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March 14, 2024

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, Office of Regulation, Analysis, and Engagement
Office of Fossil Energy and Carbon Management

Re: ***Eagle LNG Partners Jacksonville II LLC, Docket Nos. 22-168-LNG and 17-79-LNG***
**Application of Eagle LNG Partners Jacksonville II LLC to Amend its 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”) to amend its existing long-term authorization to export up to 51.75 Bcf of natural gas per year as liquefied natural gas (“LNG”) (the “Amendment Application”). The existing authorization, granted in DOE/FECM Order Nos. 4975 and 4078-B,¹ permits exports of LNG sourced from 13 facilities identified in Appendix C to Eagle Maxville’s December 29, 2022 application 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) 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.

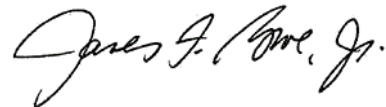
¹ *Eagle LNG Partners Jacksonville II LLC*, DOE/FECM Order Nos. 4975 and 4078-B (Mar. 12, 2023).

Eagle Maxville is submitting this Amendment Application to add additional facilities to the list of facilities from which it is permitted to source LNG for export. As there is no other change requested, including to the quantity of natural gas that Eagle Maxville would be permitted to export, this Amendment Application would not change Eagle Maxville's qualification under the "small-scale" exports provisions of the Department of Energy's regulations. Accordingly, the modified authorization requested in the Amendment Application should be deemed to be consistent with the public interest and granted without delay.²

We are emailing a PDF copy of the Amendment Application to the fergas@hq.doe.gov.

Please contact us if you have any questions.

Sincerely,



James F. Bowe, Jr.
Partner

Christopher J. Terhune
Counsel

Attachments

² 10 C.F.R. §§ 590.102(p) and 590.208(a) (2023).

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

**EAGLE LNG PARTNERS
JACKSONVILLE II LLC**

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)

**Docket Nos. 22-168-LNG
17-79-LNG**

**APPLICATION OF EAGLE LNG PARTNERS JACKSONVILLE II LLC TO AMEND
ITS 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”) hereby requests, pursuant to Section 3 of the Natural Gas Act of 1938, as amended (“NGA”)³ and Part 590 of the regulations of the Department of Energy (“DOE”),⁴ that the DOE Office of Fossil Energy and Carbon Management (“DOE/FECM”) amend DOE/FECM Order Nos. 4975 and 4078-B (“Existing Authorization”) as described herein.⁵ The Existing Authorization grants Eagle Maxville long-term, multi-contract authorization to export up to 51.75 billion cubic feet (“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. Eagle Maxville is submitting this application to amend the Existing

³ 15 U.S.C. § 717b (2018).

⁴ 10 C.F.R. Part 590 (2023).

⁵ *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order Nos. 4975 and 4078-B (Mar. 12, 2023).

Authorization (“Amendment Application”) to add 28 new facilities to the list of facilities from which Eagle Maxville may source LNG for export.

I. BACKGROUND

Eagle Maxville has been exporting LNG in approved ISO IMO7/TVAC-ASME LNG (“ISO”) containers, primarily to countries in the Caribbean, since August 8, 2021.⁶ While such exports initially occurred pursuant to authorizations issued in 2017 and 2020,⁷ Eagle Maxville submitted an application on December 29, 2022, in DOE/FECM Docket Nos. 22-168-LNG and 17-79-LNG, in which it sought a single authorization to permit exports of up to 51.75 Bcf per year of LNG in ISO containers to both FTA and non-FTA nations (“2022 Application”). In the 2022 Application, Eagle Maxville identified 13 potential sources of such LNG, along with the ports from which LNG procured from such sources would be exported. Eagle Maxville further requested that DOE/FECM issue a consolidated authorization to replace its prior authorization, that the period of such authorization run until December 31, 2050, and that it be given the authority to export LNG on its own behalf and as agent for other entities. DOE/FECM issued the Existing Authorization granting Eagle Maxville’s requests on March 12, 2023.

II. AMENDMENT REQUESTED AND PUBLIC INTEREST

The Existing Authorization allows Eagle Maxville to obtain LNG for export from any of 13 different facilities in the U.S. that were listed in Appendix C to the 2022 Application. The Existing Authorization notes that if Eagle Maxville “wishes to obtain LNG for export” from a

⁶ Eagle Maxville’s corporate information is unchanged from what was included in the December 29, 2022 application and is incorporated herein by reference.

⁷ *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order No. 4078 (Sept. 15, 2017); *Eagle LNG Partners Jacksonville II LLC*, DOE/FE Order No. 4078-A (Dec. 30, 2020).

facility not included on its list, “it will be required to file with DOE a request to amend this Order to add” that new facility.⁸

Included as Amended Appendix C to this Amendment Application is an updated list of the facilities from which Eagle Maxville may obtain LNG for export and the associated ports through which such LNG would be exported. This update adds 28 facilities to the potential sources of LNG for export, which reflects the growing availability of LNG for purchase throughout the U.S. Facilities that previously served only as peak shavers or storage to support local gas distribution companies, for example, are now selling LNG on a commercial basis to buyers like Eagle Maxville. With a wider variety of supply sources comes new market opportunities, such as acquiring LNG produced from renewable natural gas at Kinder Morgan’s facilities in Indianapolis. The option to source LNG from a broader range of facilities will provide Eagle Maxville with greater flexibility to meet the needs of its customers.

Eagle Maxville is not seeking any other changes to its Existing Authorization in this Amendment Application and, in particular, is not seeking to increase the quantity of LNG it is authorized to export. DOE/FECM previously found that Eagle Maxville’s application with respect to exports to FTA nations should be “granted ‘without modification or delay’” as required under NGA Section 3(c).⁹ With respect to exports to non-FTA nations, DOE/FECM found that Eagle Maxville qualified under the “small-scale natural gas exports” rule codified at 10 C.F.R. § 590.208(a), that the application was entitled to a categorical exclusion from the requirements of the National Environmental Policy Act (“NEPA”), and that the exports were “deemed to be

⁸ Existing Authorization at note 45.

⁹ *Id.* at 6 (quoting 15 U.S.C. § 717b(c)).

consistent with the public interest under NGA section 3(a).”¹⁰ Having determined that no environmental review was necessary and that Eagle Maxville’s requests for an FTA authorization and a non-FTA authorization were deemed to be consistent with the public interest, DOE/FECM issued the Existing Authorization.

The modified authorization sought in this Amendment Application should be deemed to be consistent with the public interest, and a categorical exclusion determination should be issued, for the same reasons as DOE/FECM relied upon in granting Eagle Maxville’s prior application. A categorical exclusion is appropriate here because no construction is needed to add existing LNG loading facilities to the list of facilities from which Eagle Maxville may source LNG for export. An amendment to the FTA portion of the Existing Authorization is appropriate because NGA Section 3(c) directs that FTA authorizations are to be “deemed to be consistent with the public interest” and should be issued “without modification or delay.”¹¹

Eagle Maxville is not proposing to increase the quantity of natural gas it is authorized to export, so this Amendment Application should be deemed consistent with the public interest under the small-scale natural gas exports policy, as was the case for the Existing Authorization. Further, small-scale exports are exempt from DOE/FECM’s current “temporary pause” on LNG export application reviews.¹² Accordingly, Eagle Maxville respectfully requests that DOE/FECM promptly issue an amendment to the Existing Authorization to authorize exports of LNG sourced from the updated list of facilities.

¹⁰ *Id.* at 7-8.

¹¹ 15 U.S.C. § 717b(c).

¹² See “The Temporary Pause on Review of Pending Applications to Export Liquefied Natural Gas” at note 1, U.S. Department of Energy, Fossil Energy and Carbon Management (Feb. 2024) (available at <https://www.energy.gov/fecm/regulation>).

III. COMMUNICATIONS

All correspondence and communications regarding this Amendment Application should be directed to:¹³

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IV. APPENDICES

The following appendices are included with this Amendment Application:

- **Appendix A:** Verification
- **Appendix B:** Opinion of Counsel
- **Amended Appendix C:** List of LNG Facilities from which Eagle Maxville may Obtain LNG (Updated March 14, 2024)

VII. CONCLUSION

For the reasons set forth above, Eagle Maxville respectfully requests that DOE/FECM issue an order amending Eagle Maxville's Existing Authorization so as to permit exports of natural gas

¹³ 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.

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sourced from the facilities identified in Amended Appendix C 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.

Respectfully submitted,

**EAGLE LNG PARTNERS JACKSONVILLE II
LLC**

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

James F. Bowe, Jr.
Christopher J. Terhune
King & Spalding LLP
1700 Pennsylvania Ave., NW, Suite 900
Washington, DC 20006-4707

Counsel for Eagle LNG Partners Jacksonville II LLC

Dated: March 14, 2024

Appendix A
Verification

VERIFICATION

I, Christopher J. Terhune, 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.



Christopher J. Terhune

Counsel to Eagle LNG Partners Jacksonville II LLC

Sworn and subscribed before me this 14th day of March, 2024.

Terry Lynn Traynham
Notary Public

District of Columbia

My Commission expires: 6 - 14 - 2027

TERRY LYNN TRAYNHAM
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires June 14, 2027



Appendix B

Legal Opinion of Counsel for Eagle LNG Partners Jacksonville II LLC

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March 14, 2024

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 Nos. 22-168-LNG and 17-79-LNG
Application of Eagle LNG Partners Jacksonville II LLC to Amend its Long-Term,
Multi-Contract Authorization to Export Natural Gas to Free Trade Agreement and
Non-Free Trade Agreement Nations**

Dear Ms. Sweeney:

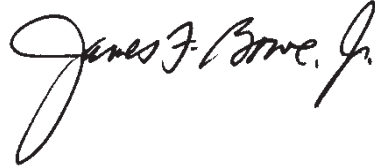
This opinion is provided pursuant to Section 590.202(c) of the Department of Energy Regulations, 10 C.F.R. § 590.202(c), in support of the Application of Eagle LNG Partners Jacksonville II LLC (“Eagle Maxville”) to Amend its Long-Term, Multi-Contract Authorization to Export Natural Gas to Free Trade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

Amended Appendix C

**List of LNG Facilities from which Eagle Maxville may Obtain LNG
(Updated March 14, 2024)**

Below is a list of the facilities from which Eagle Maxville may source LNG for export, the capacity of each facility, and the ports from which such exports may be made. The description of the facilities is based on publicly available information.

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 currently has the capacity to produce 187,000 gallons of LNG per day.
2. New Fortress Energy, Miami, FL (Ports: Miami, FL, Port Everglades, FL, Port Canaveral, FL) – LNG production capacity of 100,000 LNG gallons per day.
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) – LNG production capacity of 30,000 gallon per day, expandable to 90,000 gallons per day, 100,000 LNG gallons of storage.
4. Stabilis Energy, George West, TX (Ports: Houston, TX, Corpus Christi, TX) – LNG production 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) – LNG production capacity of approximately 60,000 gallons per day, and 4.8 million LNG gallons of storage.
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) – LNG production capacity of 120,000 gallons per day and storage of more than 2 million LNG gallons.
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) – Total LNG production capacity of 624 MMCF.
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) – Total LNG production capacity of 150 MMCF.
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) – Total LNG production capacity of 400 MMCF.
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) – Total LNG production capacity of 80 MMCF.

11. Clean Energy, Boron LNG, Boron, CA (Ports: Long Beach, CA, Los Angeles, LA, Oakland, CA, San Francisco, CA, San Diego, CA, Benicia, CA) – LNG production capacity of 180,000 gallons per day and 1,800,000 LNG gallons of storage.
12. Pivotal LNG, Towanda LNG, Wyalusing, PA (Ports: Port of NY/NJ, Boston, MA, Wilmington, DE, Davisville, RI) – LNG production capacity of 50,000 gallons per day with 180,000 LNG gallons of storage.
13. Puget Sound, Puget LNG, Tacoma, Washington (Port: Tacoma, WA) – LNG production capacity of 225,000 gallons per day with 1,700,000 LNG gallons of storage.
14. Carib Energy (USA) LLC, Crowley LNG Puerto Rico Truck Loading Facility, Peñuelas, Puerto Rico (Ports: Peñuelas and San Juan, Puerto Rico) – exports in approved IMO7/TVAC-ASME LNG containers of LNG that has been imported into Puerto Rico from foreign sources via the EcoEléctrica LNG Terminal operated by EcoEléctrica, L.P., LNG transfer capacity reported as 94,000,000 gallons of LNG per year.
15. Exxon, Shute Creek, WY (Ports: Tacoma, WA, Oakland, CA, Portland, OR) – LNG production capacity of 80,000 gallons per day.
16. XTO Energy Inc, Hawkins LNG, Spring, TX (Ports: Houston, TX, Galveston, TX, Beaumont TX, Port Arthur, TX) – LNG production capacity of 60,000 gallons per day with 420,000 LNG gallons of storage.
17. Harvest Midstream, Ignacio Gas Plant, Durango, CO (Ports: Houston, TX, Galveston, TX, Corpus Christi, TX) – LNG production capacity of 100,000 gallons per day with 93,500 LNG gallons of storage.
18. Philadelphia Gas Works, Richmond Plant, Philadelphia, PA (Ports: Philadelphia, PA, Wilmington, DE) – LNG production capacity of 170,000 gallons per day with 48,969,984 LNG gallons of storage.
19. Philadelphia Gas Works, Passyunk Plant, Philadelphia, PA (Ports: Philadelphia, PA, Wilmington, DE) – 0 gallons per day of LNG production with 3,066,000 LNG gallons of storage.
20. UGI Energy Services, Temple LNG Facility, Temple, PA (Ports: Philadelphia, PA, Wilmington, DE) – LNG production capacity of 120,000 gallons per day with 15,000,000 LNG gallons of storage.
21. UGI Energy Services, Manning LNG Facility, Meshoppen, PA (Ports: Wilmington, DE, Port of New York and New Jersey, Philadelphia, PA) – LNG production capacity of 120,000 gallons per day with 500,000 LNG gallons of storage.

22. LNG Indy, LLC, LNG North Plant, Indianapolis, IN (Ports: Toledo, OH, Cleveland, OH, Detroit, MI) – LNG production capacity of 125,000 gallons per day with 12,200,000 LNG gallons of storage.
23. LNG Indy, LLC, LNG South Plant, Indianapolis, IN (Ports: Toledo, OH, Cleveland, OH, Detroit, MI) – LNG production capacity of 125,000 gallons per day with 12,200,000 LNG gallons of storage.
24. Southern Company, Chattanooga LNG Plant, Chattanooga, TN (Ports: Savannah, GA, Charleston, SC, Mobile, AL) – LNG production capacity of 100,000 gallons per day with 14,616,000 LNG gallons of storage.
25. Clean Energy Fuels, Pickens Plant, Willis, TX (Ports: Houston, TX, Galveston, TX, Beaumont, TX, Port Arthur, TX) – LNG production capacity of 100,000 gallons per day with 1,000,000 LNG gallons of storage.
26. Memphis Light, Gas & Water, Capleville LNG, Capleville, TN (Ports: Mobile, AL, Gulfport, MS, New Orleans, LA, Baton Rouge, LA) – LNG production capacity of 65,000 gallons per day with 12,200,000 LNG gallons of storage.
27. Intermountain Gas Company, Nampa LNG Plant, Nampa, ID (Ports: Portland, OR, Tacoma, WA) – LNG production capacity of 40,000 gallons per day with 7,350,000 LNG gallons of storage.
28. Applied LNG, Midlothian Plant, Midlothian, TX (Ports: Houston, TX, Galveston, TX, Corpus Christi, TX) – LNG production capacity of 86,000 gallons per day with 300,000 LNG gallons of storage.
29. Applied LNG, Needle Mountain LNG, Topock, AZ (Ports: Los Angeles, CA, Long Beach, CA) – LNG production capacity of 172,000 gallons per day with 200,000 LNG gallons of storage.
30. CenterPoint Energy, LNG Plant, Burnsville, MN (Ports: Duluth, MN, Green Bay, WI) – LNG production capacity of 870,000 gallons per day with 12,000,000 LNG gallons of storage.
31. Spectrum LNG, Ehrenberg Plant, Ehrenberg, AZ (Ports: San Diego, CA, Los Angeles, CA, Long Beach, CA) – LNG production capacity of 76,300 gallons per day with 100,500 LNG gallons of storage.
32. Alkane Midstream LLC, Seminole Plant, Seminole, TX (Ports: Corpus Christi, TX, Houston, TX, Galveston, TX) – LNG production capacity of 100,000 gallons per day with no storage.

33. Piedmont Natural Gas, Huntersville LNG Plant, Huntersville, NC (Ports: Wilmington, NC, Charleston, SC) – LNG production capacity of 120,000 gallons per day with 12,200,000 LNG gallons of storage.
34. Piedmont Natural Gas, Bentonville LNG, Four Oaks, NC (Ports: Wilmington, NC, Norfolk, VA) – LNG production capacity of 120,000 gallons per day with 12,200,000 LNG gallons of storage.
35. Piedmont Natural Gas, Robeson LNG, Robeson NC (Ports: Wilmington, NC, Charleston, SC) – LNG production capacity of 120,000 gallons per day with 12,200,000 LNG gallons of storage.
36. Piedmont Natural Gas, Nashville LNG, Nashville, TN (Ports: Savannah, GA, Charleston, SC, Jacksonville, FL, Panama City, FL, Mobile, AL) – LNG production capacity of 60,000 gallons per day with 12,200,000 LNG gallons of storage.
37. Williams Partners Operating LLC, Plymouth LNG, Plymouth, WA (Ports: Portland, OR, Tacoma, WA) – LNG production capacity of 145,000 gallons per day with 29,000,000 LNG gallons of storage.
38. Metropolitan Utilities District, LNG Plant, Omaha, NE (Ports: Duluth, MN, Green Bay, WI, Chicago, IL) – LNG production capacity of 72,500 gallons per day with 12,200,000 LNG gallons of storage.
39. Williams, LNG Plant Station 240, Carlstadt, NJ (Ports: Port of New York and New Jersey, New Haven, CT, Wilmington, DE) – LNG production capacity of 120,000 gallons per day with 24,360,000 LNG gallons of storage.
40. Northern Natural Gas Co, Garner LNG Plant, Garner, IA (Ports: Chicago, IL, Green Bay, WI, Duluth, MN) – LNG production capacity of 194,000 gallons per day with 26,460,000 LNG gallons of storage.
41. South Jersey Gas, McKee City, McKee City, NJ (Ports: Philadelphia, PA, Wilmington, DE) – LNG production capacity of 60,000 gallons per day with 4,900,000 LNG gallons of storage.