c), in support of the Application of Eagle LNG Partners Jacksonville II LLC (“Eagle Maxville”) for Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations (“Application”).

I am counsel to Eagle Maxville, a limited liability company organized under the laws of the State of Delaware. I have reviewed and relied upon the corporate documents of Eagle

Ms. Amy Sweeney
December 29, 2022
Page 2

Maxville, and it is my opinion that the proposed exports described in the Application are within the limited liability company powers of Eagle Maxville.

Very truly yours,

A handwritten signature in black ink that reads "James F. Bowe, Jr." The signature is written in a cursive style with a large, looping initial "J".

James F. Bowe, Jr.

Counsel to Eagle LNG Partners Jacksonville II LLC

Appendix B
Verification

VERIFICATION

I, Tyler R. Brown, being first duly sworn, state that I am a duly authorized representative of Eagle LNG Partners Jacksonville II LLC; I have read the above Application and I am familiar with its contents; and the matters set forth in the Application are true and correct to the best of my knowledge, information, and belief.

Tyler R. Brown

Tyler R. Brown

Counsel to Eagle LNG Partners Jacksonville II LLC

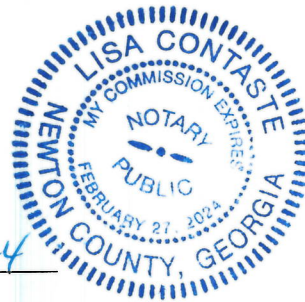
Sworn and subscribed before me this 29th day of December, 2022.

[Signature]

Notary Public

Newton County, Georgia

My Commission expires: 2/27/2024



Appendix C

List of LNG Facilities from which Eagle Maxville may Obtain LNG

Below is a list of the facilities from which Eagle Maxville may source LNG for export, the capacity of the facilities, and the ports from which such exports may be made. The description of the facilities is based on publicly available information. Eagle Maxville will notify DOE of any additional facilities from which it will source LNG for export or any additional ports from which exports will be made prior to making such exports.

1. Maxville Facility, Jacksonville, FL (Ports: Talleyrand Marine Terminal on St. Johns River, FL, Panama City, FL, Pensacola, FL, Port St. Joe, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) – This facility has a capacity of 187,000 gallon per day LNG production capacity.
2. New Fortress Energy, Miami, FL (Ports: Miami, FL, Port Everglades, FL, Port Canaveral, FL) - 100,000 gallon per day LNG production capacity.
3. Stabilis Port Allen Facility, Port Allen, LA (Ports: Port Allen, Mississippi River, LA, New Orleans, LA, Panama City, FL, Pensacola, FL, Port St. Joe, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) – This facility is a 30,000 gallons per day facility, expandable to 90,000 gallons per day, and it is equipped with scales, loadout and 100,000 gallons of permanent storage.
4. Stabilis Energy, George West, TX (Ports: Houston, TX, Corpus Christi, TX) – This facility has a liquefaction capacity of 120,000 gallons per day.
5. Pivotal LNG, Trussville, AL (Ports: Mobile, AL, Pensacola, FL, Panama City, FL, Port St. Joe, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) – This facility has storage of 4.8 million gallons and produces approximately 60,000 gallon per day of LNG.
6. JAX LNG, Jacksonville, FL (Ports: Jacksonville, FL, Panama City, FL, Pensacola, FL, Port St. Joe, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) – This facility has the capacity to produce 120,000 gallons of LNG per day and store more than 2 million gallons of LNG.
7. Cherokee LNG, Ball Ground, GA (Ports: Panama City, FL, Port St. Joe, FL, Jacksonville, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) - 624 MMCF Total Capacity.
8. Macon LNG, Macon, GA (Ports: Panama City, FL, Port St. Joe, FL, Jacksonville, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) – 150 MMCF Total Capacity.
9. Riverdale LNG, Riverdale, GA (Ports: Panama City, FL, Port St. Joe, FL, Jacksonville, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) - 400 MMCF Total Capacity.

10. Coosada LNG, Coosada, AL (Ports: Mobile, AL, Pensacola, FL, Panama City, FL, Port St. Joe, FL, Tampa, FL, Jacksonville, FL, Miami, FL, Port Everglades, FL, Port Canaveral, FL, Port of Savannah, GA) – 80 MMCF Total Capacity.
11. Clean Energy, Boron LNG, Boron, CA (Ports: Long Beach, CA, Los Angeles, LA, Oakland, CA, San Francisco, CA, San Diego, CA, Benicia, CA) – 180,000 gallons per day and 1,800,000 LNG gallon storage tank.
12. Pivotal LNG, Towanda LNG, Wyalusing, PA (Ports: Port of NY/NJ, Baltimore, MA, Wilmington, DE, Davisville, RI) – 50,000 gallons per day production with 180,000 LNG gallons of storage.
13. Puget Sound, Puget LNG, Tacoma, Washington (Ports: Tacoma, WA) – 225,000 gallons per day production with 1,700,000 LNG gallons of storage.