

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

IRVING OIL COMMERCIAL GP AND)
IRVING OIL TERMINALS OPERATIONS LLC)
)

FE DOCKET NO. 15-165-NG

ORDER GRANTING REQUEST TO AMEND AUTHORIZATION TO
TO IMPORT AND EXPORT NATURAL GAS
FROM AND TO CANADA

DOE/FE ORDER NO. 3765-C

On December 31, 2015, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued DOE/FE Order No. 3765 (FE Docket No. 15-165-NG),¹ under section 3 of the Natural Gas Act (NGA).² DOE/FE Order No. 3765, as subsequently amended,³ jointly grants Irving Oil Commercial GP and Irving Oil Terminals Operations LLC (collectively, Irving Oil)

¹ *Irving Oil Commercial GP and Irving Oil Terminal Operations, Inc.*, DOE/FE Order No. 3765, Order Granting Long-term Authorization to Import and Export Natural Gas From and To Canada (Dec. 31, 2015) [hereinafter 2015 Order].

² The authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FE in Redelelegation Order No. 00-006.02 issued on November 17, 2014.

³ On October 27, 2017, DOE/FE issued DOE/FE Order No. 3765-A, which amended DOE/FE Order No. 3765 to reflect a corporate name change. *Irving Oil Commercial GP and Irving Oil Terminal Operations LLC*, DOE/FE Order No. 3765-A, Order Granting Request to Amend Authorization to import and Export Natural Gas to Reflect Corporate Name Change (Oct. 27, 2017).

long-term authorization to import up to 10 billion cubic feet (Bcf) of natural gas per year from Canada and to export up to 22 Bcf per year of natural gas to Canada for a 15-year term beginning on November 1, 2017.⁴

On February 17, 2018, DOE/FE received Irving Oil's request to amend its authority to increase its authorized import volume of natural gas from 10 Bcf to 14 Bcf per year, to increase its maximum authorized export volume of natural gas from 22 Bcf per year to 26 Bcf per year, and to extend the term of its authorization by one year, through October 31, 2033. On February 28, 2018, in DOE/FE Order No. 3765-B, Irving Oil's authorization in DOE/FE Order No. 3765 was amended to reflect an increase in volumes of natural gas and the term of its authority.⁵

On February 14, 2019, DOE/FE received Irving Oil's request to further amend its authority to increase its authorized import volume of natural gas from 14 Bcf to 22 Bcf per year, to increase its maximum authorized export volume of natural gas from 26 Bcf per year to 34 Bcf per year, and to extend the term of its authorization through October 31, 2041.⁶

Irving Oil's request has been evaluated to determine if the proposed amendments meet the public interest requirements of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under section 3(c), 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 the import

⁴ 2015 Order at 2.

⁵ On February 28, 2018, DOE/FE issued DOE/FE Order No. 3765-B, which further amended DOE/FE Order No. 3765. *Irving Oil Commercial GP and Irving Oil Terminal Operations LLC*, DOE/FE Order No. 3765-B, Order Granting Request to Amend Authorization to Import and Export Natural Gas From and to Canada (Feb. 28, 2018)

⁶ See Letter from Andrea Grant and Martin Schaefermeier, Counsel for Irving Oil Commercial GP and Irving Oil Terminal Operations LLC, to Beverly Howard and Larine Moore, Division of Natural Gas Regulation (Feb. 14, 2019).

of LNG from other international sources are deemed to be consistent with the public interest, and applications for such imports or exports must be granted without modification or delay. Irving Oil's request to amend its pre-existing authorization to import and export natural gas from and to Canada, a nation with which a free trade agreement requiring national treatment for trade in natural gas is in effect, meets the section 3(c) criterion and, therefore, is consistent with the public interest.

Finding good cause, DOE/FE hereby grants Irving Oil's request to amend the specified authorization to increase the currently authorized volume amount and to extend the effective term of its current authorization. Accordingly, pursuant to section 3 of the Natural Gas Act, it is hereby ordered that DOE/FE Order No. 3765, as amended by DOE/FE Order Nos. 3765-A and 3765-B, respectively, is further amended to authorize Irving Oil to import up to 22 Bcf of natural gas per year from Canada and to export up to 34 Bcf of natural gas per year to Canada, and to extend the effective term of Irving Oil's authorization through October 31, 2041. These amendments are effective the date this Order is issued. All other terms and conditions of DOE/FE Order No. 3765, as amended by DOE/FE Order Nos. 3765-A and 3765-B, shall remain in full force and effect.

Issued in Washington, D.C., on March 11, 2019.

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