

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

COMMONWEALTH LNG, LLC)	FE DOCKET NO. 12-152-LNG
)	FE DOCKET NO. 13-153-LNG

ORDER VACATING FREE TRADE AGREEMENT AUTHORIZATION AND
WITHDRAWING PENDING NON-FREE TRADE AGREEMENT APPLICATION

DOE/FE ORDER NO. 3211-A

On October 12, 2012, Waller LNG Services, LLC (d/b/a Waller Point LNG) (Waller Point) filed an application (Application) with the Office of Fossil Energy (FE) of the Department of Energy (DOE) in FE Docket No. 12-152-LNG. The Application requested long-term, multi-contract authorization to export liquefied natural gas (LNG) produced from domestic sources by vessel from the proposed Waller Point LNG Terminal, to be constructed and operated in Cameron Parish, Louisiana, to any country with which the United States currently has, or in the future will have, a free trade agreement (FTA) requiring national treatment for trade in natural gas.¹ On December 20, 2012, DOE/FE granted Waller Point's Application in DOE/FE Order No. 3211.²

¹ The United States currently has FTAs requiring national treatment for trade in natural gas with Australia, Bahrain, Canada, Chile, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, Republic of Korea, and Singapore. FTAs with Israel and Costa Rica do not require national treatment for trade in natural gas.

² *Waller LNG Services, LLC (d/b/a/ Waller Point LNG)*, DOE/FE Order No. 3211, FE Docket No. 12-152-LNG, Order

Additionally, on November 26, 2013, Waller Point filed an Application (non-FTA Application) in FE Docket No. 13-153-LNG requesting long-term, multi-contract authorization to export LNG produced from domestic sources by vessel from the proposed Waller Point LNG Terminal to any other country with which trade is not prohibited by U.S. law or policy (non-FTA countries). The non-FTA Application is still pending.

On February 17, 2016, DOE/FE issued a notice of a change in control and corporate name change in both dockets.³ In that notice, DOE/FE recognized that Commonwealth LNG, LLC (Commonwealth) had purchased Waller Point and changed the name of the company to Commonwealth, as set forth in a prior filing. DOE/FE therefore amended DOE/FE Order No. 3211 and the non-FTA Application to reflect this name change.⁴

On October 16, 2019, Commonwealth submitted a letter filing requesting that DOE/FE both: (i) vacate DOE/FE Order No. 3211, and (ii) withdraw the pending non-FTA Application.⁵ In support of this request, Commonwealth states that it is simultaneously filing a new application for long-term export authority consistent with its currently proposed facilities.

Granting Long-Term, Multi-Contract Authorization to Export Liquefied Natural Gas by Vessel From The Proposed Waller Point LNG Terminal in Cameron Parish, Louisiana, to Free Trade Agreement Nations (Dec. 20, 2012).

³ *Commonwealth LNG, LLC (Formerly Waller LNG Services, LLC d/b/a Waller Point LNG)*, FE Docket Nos. 12-152-LNG, 13-153-LNG, Notice of Corporate Reorganization or Change in Control and Corporate Name Change Amending DOE/FE Order No. 3211 in FE Docket No. 12-152-LNG and Amending Pending Non-FTA Application in FE Docket No. 13-153-LNG (Feb. 17, 2016).

⁴ *See id.*

⁵ Letter from Lisa M. Tonery, Attorney for Commonwealth LNG, LLC, to Amy Sweeney, DOE/FE, FE Docket Nos. 12-52-LNG and 13-153-LNG (Oct. 16, 2019).

We find good cause to grant Commonwealth LNG's request. Accordingly, we hereby vacate DOE/FE Order No. 3211 in FE Docket No. 12-152-LNG, and we give notice that Commonwealth's pending non-FTA Application in FE Docket No. 13-53-LNG is withdrawn, pursuant to 10 C.F.R. 590.204(c). These actions are effective immediately.

Issued in Washington, D.C., on December 19, 2019.

Amy R. Sweeney
Director, Office of Regulation, Analysis, and Engagement
Office of Oil and Natural Gas