

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

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IRVING OIL TERMINALS INC. )  
(formerly IRVING OIL TERMINALS )  
OPERATIONS LLC) )

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DOCKET NO. 21-95-NG

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

DOE/FECM ORDER NO. 4746-A

JULY 25, 2023

On October 14, 2021, the Department of Energy’s (DOE) Office of Fossil Energy and Carbon Management (FECM) issued DOE/FECM Order No. 4746 (Docket No. 21-95-NG),<sup>1</sup> under section 3 of the Natural Gas Act (NGA).<sup>2</sup> DOE/FECM Order No. 4746 granted Irving Oil Terminals Operations LLC (Irving Oil Terminals Operations) blanket authorization to import 58 billion cubic feet (Bcf) of natural gas from Canada, pursuant to transactions that have terms of not greater than two years, beginning on October 24, 2021, and extending through October 23, 2023.

By letter received March 9, 2023, Irving Oil Limited of Saint John, New Brunswick, Canada (Irving Oil Limited), the parent company of Irving Oil Terminals Operations, notified DOE of its intent to merge Irving Oil Terminals Operations into Irving Oil Terminals Inc., a subsidiary of Irving Oil Limited, and transfer all of its assets and obligations.<sup>3</sup> The merger and transfer took effect May 1, 2023. As Irving Oil Terminals Operations 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.”<sup>4</sup> To reflect the reorganization, Irving Oil Limited requested that DOE amend DOE/FECM Order No. 4746 to transfer all authorizations therein to Irving Oil Terminals Inc.<sup>5</sup>

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<sup>1</sup> *Irving Oil Terminals Operations LLC*, DOE/FECM Order No. 4746, Order Granting Blanket Authorization to Import Natural Gas from Canada (Oct. 14, 2021).

<sup>2</sup> 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 FECM in Redelegation Order No. S4-DEL-FE1-2023, issued on April 10, 2023.

<sup>3</sup> See Letter from Andrea Grant and Martin Schaefermeier, Counsel, Irving Oil Terminals Operations LLC, Irving Oil Terminals Inc., and Irving Oil Limited, to DOE (Irving Oil Letter), at 1 (Mar. 9, 2023).

<sup>4</sup> *Id.*

<sup>5</sup> See *id.*

DOE finds that Irving Oil Limited’s corporate reorganization does not constitute a change in control. Irving Oil Limited’s stated intent was to merge Irving Oil Terminals Operations into Irving Oil Terminals Inc. and “transfer all of the business of [Irving Oil Terminals Operations] (e.g. [*sic*] all assets, liabilities, contracts and related matters) to Irving Oil Terminals Inc.” as of May 1, 2023.<sup>6</sup>

DOE 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 NGA, it is ordered that:

A. Effective May 1, 2023, the name of the authorization holder of DOE/FECM Order No. 4746 is amended to Irving Oil Terminals Inc.

B. All obligations arising under DOE/FECM Order No. 4746, no longer apply to Irving Oil Terminals Operations LLC, and now apply to Irving Oil Terminals Inc.

Issued in Washington, D.C., on July 25, 2023.

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

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<sup>6</sup> *Id.*