

**UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

Pieridae Energy (USA) Ltd.)
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)

FE Docket No. 14-179-LNG

**MOTION FOR LEAVE TO INTERVENE
OF
NORTHEAST ENERGY SOLUTIONS**

Pursuant to Sections 590.303 and 590.304 of the Administrative Procedures with Respect to the Import and Export of Natural Gas, the Northeast Energy Solutions (“NEES”) files this motion to intervene in the above captioned proceeding. In support, NEES states the following:

I. COMMUNICATIONS

Any communications regarding this pleading or this proceeding should be addressed to:

Vincent DeVito, Esq.
Bowditch & Dewey, LLP
1 International Place, 44th Floor
Boston, MA 02110
vdevito@bowditch.com
617.757.6500

II. INTERVENTION

- A. In support of this motion, NEES states, as follows: The exact legal name of movant is Northeast Energy Solutions.
- B. NEES is a nonprofit corporation compromised of energy, land, environmental, end-user, and related economic interests.
- C. NEES is an educational resource and advocacy group (before state and federal government officials) in order to ensure that economically viable and environmental responsible energy projects account for its member’s collective and respective interests.
- D. NEES is currently a formal intervener before FERC and the Maine PUC with regards to capacity and infrastructure proposals in the Northeast.

- E. On October 24, 2014, Pieridae Energy (USA) Ltd. ("Pieridae") filed an application requesting the Department of Energy, Office of Fossil Energy ("DOE/FE") to grant permission to export natural gas "into Canada for consumption and through Canada, after conversion in Canada into LNG, to (i) any country with which the United States of America ("US") currently has, or in the future may enter into, a free trade agreement requiring national treatment for trade in natural gas and (ii) any country with which the US does not have a free trade agreement requiring national treatment for trade in natural gas with which trade is not prohibited by US law or policy." Pieridae further requested to export for itself, or to act as agent for others, for a term of 20 years beginning on the earliest of the date of first potential export or seven years from the date requested authorization may be granted, if any.
- F. On page 8 of its application, Pieridae states: "There are a large number of the new natural gas pipeline projects in the Northeast United States. Pieridae may take capacity on existing pipeline systems, and planned new pipelines or planned pipeline expansions. However, no planned new pipeline or planned pipeline expansion will be implemented as a consequence of, or will be dependent upon, Pieridae's decision to take capacity on that pipeline or pipeline expansion. Instead, it is anticipated that transportation services in Maine, Massachusetts and New Hampshire will be provided to Pieridae US primarily by the operators of the M&N US Pipeline, which system includes pipeline facilities on the US side of the proposed export point." That notwithstanding, Pieridae seemingly contradicts itself, and goes on to set forth in its application natural gas pipeline facility expansion plans, in the northeast, that potentially benefit from and support Pieridae's application. In fact, Pieridae states that its application will potentially obtain capacity needs from those proposed projects.
- G. In view of the aforementioned, NEES has interests that will be directly affected by the outcome of this proceeding. NEES' interests cannot be adequately represented or protected by any other party. NEES has a direct and substantial interest in this proceeding that cannot be adequately represented by any other party. NEES respectfully submits that good cause exists to grant its motion to intervene.

III. DOE/FE Should Suspend LNG Export Reviews To Non-FTA Nations

Recently, the Energy Information Administration ("EIA") issued an updated report: *Effect of Increased Levels of Liquefied Natural Gas Exports on U.S. Energy Markets*. However, said report used the National Energy Modeling System ("NEMS") which, by EIA's own admission, is not a system that uses a world energy model and does not address the interaction between the potential for additional U.S. natural gas exports and developments in world natural gas markets. As such, the report cannot and does not account for interactions between U.S. energy prices and the global economy. Therefore, NEES submits that, under these circumstances, DOE/FE should suspend any further LNG export approvals to non-FTA nations until EIA is enabled to provide more accurate information which DOE/FE can use to determine if additional LNG exports to non-FTA Nations are in the public interest.

IV. DOE/FE Should Authorize Additional Procedures or Grant NEES' Motion for Additional Procedures

DOE/FE, under 590.206 should direct additional procedures concerning Pieridae's application consisting of the filing of supplemental written comments, written interrogatories and/or other discovery procedures, a conference, verbal presentation, and/or adjudication. Alternatively, NEES, under 590.310, requests and opportunity to submit and to and receive answers to written interrogatories.

NEES believes that there are numerous questions raised and left unanswered in Pieridae's application. Specifically, the vagueness and non-committal verbiage peppered throughout Pieridae's application do not allow for and, if fact, hinder the viability of a thoroughly deliberative process in this matter. Further, some of the assertions in Pieridae's application must be challenged, such as: On page 11 of its application, Pieridae states that "the price impact of Pieridae US's proposed exports would not be material, and thus the proposed export would not be expected to negatively impact US consumption of natural gas to any significant degree." However, the application does not substantiate such a claim. More so, the claim is written in such a fashion to be potentially false without Pieridae's accountability for the statement. NEES firmly believes that with the opportunity for additional procedures, including interrogatories, DOE/FE will be better enabled to make a determination in this matter.

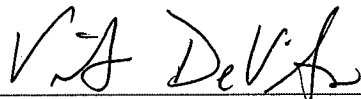
Further, to materially advance this proceeding and maintain an acceptable time line, NEES welcomes DOE/FE including time parameters on parties exercising additional procedures in this matter.

NEES also reserves all rights appurtenant to status as an Intervenor.

V. CONCLUSION

WHEREFORE, based on the foregoing, NEES respectfully requests that the DOE/FE (1) grant its motion to intervene in this proceeding with all rights appurtenant to that status, and (2) provide for additional procedures in this matter; or, grant NEES' motion for additional procedures, and (3) either (a) suspend consideration of the subject application or (b) deny, as inconsistent with the public interest, Pieridae's application for export authority to non-FTA Nations.

Respectfully submitted,

By: 

Northeast Energy Systems
Vincent DeVito
Bowditch & Dewey, LLP
1 International Place, 44th Floor
Boston, MA 02110

February 9, 2015

UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
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VERIFICATION

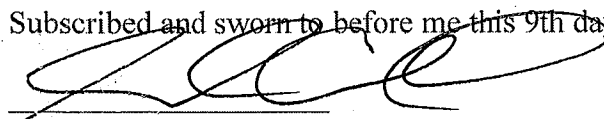
BOSTON, MASSACHUSETTS

Pursuant to 10 C.F.R. § 590. 103 (b) (2013), Vincent DeVito, being duly sworn, affirms that he is authorized to execute this verification, that he has read the foregoing document, and that all facts stated herein are true and correct to the best of his knowledge, information, and belief.



Vincent DeVito, Esq.
Bowditch & Dewey, LLP
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Boston, MA 02110
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617.757.6500


Subscribed and sworn to before me this 9th day of February, 2015.



Notary Public

My Commission Expires: 2/1/19

(seal)

 **SAMUEL C. SICHKO**
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires Feb. 1, 2019

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CERTIFIED STATEMENT OF AUTHORIZED REPRESENTATIVE

Pursuant to 10 C.F.R. § 5 90.103(b) (2013), I, Vincent DeVito, hereby certify that I am a duly authorized representative of Northeast Energy Solutions, and that I am authorized to sign and file with the Department of Energy, Office of Fossil Energy, on behalf of the Northeast Energy Solutions, the foregoing document and in the above-captioned proceeding.

Dated at Boston, MA, this 9th day of February, 2015.



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon on the applicant and on DOE/FE for inclusion in the FE docket in the proceeding in accordance with 10 C.F.R. § 590.107(b).

Dated at Boston, MA, this 2th day of February, 2015

By: _____



Vincent DeVito, Esq.
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