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From: [John & Barbara](#)
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Cc: [John Young & Barbara Hill](#)
Subject: [EXTERNAL] Regarding Docket Number 15-190-LNG (Rio Grande LNG) and the DC Circuit Court 08-07-2024 Order voiding its FERC Permit effective 54 days after 08-06-2024
Date: Saturday, August 17, 2024 5:16:49 PM

My out-of-order comment, request, an motion to intervene as opposed to the Rio Grande LNG project FE Dkt. 15-190 DOE.

DC Court Order: [23-1174-2068430.pdf \(uscourts.gov\)](#)

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If I understand the Order Correctly, it gives Rio Grande LNG 45 days to file an appeal.

Failing a viable appeal within 45 days, the Rio Grande LNG FERC Permit will be vacated. At which point, Rio Grande will have to stop all its activities at its project lease site at my and my wife's local Port of Brownsville.

In line with "LNG construction to continue at Port of Brownsville pending mandate," Steve Clark, 08-13-2024, MyRGV, <https://myrgv.com/local-news/2024/08/13/lng-construction-to-continue-at-port-of-brownsville-pending-mandate/>. Quote:

QUOTE: The Sierra Club's lead attorney on the case, Nathan Matthews, later issued a statement saying that construction of Rio Grande LNG, owned by Houston-based NextDecade, won't have to cease until the court issues a mandate making its decision effective.

"Because part of the order vacates FERC's authorization, the mandate will implement the order and officially revoke NextDecade's permission to construct," he wrote. "The Court has said it will not issue the mandate for 52 days, which is seven days after the 45-day deadline for FERC or the developers to seek rehearing." END OF QUOTE

Reportedly, NextDecade filed an appeal against the 08-07-2024 Court Order on 94-14-2024. According to: "NextDecade to Appeal Court Ruling Overturning Rio Grande LNG Project Approval," Pipeline & Gas Journal, 08-05-2024, <https://pgjonline.com/news/2024/august/nextdecade-to-appeal-court-ruling-overturning-rio-grande-lng-project-approval/>: ". . . NextDecade said on Wednesday it will appeal a court ruling that overturned federal approval for its \$18 billion Rio Grande LNG project and warned loss of its permits could prevent access to its loans."

According to NextDecade's 08-14-2024 Second Quarter 2024 Business Update, it and its RGLNG project are doing quite well: <https://www.businesswire.com/news/home/20240814408202/en/>. In contrast to NextDecade's SEC Form 10-Q for the Quarter ending 09-31-2024, <https://www.sec.gov/ix?doc=/Archives/edgar/data/1612720/000162828024037219/next-20240630.htm/>.

NextDecade's 08-14-2024 PowerPoint Corporate Presentation, at <https://nextdecade.gcs-web.com/static-files/65009d39-f2f0-4632-a9a6-fb7806c68a4a/>, is, like its 08-14-2024 Second Quarter 2024 Business Update, very positive and upbeat. Including the Rio Bravo Pipeline as is source of feed gas:

Slide 30: "RBPL will be built, owned, and operated by a joint venture between Enbridge, WhiteWater/I Squared, and MPLX, which will ensure RBPL is permitted" completed, and performing

Importantly, the DC Court Order includes the Rio Bravo Pipeline, which hasn't yet started construction but is to provide the feed gas for the Rio Grande LNG project. I haven't yet seen any reports on Rio Bravo Pipeline's response to the Court Order.

All of which needs to be fact-checked. Especially Rio Grande LNG's claim before the DC Court that its CCS project is separate from its LNG project and optional. Contrary to the 08-06-2024 DC Court Order as written.

Bottom Line: Rio Grande LNG's upcoming Annual Report to the US Department of Energy should include a discussion of the DC Court's 08-14-2024 Order and how it plans to proceed beyond 09-26-2024, with or without the Rio Bravo Pipeline as the source for its feed gas.

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An active member of Save RGV (aka Save RGV from LNG) since May 2014 (contact@savergv.org, <https://www.facebook.com/saveRGVfromLNG/>).

Registered with FERC as an Intervenor opposed to:

- 1) The originally paired Rio Grande LNG and Rio Bravo Pipeline projects on 05-25-2016 (http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20160609-5280);
- 2) Enbridge's Rio Bravo Pipeline Company's Rio Bravo Pipeline project on 06-26-2020 (https://elibrary.ferc.gov/eLibrary/idmws/file_list.asp?accession_num=20200626-5079);

3) Rio Grande LNG's application for a Limited CCS Amendment on 11-22-2021 (https://elibrary.ferc.gov/eLibrary/idmws/file_list.asp?accession_num2-=20211125057);

4) Rio Bravo Pipeline 07-20-2023 pipeline modification request under CP23-519-000 (https://elibrary.ferc.gov/eLibrary/docinfo?accession_num=20230814-5025).

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