

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

Port Arthur LNG, LLC

Docket No. 15-96-LNG

Motion to Intervene and Protest of Public Citizen, Inc.

Port Arthur LNG—owned by Sempra Energy (49%), ConocoPhillips (30%), the private equity firm KKR & Co. (14%), and the United Arab Emirates (7%)¹—seeks to build a mammoth LNG export terminal in the heart of an environmental justice community in order to export 698 billion cubic feet per year of natural gas, mostly sourced from Permian Basin fracking. As John Beard of the Port Arthur Community Action Network stated: “These companies, no matter what they say, are basically sacrificing communities of color in order to get wealthier, more affluent communities cheap fossil fuels.”²

In this proceeding, Port Arthur LNG requests that the U.S. Department of Energy extend the deadline by which it must commence operations from May 2, 2026 to June 18, 2028. Extending the commencement deadline will render the underlying public interest assessment stale, as the impact that Port Arthur’s authorized exports will have on exacerbating energy poverty for tens of millions of American families threatens the public interest. DOE’s failure to conduct any relevant assessment of the radical impact that record LNG exports are having on upending domestic energy security renders an unconditioned, two-year extension for Port Arthur’s commencement deadline inconsistent with the public interest.

Public Citizen moves to intervene in this proceeding. Our previous intervention in this docket on April 18, 2022 (regarding the noticed change in control of Port Arthur LNG) was uncontested.³ It is unclear whether a new motion to intervene is required, but out of an abundance of caution we move to intervene again.

¹ www.energy.gov/sites/default/files/2022-12/PALNG%20-%20Statement%20of%20Change%20in%20Control%2012.21.2022.pdf

² Amal Ahmed, “Port Arthur pollution fight shows how Texas blocks citizen protests,” *The Texas Tribune*, November 3, 2022, www.texastribune.org/2022/11/03/texas-port-arthur-lng-terminals-citizen-tceq/

³ www.energy.gov/fecm/port-arthur-lng-llc-fe-dktno-15-96-lng

Public Citizen protests the request by Port Arthur LNG to extend its commencement deadline by two years to June 18, 2028. DOE cannot permit a blanket authorization for Port Arthur LNG to export 698 billion cubic feet of natural gas every year from 2028 through 2050 without conducting a determination that the proposed exports will not result in increased levels of energy poverty and utility service disconnections for tens of millions of families. We detailed in our October 27, 2022 letter to Energy Secretary Granholm that DOE's failure to conduct any meaningful review of the impact record LNG exports are having on exacerbating energy poverty violates the public interest.⁴

DOE's reliance on a discredited, five-year old macroeconomic study (that arrived at the disproven prediction that LNG exports only had a 3% probability of increasing domestic prices, and made the absurd claim that Americans' stock ownership in LNG export terminals would provide income in excess of any increase in home energy costs)⁵ is a radical abdication of DOE's solemn statutory obligation to only allow exports that are "consistent with the public interest".

Granting Port Arthur LNG's commencement extension will exacerbate the critical energy supply shortages in the U.S. northeast. As we documented in our November 7, 2022 filing with the Federal Energy Regulatory Commission, New England is experiencing physical shortages of energy and a near-constant threat of power blackouts because the region is forced to compete with LNG exports.⁶

DOE's unlawful abandonment of millions of American families through its reckless administration of its Natural Gas Act responsibilities over LNG exports has directly resulted in punishing natural gas price increases and physical shortages of energy access for Americans.⁷ Absent the DOE requiring a detailed assessment of the impacts Port Arthur LNG's proposed exports will have on exacerbating domestic energy poverty and physical shortages of energy access, it must deny Port Arthur LNG's request.

⁴ www.citizen.org/article/letter-to-dept-of-energy-to-protect-consumers-from-lng-exports/

⁵ www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf

⁶ www.citizen.org/article/natural-gas-exports-destabilizing-new-england-energy/

⁷ www.cnn.com/2022/12/29/opinions/energy-heat-natural-gas-exports-wolfe-slocum/

Respectfully submitted,

Tyson Slocum

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Filed January 3, 2023

VERIFICATION

Pursuant to 10 CFR § 590.103(b), I, Tyson Slocum, declare that I am Energy Program Director for Public Citizen, Inc. and am authorized to make this verification; that I have authored and read the foregoing filing and that the facts therein stated are true and correct to the best of my knowledge, information, and belief.

Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on January 25, 2023.

Tyson Slocum

Tyson Slocum
Energy Program Director
Public Citizen, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the applicant and intervenors for this docketed proceeding in accordance with 10 CFR § 590.107(b). Dated at Washington, DC this 3rd day of January 2023.

Signed,

Tyson Slocum

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