

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

CORPUS CHRISTI LIQUEFACTION, LLC;
CCL MIDSACLE 8-9, LLC; AND CHENIERE
MARKETING, LLC

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)
) DOCKET NO. 23-46-LNG
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)

ORDER GRANTING LONG-TERM AUTHORIZATION
TO EXPORT LIQUEFIED NATURAL GAS TO
FREE TRADE AGREEMENT NATIONS

DOE/FECM ORDER NO. 5019

JULY 19, 2023

I. DESCRIPTION OF REQUEST

On April 6, 2023, three entities—Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC (collectively, CCL)—jointly filed an application (Application)¹ with the Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA).² CCL requests long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG), in a volume equivalent to 170 billion cubic feet per year (Bcf/yr) of natural gas (0.47 Bcf per day (Bcf/d)).³ CCL seeks authorization to export this LNG by vessel from the proposed Corpus Christi Liquefaction Midscale Trains 8 & 9 Project (Project), to be located at and adjacent to the existing Corpus Christi LNG Terminal (CCL Terminal) in San Patricio and Nueces Counties, Texas.⁴

CCL requests authorization to export the LNG to any country with which trade is not prohibited by U.S. law or policy.⁵ This includes both countries with which the United States currently has, or in the future enters into, a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries),⁶ and any other country with which trade is not

¹ Corpus Christi Liquefaction, LLC, *et al.*, Application for Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement and Non-Free Trade Agreement Nations, Docket No. 23-46-LNG (Apr. 6, 2023) [hereinafter App.].

² 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-FE1-2023, issued on April 10, 2023.

³ App. at 1, 6.

⁴ *Id.* at 1. To date, the Federal Energy Regulatory Commission (FERC) has authorized the construction and operation of facilities at the CCL Terminal including but not limited to the following:

- (i) The Liquefaction Project, a LNG terminal consisting of Large-Scale Trains 1-3 (FERC Docket No. CP12-507-000, as amended in Docket No. CP19-514-000); and
- (ii) The Stage 3 Project, consisting of Midscale Trains 1-7 (FERC Docket No. CP18-512-000).

CCL states that the Liquefaction Project is operational and that the Stage 3 Project is currently under construction. *See App.* at 1-2 & n.4; *see also supra* § II (Procedural History).

⁵ App. at 1-2, 6.

⁶ 15 U.S.C. § 717b(c). The United States currently has FTAs requiring national treatment for trade in natural gas with Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore. FTAs with Israel and Costa Rica do not require national treatment for trade in natural gas.

prohibited by U.S. law or policy (non-FTA countries).⁷ CCL requests the FTA and non-FTA authorizations on a non-additive basis for a term commencing on the date of first commercial export from the Project, and extending through December 31, 2050.⁸ CCL requests this authorization on its own behalf and as agent for other entities that may hold title to the LNG at the time of export.⁹

The portion of CCL's Application that seeks authorization to export domestically produced LNG to FTA countries is being reviewed pursuant to NGA section 3(c), 15 U.S.C. § 717b(c), and approved in this Order. The portion of the Application that seeks authorization to export domestically produced LNG to non-FTA countries will be reviewed pursuant to NGA section 3(a), 15 U.S.C. § 717b(a), and addressed in a separate order.¹⁰

II. **BACKGROUND**

Applicant. Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC are each Delaware limited liability companies with a principal place of business in Houston, Texas. These entities are wholly owned subsidiaries of Cheniere Energy, Inc., a Delaware corporation with its principal place of business in Houston, Texas.

Procedural History. To date, DOE has issued long-term orders authorizing Corpus Christi Liquefaction, LLC and Cheniere Marketing, LLC (collectively, CMI) to export LNG from the Liquefaction Project (Large-Scale Trains 1-3) in a total volume equivalent to 875.16

⁷ 15 U.S.C. § 717b(a).

⁸ App. at 2, 6. *See also* U.S. Dep't of Energy, Extending Natural Gas Export Authorizations to Non-Free Trade Agreement Countries Through the Year 2050; Notice of Final Policy Statement and Response to Comments, 85 Fed. Reg. 52,237 (Aug. 25, 2020). Additionally, DOE notes that, effective January 12, 2021, long-term export authorizations contain authority to export the same approved volume of LNG pursuant to transactions with terms of less than two years, including commissioning volumes, on a non-additive basis. *See* U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis; Policy Statement, 86 Fed. Reg. 2243 (Jan. 12, 2021).

⁹ App. at 2, 6.

¹⁰ *See* Corpus Christi Liquefaction, LLC, *et al.*, Application for Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, 88 Fed. Reg. 29,662 (May 8, 2023).

Bcf/yr of natural gas to both FTA and non-FTA countries on a non-additive basis. These orders are:

- DOE/FE Order No. 3164, as amended, authorizing CMI to export 767 Bcf/yr to FTA countries through December 31, 2050;¹¹
- DOE/FE Order No. 3638, as amended, authorizing CMI to export 767 Bcf/yr to non-FTA countries through December 31, 2050;¹²
- DOE/FE Order No. 4519, as amended, authorizing CMI to export 108.16 Bcf/yr to FTA countries through December 31, 2050;¹³
- DOE/FECM Order No. 4799, authorizing CMI to export 108.16 Bcf/yr to non-FTA countries through December 31, 2050.¹⁴

Additionally, DOE has issued orders authorizing Corpus Christi Liquefaction, LLC¹⁵ to export LNG from the Stage 3 Project (Midscale Trains 1-7) to both FTA and non-FTA countries in a volume equivalent to 582.14 Bcf/yr on a non-additive basis as follows:

- DOE/FE Order No. 4277, as amended, authorizing Corpus Christi Liquefaction, LLC to export 582.14 Bcf/yr to FTA countries through December 31, 2050;¹⁶ and

¹¹ *Cheniere Marketing, LLC*, DOE/FE Order No. 3164, Docket No. 12-99-LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to Free Trade Agreement Nations (Oct. 16, 2012), *amended by Cheniere Marketing, LLC*, DOE/FE Order Nos. 3538 and 3164-A, Docket Nos. 12-97-LNG and 12-99-LNG, Order Amending Application in Docket No. 12-97-LNG to Add Corpus Christi Liquefaction, LLC as Applicant, and Granting Request in DOE/FE Order No. 3164, Docket No. 12-99-LNG, to Add Corpus Christi Liquefaction, LLC as Authorization Holder (Oct. 29, 2014), *further amended by* DOE/FE Order No. 3164-B (Oct. 28, 2020) (extending export term).

¹² *Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC*, DOE/FE Order No. 3638, Docket No. 12-97-LNG, Final Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Corpus Christi Liquefaction Project to be Located in Corpus Christi, Texas, to Non-Free Trade Agreement Nations (May 12, 2015), *reh'g denied* DOE/FE Order No. 3638-A (May 26, 2016), *amended by* DOE/FE Order No. 3638-B (Oct. 28, 2020) (extending export term).

¹³ *Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC*, DOE/FE Order No. 4519, Docket No. 19-124-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Free Trade Agreement Nations (Apr. 14, 2020), *amended by* DOE/FE Order No. 4519-A (Oct. 28, 2020) (extending export term).

¹⁴ *Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC*, DOE/FECM Order No. 4799, Docket No. 19-124-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Mar. 16, 2022); *see also* App. at 5 & n.9 (identifying orders).

¹⁵ DOE's orders for the Stage 3 Project were originally held by Corpus Christi Liquefaction Stage III, LLC, but were transferred to its successor, Corpus Christi Liquefaction, LLC, in 2022.

¹⁶ *Corpus Christi Liquefaction, LLC*, DOE/FE Order No. 4277, Docket No. 18-78-LNG, Order Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel from the Proposed Stage 3 LNG Facilities to be Located at the Corpus Christi LNG Terminal in San Patricio and Nueces Counties, Texas, to Free Trade Agreement Nations (Nov. 9, 2018), *amended by* DOE/FE Order No. 4277-A (Oct. 21, 2020) (extending export term), *amended by* DOE/FECM Order No. 4277-B (Aug. 25, 2022) (reflecting corporate name change).

- DOE/FE Order No. 4490, as amended, authorizing Corpus Christi Liquefaction, LLC to export 582.14 Bcf/yr to non-FTA countries through December 31, 2050.¹⁷

With this Order approving exports from the Midscale Trains 8 & 9 Project to FTA countries, DOE has authorized exports of LNG from the CCL Terminal in a total combined volume equivalent to 1627.3 Bcf/yr of natural gas to FTA countries and 1457.3 Bcf/yr of natural gas to non-FTA countries on a non-additive basis. These orders are summarized in Tables 1 and 2 of the Appendix to this Order.

Proposed CCL Midscale Trains 8 & 9 Project. CCL states that the Project will be located at and adjacent to the CCL Terminal in San Patricio and Nueces Counties, Texas.¹⁸ CCL adds that the Project will be developed on “previously disturbed land that was, in large part, already reviewed and approved for use in connection with construction and operation of the CCL Terminal.”¹⁹

CCL states that the Project will consist of two midscale liquefaction trains (Midscale Trains 8 and 9), which together will be capable of producing approximately 3.28 million tons per annum of LNG, equivalent to approximately 170 Bcf/yr of natural gas.²⁰ According to CCL, the Project and its supporting infrastructure will be interconnected and operated, on an integrated basis, with the existing LNG storage tanks, control buildings, marine facilities, and other ancillary facilities at the CCL Terminal.²¹ CCL adds that the Project will “include[] the addition of certain operational enhancements which consist of refrigerant storage, an end flash gas unit,

¹⁷ *Corpus Christi Liquefaction, LLC*, DOE/FE Order No. 4490, Docket No. 18-78-LNG, Opinion and Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (Feb. 10, 2020), *amended by* DOE/FE Order No. 4490-A (Oct. 21, 2020) (extending export term), *amended by* DOE/FE Order No. 4490-B (Aug. 25, 2022) (reflecting corporate name change).

¹⁸ App. at 1.

¹⁹ *Id.* at 18.

²⁰ *Id.* at 5 & n.11.

²¹ *Id.* at 5-6.

and a boil-off gas compressor, as well as an increase in the authorized loading rate of LNG carriers.”²²

CCL states that, on March 30, 2023, Corpus Christi Liquefaction, LLC and CCL Midscale 8-9, LLC filed an application with FERC seeking authorization to site, construct and operate the Project.²³ Although the construction duration for the Project is anticipated to be four years under optimal conditions, Corpus Christi Liquefaction, LLC and CCL Midscale 8-9, LLC requested an extended construction deadline from FERC (to complete construction and place Midscale Trains 8-9 in service by 2031) to accommodate the potential for phasing, schedule changes, or unforeseen developments.²⁴

Source of Supply. CCL states that feed gas for the Project will be transported to the CCL Terminal by a combination of the previously permitted Corpus Christi pipeline facilities and a new intrastate pipeline, the ADCC pipeline, that will connect the Agua Dolce natural gas hub to the CCL Terminal.²⁵ CCL further states that, through these interconnections, the Project will have access to natural gas supplies from almost any point on the U.S. interstate pipeline system through direct delivery or by displacement.²⁶

Business Model. CCL requests authorization to export LNG on its own behalf and as agent for other entities that hold title to the LNG at the time of export.²⁷ CCL states that it will comply with all DOE requirements for exporters and agents, including registration requirements.²⁸

²² *Id.* at 6.

²³ *Id.* at 4 & n.7 (citing *Corpus Christi Liquefaction, LLC & CCL Midscale 8-9, LLC*, Application for Authorization Under Section 3 of the Natural Gas Act, FERC Docket No. CP23-129-000 (Mar. 30, 2023)).

²⁴ App. at 6 n.12.

²⁵ *Id.* at 7 & n.14 (stating that the ADCC Pipeline is under development and is anticipated to be in service in 2024).

²⁶ *Id.* at 7.

²⁷ *Id.* at 2, 6.

²⁸ *Id.* at 6.

According to CCL, the Project is “substantially commercialized, with facilities underpinned by demand associated with a portfolio of long-term LNG export contracts.”²⁹ CCL further states that, to the extent additional long-term agreements are signed, it will file, or cause to be filed, all long-term commercial agreements, once executed, in accordance with DOE’s established policy and precedent.³⁰

III. FINDINGS

(1) Section 3(c) of the NGA was amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486) to require that applications requesting authority for (a) the import and export of natural gas, including LNG, from and to a nation with which there is in effect a FTA requiring national treatment for trade in natural gas, and/or (b) the import of LNG from other international sources, be deemed consistent with the public interest and granted without modification or delay. The FTA portion of CCL’s Application falls within section 3(c), as amended, and therefore, DOE grants the requested FTA authorization without modification or delay.³¹

(2) In light of DOE’s statutory obligation to grant the FTA portion of this Application without modification or delay, there is no need for DOE to review other arguments asserted by CCL in support of the Application. The instant grant of authority should not be read to indicate DOE’s views on those arguments or on CCL’s request for non-FTA export authorization.

(3) The countries with which the United States has a FTA requiring national treatment for trade in natural gas currently are: Australia, Bahrain, Canada, Chile, Colombia, Dominican

²⁹ See *id.* at 7; see also *id.* at 3 (“Applicants have advanced commercialization of the Project to near completion, with most LNG exports from the Project facilities already committed under long-term LNG sales contracts.”).

³⁰ *Id.* at 7-8.

³¹ DOE further finds that the requirement for public notice of applications and other hearing-type procedures in 10 C.F.R. Part 590, are applicable only to applications seeking to export natural gas, including LNG, to non-FTA countries.

Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore.

(4) CCL requests authorization to export LNG on its own behalf and as agent for other entities that hold title to the LNG at the time of export. DOE previously addressed the issue of Agency Rights in DOE/FE Order No. 2913,³² which granted Freeport LNG Expansion, L.P., *et al.* (collectively, FLEX) authority to export LNG to FTA countries. In that order, DOE approved a proposal by FLEX to register each LNG title holder for whom FLEX sought to export LNG as agent. DOE found that this proposal was an acceptable alternative to the non-binding policy adopted by DOE in *The Dow Chemical Company*,³³ which established that the title for all LNG authorized for export must be held by the authorization holder at the point of export. DOE finds that the same policy considerations that supported DOE's acceptance of the alternative registration proposal in DOE/FE Order No. 2913 apply here as well.

DOE has reiterated its policy on Agency Rights procedures in other authorizations, including *Cameron LNG, LLC*, DOE/FE Order No. 3680.³⁴ In that order, DOE determined that, in LNG export orders in which Agency Rights have been granted, DOE shall require registration materials filed for, or by, an LNG title-holder (Registrant) to include the same company identification information and long-term contract information of the Registrant as if the Registrant had filed an application to export LNG on its own behalf.³⁵

³² *Freeport LNG Expansion, L.P., et al.*, DOE/FE Order No 2913, Docket No. 10-160-LNG, Order Granting Long-Term Authorization to Export Liquefied Natural Gas from Freeport LNG Terminal to Free Trade Nations (Feb. 10, 2011).

³³ *The Dow Chemical Company*, DOE/FE Order No. 2859, Docket No. 10-57-LNG, Order Granting Blanket Authorization to Export Liquefied Natural Gas, at 7-8 (Oct. 5, 2010), discussed in *Freeport LNG*, DOE/FE Order No. 2913, at 7-8.

³⁴ *Cameron LNG, LLC*, DOE/FE Order No. 3680, Docket No. 15-36-LNG, Order Granting Long-Term Multi-Contract Authorization to Export Liquefied Natural Gas By Vessel from the Cameron LNG Terminal in Cameron and Calcasieu Parishes, Louisiana, to Free Trade Agreement Nations (July 10, 2015).

³⁵ *Id.* at 8-9.

To ensure that the public interest is served, this authorization requires that, where CCL proposes to export LNG as agent, it must register the Registrants with DOE in accordance with the procedures and requirements described herein.

(5) Section 590.202(b) of DOE’s regulations requires applicants to supply transaction-specific factual information “to the extent practicable.”³⁶ Additionally, DOE regulations at 10 C.F.R. § 590.202(e) allow confidential treatment of the information supplied in support of or in opposition to an application if the submitting party requests such treatment, shows why the information should be exempted from public disclosure, and DOE determines it will be afforded confidential treatment in accordance with 10 C.F.R. § 1004.11.

(6) DOE will require that CCL file or cause to be filed with DOE any relevant long-term commercial agreements or contracts pursuant to which CCL exports LNG as agent for a Registrant once those agreements or contracts have been executed. DOE finds that the submission of all such agreements or contracts within 30 days of their execution using the procedures described below will be consistent with the “to the extent practicable” requirement of section 590.202(b). By way of example and without limitation, a “relevant long-term commercial agreement” includes an agreement with a minimum term of two years.

(7) DOE also will require CCL to file any long-term contracts CCL enters into providing for the long-term export of U.S. sourced natural gas as LNG on its own behalf from the proposed Project. DOE finds that the submission of these contracts within 30 days of their execution using the procedures described below will be consistent with the “to the extent practicable” requirement of section 590.202(b).

³⁶ 10 C.F.R. § 590.202(b).

(8) In addition, DOE finds that section 590.202(c) of DOE's regulations³⁷ requires that CCL file, or cause to be filed, all long-term contracts associated with the long-term supply of natural gas to the Project, whether signed by CCL or the Registrant, within 30 days of their execution.

(9) DOE recognizes that some information in CCL's or a Registrant's long-term commercial agreements associated with the export of LNG, and/or long-term contracts associated with the long-term supply of natural gas to the Project, may be commercially sensitive. DOE therefore will provide CCL the option to file or cause to be filed either unredacted contracts, or in the alternative: (A) CCL may file, or cause to be filed, long-term contracts under seal, but it also will file for public posting, within 30 days of the contract execution date, 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; and (B) the filing must demonstrate why the redacted or non-disclosed information should be exempted from public disclosure.³⁸

To ensure that DOE destination and reporting requirements included in the Order are conveyed to subsequent title holders, DOE will include as a condition of this authorization that future contracts for the sale or transfer of LNG exported pursuant to the Order shall include an acknowledgement of these requirements.

³⁷ *Id.* § 590.202(c).

³⁸ *Id.* § 590.202(e) (allowing confidential treatment of information in accordance with 10 C.F.R. § 1004.11).

ORDER

Pursuant to section 3 of the NGA, it is ordered that:

A. Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC (collectively, CCL) are jointly authorized to export domestically produced LNG by vessel from the proposed Corpus Christi Liquefaction Midscale Trains 8 & 9 Project (Project), to be located at and adjacent to the existing Corpus Christi LNG Terminal (CCL Terminal) in San Patricio and Nueces Counties, Texas. The volume authorized in this Order is equivalent to 170 Bcf/yr of natural gas for a term to commence on the date of first commercial export from the Project, and to extend through December 31, 2050. CCL is authorized to export this LNG on its own behalf and as agent for other entities that hold title to the LNG, pursuant to one or more contracts of any duration.³⁹

B. This LNG may be exported to Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore, and to any nation with which the United States subsequently enters into a FTA requiring national treatment for trade in natural gas, provided that the destination nation has the capacity to import LNG via ocean-going vessels. DOE identifies FTA countries at:

<https://www.energy.gov/fecm/how-obtain-authorization-import-andor-export-natural-gas-and-lng>.

C. CCL shall ensure that all transactions authorized by this Order are permitted and lawful under U.S. laws and policies, including the rules, regulations, orders, policies, and other

³⁹ See U.S. Dep't of Energy, Including Short-Term Export Authority in Long-Term Authorizations for the Export of Natural Gas on a Non-Additive Basis; Policy Statement, 86 Fed. Reg. 2243 (Jan. 12, 2021).

determinations of the Office of Foreign Assets Control of the United States Department of the Treasury and the Federal Energy Regulatory Commission (FERC). Failure to comply with this requirement could result in rescission of this authorization and/or other civil or criminal remedies.

D. (i) CCL shall file, or cause others to file, with the U.S. Department of Energy, Office of Fossil Energy and Carbon Management, Office of Resource Sustainability, Office of Regulation, Analysis, and Engagement (FE-34) a non-redacted copy of all executed long-term contracts associated with the long-term export of LNG from the Project on its own behalf or as agent for other entities. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described above.

(ii) CCL shall file, or cause others to file, with the Office of Regulation, Analysis, and Engagement a non-redacted copy of all executed long-term contracts associated with the long-term supply of natural gas to the Project. The non-redacted copies must be filed within 30 days of their execution and may be filed under seal, as described above.

E. CCL is permitted to use its authorization to export LNG as agent for other LNG titleholders (Registrants), after registering the other entities with DOE. Registration materials shall include an acknowledgement and agreement by the Registrant to supply CCL with all information necessary to permit CCL to register that person or entity with DOE, including: (1) the Registrant's agreement to comply with this Order and all applicable requirements of DOE's regulations at 10 C.F.R. Part 590, including but not limited to destination restrictions; (2) the exact legal name of the Registrant, state/location of incorporation/registration, primary place of doing business, and the Registrant's ownership structure, including the ultimate parent entity if the Registrant is a subsidiary or affiliate of another entity; (3) the name, title, mailing address, e-

mail address, and telephone number of a corporate officer or employee of the Registrant to whom inquiries may be directed; and (4) within 30 days of execution, a copy of any long-term contracts not previously filed with DOE, described in Ordering Paragraph D of this Order.

Any change in the registration materials—including changes in company name, contact information, length of the long-term contract, termination of the long-term contract, or other relevant modification—shall be filed with DOE within 30 days of such change(s).

F. CCL, or others for whom CCL acts as agent, shall include the following provision in any agreement or other contract for the sale or transfer of LNG exported pursuant to this Order:

Customer or purchaser acknowledges and agrees that it will resell or transfer LNG purchased hereunder for delivery only to countries identified in Ordering Paragraph B of DOE/FECM Order No. 5019, issued July 19, 2023, in Docket No. 23-46-LNG, and/or to purchasers that have agreed in writing to limit their direct or indirect resale or transfer of such LNG to such countries. Customer or purchaser further commits to cause a report to be provided to Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC that identifies the country (or countries) into which the LNG was actually delivered, and to include in any resale contract for such LNG the necessary conditions to ensure that Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC are made aware of all such actual destination countries.

G. Within two weeks after the first export of domestically produced LNG from the Project occurs, CCL shall provide written notification of the date of first export to DOE.

H. CCL shall file with the Office of Regulation, Analysis, and Engagement, on a semi-annual basis, written reports describing the progress of the proposed Project. The reports shall be filed on or by April 1 and October 1 of each year, and shall include information on the progress of the Project, the date the Project is expected to be operational, and the status of any long-term supply and export contracts associated with the long-term export of LNG.

I. With respect to any change in control of the authorization holder, CCL must comply with DOE's Procedures for Change in Control Affecting Applications and Authorizations to

Import or Export Natural Gas.⁴⁰ For purposes of this Ordering Paragraph, a “change in control” shall include any change, directly or indirectly, of the power to direct the management or policies of one or more of the CCL entities, whether such power is exercised through one or more intermediary companies or pursuant to an agreement, written or oral, and whether such power is established through ownership or voting of securities, or common directors, officers, or stockholders, or voting trusts, holding trusts, or debt holdings, or contract, or any other direct or indirect means.⁴¹

J. Monthly Reports: With respect to the LNG exports authorized by this Order, CCL 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 exports of LNG have been made. The first monthly report required by this Order is due not later than the 30th day of the month following the month of first export. In subsequent months, if exports have not occurred, a report of “no activity” for that month must be filed. If exports have occurred, the report must provide the information specified for each applicable activity and mode of transportation, 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)

K. All monthly report filings on Form FE-746R shall be made to the Office of Regulation, Analysis, and Engagement according to the methods of submission listed on the

⁴⁰ See U.S. Dep’t of Energy, Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas, 79 Fed. Reg. 65,541 (Nov. 5, 2014).

⁴¹ See *id.* at 65,542.

Form FE-746R reporting instructions available at: <https://www.energy.gov/fecm/regulation>.

Issued in Washington, D.C., on July 19, 2023.

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

**APPENDIX: LONG-TERM EXPORT AUTHORIZATIONS
FOR THE CORPUS CHRISTI LNG TERMINAL**

The long-term export authorizations issued by DOE to Corpus Christi Liquefaction, LLC; Cheniere Marketing, LLC; and/or CCL Midscale 8-9, LLC are identified in the following tables:

Table 1: Orders Issued by DOE for the Long-Term Export of LNG from the Corpus Christi LNG Terminal to FTA Countries

Docket No.	Order No. (as Amended)	Date Originally Issued	Authorization Holder(s)	LNG Facilities at the Terminal	Volume (Bcf/yr)	Term
12-99-LNG	3164-B	Oct. 16, 2012, as amended	Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC	Liquefaction Project (Large-Scale Trains 1-3)	767	Export term through Dec. 31, 2050
18-78-LNG	4277-B	Nov. 9, 2018, as amended	Corpus Christi Liquefaction, LLC	Stage 3 Project (Midscale Trains 1-7)	582.14	Export term through Dec. 31, 2050
19-124-LNG	4519-A	Apr. 14, 2020, as amended	Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC	Liquefaction Project (Large-Scale Trains 1-3)	108.16	Export term through Dec. 31, 2050
23-46-LNG	5019	July 19, 2023	Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC	Corpus Christi Liquefaction Midscale Trains 8 & 9 Project (Midscale Trains 8-9)	170	Export term through Dec. 31, 2050
Total FTA Volume					1627.3	

Table 2: Orders Issued by DOE for the Long-Term Export of Domestic LNG from the Corpus Christi LNG Terminal to Non-FTA Countries

Docket No.	Order No. (as Amended)	Date Originally Issued	Authorization Holder(s)	LNG Facilities at the Terminal	Volume (Bcf/yr)	Term
12-97-LNG	3638-B	May 12, 2015, as amended	Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC	Liquefaction Project (Large-Scale Trains 1-3)	767	Export term through Dec. 31, 2050
18-78-LNG	4490-B	Feb. 10, 2020, as amended	Corpus Christi Liquefaction, LLC	Stage 3 Project (Midscale Trains 1-7)	582.14	Export term through Dec. 31, 2050
19-124-LNG	4799	Mar. 16, 2022	Cheniere Marketing, LLC and Corpus Christi Liquefaction, LLC	Liquefaction Project (Large-Scale Trains 1-3)	108.16	Export term through Dec. 31, 2050
Total Non-FTA Volume					1457.3	