

previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On June 13, 2022, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) under Delegation Order No. S1-DEL-S3-2022-2 and Redelegation Order No. S3-DEL-GD1-2022.

On June 28, 2018, DOE issued Order No. EA-452 authorizing Matador Power to transmit electric energy from the United States to Mexico as a power marketer. On February 27, 2023, Matador Power filed an application with DOE (Application or App) for renewal of their export authority for an additional five-year term. App at 1.

In its Application, Matador Power states that it "does not have any affiliates or upstream owners that possess any ownership interest or involvement in any other company that is a traditional utility or that owns, operates, or controls any electric generation, transmission or distribution facilities." App at 2. Matador Power represents that it "will purchase power to be exported from a variety of sources such as power marketers, independent power producers, or U.S. electric utilities and federal power marketing entities as those terms are defined in Sections 3(22) and 3(19) of the FPA." App at 3. Matador Power also states "[b]y definition, such power is surplus to the system of the generator and, therefore, the electric power that Matador Power will export on either a firm or interruptible basis will not impair the sufficiency of the electric power supply within the U.S." Id.

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. See App at Exhibit C.

**Procedural Matters:** Any person desiring to be heard in this proceeding should file a comment or protest to the Application at the email provided previously. Protests should be filed in accordance with Rule 211 of FERC's Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at the email address previously provided in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning COP's Application should

be clearly marked with GDO Docket No. EA-452-A. Additional copies are to be provided directly to Ruta Kalvaitis Skucas and Jennifer L. Mersing, K&L Gates LLP, 1601 K St. NW, Washington, DC 20006, [ruta.skucas@klgates.com](mailto:ruta.skucas@klgates.com) and [jennifer.mersing@klgates.com](mailto:jennifer.mersing@klgates.com), and Diana Stoica, Matador Power Marketing, Inc., 50 Carroll Street Toronto, ON, M4M 3G3 Canada, [rtedsk@matadorpm.com](mailto:rtedsk@matadorpm.com).

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov).

**Signing Authority:** This document of the Department of Energy was signed on May 1, 2023, by Maria Robinson, Director, Grid Deployment Office, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 3, 2023.

**Treena V. Garrett,**

*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2023-09745 Filed 5-5-23; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[Docket No. 23-46-LNG]

### **Corpus Christi Liquefaction, LLC; CCL Midscale 8-9, LLC; and Cheniere Marketing, LLC; Application for Long-Term Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations**

**AGENCY:** Office of Fossil Energy and Carbon Management, Department of Energy.

**ACTION:** Notice of application.

**SUMMARY:** The Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) gives notice (Notice) of receipt of an application (Application), filed by Corpus Christi Liquefaction, LLC, CCL Midscale 8-9, LLC, and Cheniere Marketing, LLC (collectively, Applicants) on April 6, 2023. The Applicants request long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 170 billion cubic feet (Bcf) of natural gas per year (Bcf/yr) from the proposed Corpus Christi Liquefaction Midscale Trains 8 & 9 Project (Project), to be located at and adjacent to the existing Corpus Christi LNG terminal (CCL Terminal) in San Patricio and Nueces Counties, Texas. The Applicants filed the Application under the Natural Gas Act (NGA).

**DATES:** Protests, motions to intervene, or notices of intervention, as applicable, and written comments are to be filed electronically as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, July 7, 2023.

**ADDRESSES:**

*Electronic Filing by email:* [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov).

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including postal mail and hand delivery/courier, DOE has found it necessary to make temporary modifications to the comment submission process in light of the ongoing Covid-19 pandemic. DOE is currently accepting only electronic submissions at this time. If a commenter finds that this change poses an undue hardship, please contact Office of Resource Sustainability staff at (202) 586-4749 or (202) 586-7893 to discuss the need for alternative arrangements. Once the Covid-19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Wade or Peri Ulrey, U.S.

Department of Energy (FE-34), Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E-042, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-4749 or (202) 586-7893, [jennifer.wade@hq.doe.gov](mailto:jennifer.wade@hq.doe.gov) or [peri.ulrey@hq.doe.gov](mailto:peri.ulrey@hq.doe.gov).

Cassandra Bernstein, U.S. Department of Energy (GC-76), Office of the Assistant General Counsel for Energy Delivery and Resilience, Forrestal Building, Room 6D-033, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9793, [cassandra.bernstein@hq.doe.gov](mailto:cassandra.bernstein@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The Applicants state that the proposed Project will include two midscale LNG trains (Trains 8 and 9) and supporting infrastructure, which will be interconnected and operated, on an integrated basis, with the existing LNG storage tanks, control buildings, marine facilities, and other ancillary facilities at the CCL Terminal.<sup>1</sup> The Applicants seek to export LNG by ocean-going carrier from the proposed Project in a volume equivalent to approximately 170 Bcf/yr of natural gas (approximately 0.47 Bcf per day) on a non-additive basis to: (i) any nation with which the United States has entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA nations), and (ii) any other nation with which trade is not prohibited by U.S. law or policy (non-FTA nations). This Notice applies only to the portion of the Application requesting authority to export LNG to non-FTA countries pursuant to section 3(a) of the NGA.<sup>2</sup> DOE will review the Applicants' request for an export authorization to FTA countries separately pursuant to NGA section 3(c).<sup>3</sup>

The Applicants seek this authorization on their own behalf and as agent for other parties that may hold title to the LNG at the time of export. The Applicants request the authorization for a term commencing on the date of first commercial export from the Project and extending through December 31, 2050.

Additional details can be found in the Application, posted on the DOE website at: [www.energy.gov/sites/default/files/2023-04/Corpus%20Christi%20Liquefaction%20LLC%20et%20al.%20DOE%20Application.pdf](http://www.energy.gov/sites/default/files/2023-04/Corpus%20Christi%20Liquefaction%20LLC%20et%20al.%20DOE%20Application.pdf).

### DOE Evaluation

In reviewing the Application, DOE will consider any issues required by law or policy. DOE will consider domestic need for the natural gas, as well as any

other issues determined to be appropriate, including whether the arrangement is consistent with DOE's policy of promoting competition in the marketplace by allowing commercial parties to freely negotiate their own trade arrangements. As part of this analysis, DOE will consider the study entitled, *Macroeconomic Outcomes of Market Determined Levels of U.S. LNG Exports* (2018 LNG Export Study),<sup>4</sup> and DOE's response to public comments received on that Study.<sup>5</sup>

Additionally, DOE will consider the following environmental documents:

- *Addendum to Environmental Review Documents Concerning Exports of Natural Gas From the United States*, 79 FR 48132 (Aug. 15, 2014);<sup>6</sup>
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States*, 79 FR 32260 (June 4, 2014);<sup>7</sup> and
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas From the United States: 2019 Update*, 84 FR 49278 (Sept. 19, 2019), and DOE's response to public comments received on that study.<sup>8</sup>

Parties that may oppose this Application should address these issues and documents in their comments and protests, as well as other issues deemed relevant to the Application.

The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.*, requires DOE to give appropriate consideration to the environmental effects of its proposed decisions. No final decision will be issued in this proceeding until DOE has met its environmental responsibilities.

### Public Comment Procedures

In response to this Notice, any person may file a protest, comments, or a motion to intervene or notice of

intervention, as applicable. Interested parties will be provided 60 days from the date of publication of this Notice in which to submit comments, protests, motions to intervene, or notices of intervention.

Any person wishing to become a party to this proceeding evaluating the Application must file a motion to intervene or notice of intervention. The filing of comments or a protest with respect to the Application will not serve to make the commenter or protestant a party to this proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the Application. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by the regulations in 10 CFR part 590, including the service requirements.

As noted, DOE is only accepting electronic submissions at this time. Please email the filing to [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov). All filings must include a reference to "Docket No. 23-46-LNG" or "Corpus Christi Liquefaction, LLC *et al.* Application" in the title line.

*Please Note:* Please include all related documents and attachments (*e.g.*, exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to ensure that all documents are filed in a timely manner.

The Application and any filed protests, motions to intervene, notices of intervention, and comments will also be available electronically by going to the following DOE Web address: [www.energy.gov/fecm/regulation](http://www.energy.gov/fecm/regulation).

A decisional record on the Application will be developed through responses to this Notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. If an additional procedure is scheduled, notice will be provided to all parties. If no party requests additional procedures, a final Opinion and Order may be issued based on the official record, including the Application and responses filed by parties pursuant to this Notice, in accordance with 10 CFR 590.316.

<sup>1</sup> The Applicants state that the Liquefaction Project at the CCL Terminal is currently operational, and an expansion of the Liquefaction Project, called the Stage 3 Project, is under construction.

<sup>2</sup> 15 U.S.C. 717b(a).

<sup>3</sup> 15 U.S.C. 717b(c).

<sup>4</sup> See NERA Economic Consulting, *Macroeconomic Outcomes of Market Determined Levels of U.S. LNG Exports* (June 7, 2018), [www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf](http://www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf).

<sup>5</sup> U.S. Dep't of Energy, *Study on Macroeconomic Outcomes of LNG Exports: Response to Comments Received on Study; Notice of Response to Comments*, 83 FR 67251 (Dec. 28, 2018).

<sup>6</sup> The Addendum and related documents are available at [www.energy.gov/fecm/addendum-environmental-review-documents-concerning-exports-natural-gas-united-states](http://www.energy.gov/fecm/addendum-environmental-review-documents-concerning-exports-natural-gas-united-states).

<sup>7</sup> The 2014 Life Cycle Greenhouse Gas Report is available at [www.energy.gov/fecm/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states](http://www.energy.gov/fecm/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states).

<sup>8</sup> U.S. Dep't of Energy, *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied Natural Gas from the United States: 2019 Update—Response to Comments*, 85 FR 72 (Jan. 2, 2020). The 2019 Update and related documents are available at <https://fossil.energy.gov/app/docketindex/docket/index/21>.

Signed in Washington, DC, on May 2, 2023.

**Amy Sweeney,**

*Director, Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability.*

[FR Doc. 2023-09728 Filed 5-5-23; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[GDO Docket No. EA-325-C]

### Application for Renewal of Authorization To Export Electric Energy; Emera Energy Services Subsidiary No. 5 LLC

**AGENCY:** Grid Deployment Office, Department of Energy.

**ACTION:** Notice of application.

**SUMMARY:** Emera Energy Services Subsidiary No. 5 LLC (the Applicant or EESS-5) has applied for renewed authorization to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

**DATES:** Comments, protests, or motions to intervene must be submitted on or before June 7, 2023.

**ADDRESSES:** Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov).

**FOR FURTHER INFORMATION CONTACT:** Christina Gomer, (240) 474-2403, [electricity.exports@hq.doe.gov](mailto:electricity.exports@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The United States Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On June 13, 2022, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) under Delegation Order No. S1-DEL-S3-2022-2 and Redelegation Order No. S3-DEL-GD1-2022.

On April 19, 2007, DOE issued Order No. EA-325, authorizing EESS-5 to transmit electric energy from the United States to Canada as a power marketer. This authority was renewed on October 2, 2013 (Order No. EA-325-A) and on

September 18, 2018 (Order No. EA-325-B). On March 15, 2023, EESS-5 filed an application with DOE (Application or App) for renewal of their export authority for an additional five-year term. App at 1.

In its Application, EESS-5 states that it "does not own or control any electric power generation or transmission facilities and does not have a franchised electric power service area. EESS-5 operates as a marketing company involved in, among other things, the purchase and sale of electricity in the United States as a power marketer." App at 5. EESS-5 represents that it "will purchase surplus electric energy from electric utilities and other suppliers within the United States and will export this energy to Canada over the international electric transmission facilities." App at 6. Therefore, the Applicant contends that "because this electric energy will be purchased from others voluntarily, it will be surplus to the needs of the selling entities. EESS-5's export of power will not impair the sufficiency of electric power supply in the U.S." *Id.*

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. *See* App at Exhibit C.

**Procedural Matters:** Any person desiring to be heard in this proceeding should file a comment or protest to the Application at the email address provided previously. Protests should be filed in accordance with Rule 211 of FERC's Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at the email address previously provided in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning EESS-5's Application should be clearly marked with GDO Docket No. EA-325-C. Additional copies are to be provided directly to Keith Sutherland, Vice President, Legal & Regulatory Affairs—Emera Energy, 5151 Terminal Road, Halifax, NS B3J 1A1 Canada, [keith.sutherland@emeraenergy.com](mailto:keith.sutherland@emeraenergy.com) and Bonnie A. Suchman, Suchman Law LLC, 8104 Paisley Place, Potomac, Maryland 20854, [bonnie@suchmanlawllc.com](mailto:bonnie@suchmanlawllc.com).

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after

DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov).

**Signing Authority:** This document of the Department of Energy was signed on May 1, 2023, by Maria Robinson, Director, Grid Deployment Office, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 3, 2023.

**Treena V. Garrett,**

*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2023-09736 Filed 5-5-23; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[GDO Docket No. EA-453-A]

### Application for Renewal of Authorization To Export Electric Energy; Matador Power Marketing, Inc.

**AGENCY:** Grid Deployment Office, Department of Energy.

**ACTION:** Notice of application.

**SUMMARY:** Matador Power Marketing, Inc. (the Applicant or Matador Power) has applied for renewed authorization to transmit electric energy from the United States to Canada pursuant to the Federal Power Act.

**DATES:** Comments, protests, or motions to intervene must be submitted on or before June 7, 2023.

**ADDRESSES:** Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to [Electricity.Exports@hq.doe.gov](mailto:Electricity.Exports@hq.doe.gov).

**FOR FURTHER INFORMATION CONTACT:** Christina Gomer, (240) 474-2403, [electricity.exports@hq.doe.gov](mailto:electricity.exports@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The United States Department of Energy