

Managers will be comprised of Class A Managers, appointed by NextDecade LNG, and Class B Managers, appointed by GIP, Devonshire, TotalEnergies, and MIC, in proportion with their respective direct and indirect interests in RGIH. Rio Grande states that both Class A and B Managers, except in respect of certain related party transactions, will share in governance rights of RGIH. Rio Grande adds that in connection with the Transaction, TotalEnergies is also acquiring a 17.5% common stock position in Rio Grande LNG's publicly traded parent company, NextDecade Corporation (NextDecade Parent). Rio Grande LNG further adds that under the proposed change in control the majority of RGIH, approximately 67 percent will remain economically owned by U.S. entities, NextDecade Parent and GIP.

Rio Grande LNG states that the Terminal will be operated exclusively by NextDecade LNG, which will act as operator, coordinator, export administrator, vessel coordinator, and LNG marketer under several agreements executed by Rio Grande LNG as owner of the first three trains and the related common facilities at the Terminal.

Charts illustrating the ownership structure of Rio Grande LNG before and after the Investment Agreements are attached as Exhibit A to the Notice. Additional details can be found in the Notice, posted on the DOE website at: <https://www.energy.gov/sites/default/files/2023-08/15-190-LNG-RGLNG%20Statement%20and%20Notice%20of%20Change%20in%20Control%20%28Aug.%2016%202023%29.pdf>.

### DOE Evaluation

DOE will review the Notice in accordance with its Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas (CIC Procedures).<sup>3</sup> Consistent with the CIC Procedures, this notice addresses Rio Grande LNG's existing authorizations to export liquefied natural gas (LNG) to countries with which the United States has not entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries) and with which trade is not prohibited by United States law or policy (non-FTA countries), granted in DOE/FE Order No. 4492, as amended.<sup>4</sup> If no interested person protests the change in control and DOE takes no

action on its own motion, the proposed change in control will be deemed granted 30 days after publication in the **Federal Register**. If one or more protests are submitted, DOE will review any motions to intervene, protests, and answers, and will issue a determination as to whether the proposed change in control has been demonstrated to render the underlying authorizations inconsistent with the public interest.

### Public Comment Procedures

Interested persons will be provided 15 days from the date of publication of this notice in the **Federal Register** to move to intervene, protest, and answer Rio Grande LNG's Notice.<sup>5</sup> Protests, motions to intervene, notices of intervention, and written comments are invited in response to this notice only as to the change in control described in the Notice. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by DOE's regulations in 10 CFR part 590, including the service requirements.

Filings may be submitted using one of the following methods:

(1) Submitting the filing electronically at [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov);

(2) Mailing the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section; or

(3) Hand delivering the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section.

For administrative efficiency, DOE prefers filings to be filed electronically. All filings must include a reference to "Docket No. 15-190-LNG" in the title line, or "Rio Grande LNG, LLC Change in Control" in the title line.

*For electronic submissions:* 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 Notice, and any filed protests, motions to intervene, notices of intervention, and comments will be available electronically on the DOE website at [www.energy.gov/fecm/regulation](http://www.energy.gov/fecm/regulation).

<sup>5</sup> Intervention, if granted, would constitute intervention only in the change in control portion of these proceedings, as described herein.

Signed in Washington, DC, on August 29, 2023.

**Amy R. Sweeney,**

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

[FR Doc. 2023-19051 Filed 9-1-23; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[Docket No. 23-87-LNG]

### Lake Charles Exports, 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 Lake Charles Exports, LLC (LCE) on August 18, 2023, and supplemented on August 22, 2023. LCE requests long-term, multi-contract authorization to export domestically produced liquefied natural gas (LNG) in a volume equivalent to approximately 851 billion cubic feet (Bcf) of natural gas per year (Bcf/yr) from the proposed Lake Charles Terminal liquefaction facilities to be constructed in Lake Charles, Louisiana (Liquefaction Project). LCE 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 as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, November 6, 2023.

#### ADDRESSES:

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

*Postal Mail, Hand Delivery, or Private Delivery Services (e.g., FedEx, UPS, etc.):* U.S. Department of Energy (FE-34), Office of Regulation, Analysis, and Engagement, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E-056, 1000 Independence Avenue SW, Washington, DC 20585.

Due to potential delays in DOE's receipt and processing of mail sent through the U.S. Postal Service, we encourage respondents to submit filings electronically to ensure timely receipt.

#### FOR FURTHER INFORMATION CONTACT:

Jennifer Wade or Peri Ulrey, U.S.

Department of Energy (FE-34) Office

<sup>3</sup> 79 FR 65541 (Nov. 5, 2014).

<sup>4</sup> Rio Grande LNG's Notice also applies to its existing authorizations to export LNG to FTA countries in Docket No. 15-190-LNG. DOE will respond to those portions of the filing separately pursuant to the CIC Procedures, 79 FR 65542.

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:** LCE requests authorization to export domestically produced LNG by ocean-going vessel from the proposed Liquefaction Project, to be constructed and located on an approximately 286-acre site adjacent to the existing Lake Charles LNG import facilities in Lake Charles, Louisiana. LCE states that the proposed Liquefaction Project will include three LNG trains and supporting infrastructure, which will be interconnected and operated, on an integrated basis, with existing major LNG import infrastructure at the Lake Charles Terminal site, including four LNG storage tanks, two deep water docks capable of handling large LNG vessels, LNG sendout facilities, and other ancillary facilities. LCE seeks to export this LNG from the Liquefaction Project in a volume equivalent to approximately 851 Bcf/yr of natural gas (approximately 2.33 Bcf per day) to any country with which the United States has not entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA nations), pursuant to section 3(a) of the NGA.<sup>1</sup>

In the Application, LCE states that it is already authorized in DOE/FE Order No. 3324, and the non-FTA portion of Order No. 4011, both as amended, to export the same combined volume of LNG from the proposed Lake Charles Terminal liquefaction facilities to non-FTA countries. LCE states, however, despite making substantial efforts, LCE will not be able to commence export operations by December 16, 2025, as required under its existing authorizations. Therefore, LCE states that it is filing for a new export authorization for the same amount, 851 Bcf/year of LNG, to be evaluated under

current DOE/FECM policies and market information, and with a condition to commence export operations seven years from the date of issuance. LCE further asks that its existing non-FTA authorizations in DOE/FE Order Nos. 3324 and 4011 be vacated and replaced concurrently with the consolidated authorization.

LCE seeks this authorization on its own behalf and as agent for other entities that hold title to the LNG at the point of export. LCE requests the authorization for a term commencing on the date of first export following the start of commercial operation from the Liquefaction Project and extending through December 31, 2050.

Additional details can be found in the Application and supplement, posted on the DOE website at:

[https://www.energy.gov/sites/default/files/2023-08/23-87-LNG\\_Lake%20Charles%20Exports%20NFTA%20Application.pdf](https://www.energy.gov/sites/default/files/2023-08/23-87-LNG_Lake%20Charles%20Exports%20NFTA%20Application.pdf).

[https://www.energy.gov/sites/default/files/2023-08/FW\\_%20Lake%20Charles%20Exports%20C%20LLC%20-%20Clarification\\_Email.pdf](https://www.energy.gov/sites/default/files/2023-08/FW_%20Lake%20Charles%20Exports%20C%20LLC%20-%20Clarification_Email.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>2</sup> and DOE's response to public comments received on that Study.<sup>3</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>4</sup>
- *Life Cycle Greenhouse Gas Perspective on Exporting Liquefied*

<sup>2</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](https://www.energy.gov/sites/prod/files/2018/06/f52/Macroeconomic%20LNG%20Export%20Study%202018.pdf).

<sup>3</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>4</sup> The Addendum and related documents are available at [www.energy.gov/fecm/addendum-environmental-review-documents-concerning-exports-natural-gas-united-states](https://www.energy.gov/fecm/addendum-environmental-review-documents-concerning-exports-natural-gas-united-states).

*Natural Gas From the United States*, 79 FR 32260 (June 4, 2014);<sup>5</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>6</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.

Filings may be submitted using one of the following methods:

(1) Submitting the filing electronically at [fergas@hq.doe.gov](mailto:fergas@hq.doe.gov);

(2) Mailing the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section; or

<sup>5</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](https://www.energy.gov/fecm/life-cycle-greenhouse-gas-perspective-exporting-liquefied-natural-gas-united-states).

<sup>6</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>.

<sup>1</sup> 15 U.S.C. 717b(a).

(3) Hand delivering the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section.

For administrative efficiency, DOE prefers filings to be filed electronically. All filings must include a reference to “Docket No. 23–87–LNG” or “Lake Charles Exports, LLC Application” in the title line.

*For electronic submissions:* 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 Notice, and any filed protests, motions to intervene, notices of intervention, and comments will be available electronically on the DOE website at [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.

Signed in Washington, DC, on August 29, 2023.

**Amy Sweeney,**

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

[FR Doc. 2023–19053 Filed 9–1–23; 8:45 am]

**BILLING CODE 6450–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1894–229]

#### **Dominion Energy South Carolina, Inc.; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Temporary variance of seasonal turbine venting period.

b. *Project No.:* 1894–229.

c. *Date Filed:* August 2, 2023.

d. *Applicant:* Dominion Energy South Carolina, Inc. (licensee).

e. *Name of Project:* Parr Project.

f. *Location:* The project is located on the Broad River in Newberry and Fairfield counties, South Carolina, and occupies Federal lands within the Sumter National Forest, administered by the U.S. Department of Agriculture, Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Ms. Amy Bresnahan, Dominion Energy South Carolina, Inc., 220 Operation Way, Mail Code B223, Cayce, South Carolina 29033; (803) 217–9965;

[amy.bresnahan@dominionenergy.com](mailto:amy.bresnahan@dominionenergy.com).

i. *FERC Contact:* Joy Kurtz, (202) 502–6760, [joy.kurtz@ferc.gov](mailto:joy.kurtz@ferc.gov).

j. *Deadline for filing comments, motions to intervene, and protests is September 28, 2023.*

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission’s eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P–1894–229. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission’s Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission

relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The licensee requests Commission approval to extend the seasonal turbine venting window requirements specified in the project’s Turbine Venting Plan (Plan) through October 31, 2023. The Plan requires the licensee to provide turbine venting annually between June 15 and August 31 in order to increase dissolved oxygen levels downstream of Parr Shoals Dam. Article 401(b) of the project license requires the licensee to obtain Commission approval for extensions exceeding 30 days. The licensee is seeking Commission approval to extend the seasonal turbine venting window through October 31, 2023, in light of requests from the South Carolina Department of Natural Resources and South Carolina Department of Health and Environmental Control, who are concerned that low dissolved oxygen levels may persist at the project through fall of 2023.

l. *Locations of the Application:* This filing may be viewed on the Commission’s website at <http://www.ferc.gov> using the “eLibrary” link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission’s mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions To Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission’s Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* All filings must (1) bear in