

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

SENECA RESOURCES COMPANY, LLC

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DOCKET NO. 23-67-NG

ORDER GRANTING LONG-TERM AUTHORIZATION
TO EXPORT NATURAL GAS TO CANADA

DOE/FECM ORDER NO. 5032

AUGUST 30, 2023

I. DESCRIPTION OF REQUEST

On June 29, 2023, Seneca Resources Company, LLC (Seneca Resources) filed an application (Application)¹ with the Department of Energy’s (DOE) Office of Fossil Energy and Carbon Management (FECM) under section 3 of the Natural Gas Act (NGA).² Seneca Resources requests long-term authorization to export natural gas to Canada by pipeline in a cumulative total volume of 240.40 billion cubic feet (Bcf) of natural gas (0.043 Bcf per day (Bcf/d)),³ which Seneca Resources states is equivalent to 45,000 million British Thermal Units (MMBtu) per day or 43,394 thousand cubic feet (Mcf) per day (Mcf/d) of natural gas, for a term of 15 years and 2 months, beginning September 1, 2023, and extending through October 31, 2038.⁴ The requested term aligns with a transportation agreement Seneca has entered into with TransCanada Pipelines Limited (TCPL), which took effect September 1, 2022, and extends through October 31, 2038.⁵

Seneca Resources states that it is a Pennsylvania limited liability company with its principal place of business in Cranberry Township, Pennsylvania, and that it is wholly owned and controlled by National Fuel Gas Company.⁶ Seneca Resources further describes itself as “engaged in the exploration, development, and production of natural gas and oil reserves.”⁷

¹ Seneca Resources Company, LLC, Application for Long-Term Authorization to Export Natural Gas to Canada, Docket No. 23-67-NG (June 29, 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 Volumes are calculated based on 5,540 days from September 1, 2023, to October 31, 2038. The export volume authorized for each year during the term would be equivalent to approximately 5.30 Bcf per year (Bcf/yr) from September 1, 2023, until December 31, 2023; approximately 15.85 Bcf/yr from January 1, 2024, until December 31, 2037; and up to 13.19 Bcf/yr from January 1, 2038, until October 31, 2038.

⁴ App. at 1.

⁵ See *id.* at 4 & Appendix C.

⁶ *Id.* at 2.

⁷ *Id.*

According to Seneca Resources, the natural gas it intends to export would “be produced ... from its reserves and transported to the export point at Chippawa, New York on domestic interstate pipeline facilities owned by Empire Pipeline, Inc.”⁸ Seneca Resources adds that “[n]o new pipeline facilities [would] be constructed to facilitate the movement of the natural gas to be exported pursuant to the requested authorization.”⁹

Seneca Resources further represents that it would “make all pipeline transportation arrangements for the natural gas to be exported for sale at the [TCPL] interconnect with Enbridge Gas Inc. . . . at Kirkwall, Ontario[, Canada].”¹⁰ Seneca Resources states that “exports under the requested authorization [would] utilize capacity that Seneca Resources has contracted on TCPL to deliver the contracted-for volumes of natural gas from the point of exportation at the TCPL interconnect at the Chippawa, New York/Ontario, Canada border to Kirkwall, Ontario.”¹¹

Seneca Resources states that it “will comply with all reporting requirements deemed necessary by DOE/FECM, including filing monthly reports.”¹²

II. FINDINGS

Section 3(c) of the NGA¹³ 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 Seneca Resources to export natural

⁸ *Id.* at 3.

⁹ *Id.*

¹⁰ App. at 3.

¹¹ *Id.*

¹² *Id.*

¹³ 15 U.S.C. § 717b(c).

gas to 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. Seneca Resources Company, LLC (Seneca Resources) is authorized to export up to a cumulative total volume of 240.40 Bcf of U.S.-sourced natural gas to Canada for a term beginning on September 1, 2023, and extending through October 31, 2038.

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

C. Monthly Reports: With respect to the natural gas exports authorized by this Order, Seneca Resources shall file with the U.S. Department of Energy (FE-34), Office of Fossil Energy and Carbon Management, 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 natural gas have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no exports have been made, 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, 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 October 30, 2023, and should cover the reporting period from September 1, 2023, through September 30, 2023.

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

Issued in Washington, D.C., on August 30, 2023.

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