

ORIGINAL

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



In the matter of, )  
)  
CONOCOPHILLIPS ALASKA NATURAL )  
GAS CORPORATION )  
)  
and )  
MARATHON OIL COMPANY )

FE Docket No. 07-02-LNG

**COMMENTS OF ENSTAR NATURAL GAS COMPANY**

Pursuant to the Order Inviting Comments on Off-the-Record Communication, issued May 1, 2008 in this proceeding (“Order”), ENSTAR Natural Gas Company (“ENSTAR”) respectfully files the following comments. ENSTAR regrets its failure to properly file and serve the April 10, 2008, letter from ENSTAR to Mr. Robert Corbin (“April 10 Letter”). However, ENSTAR had no intention to engage in an off-the-record communication with Mr. Corbin. ENSTAR submits that no further action by the Department of Energy (“DOE”) is required or appropriate regarding the April 10 Letter.

**I. Comments.**

ENSTAR’s submission of the April 10 Letter was not an attempt to communicate with Mr. Corbin improperly. Rather, the April 10 Letter was an attempt by ENSTAR to augment on the record its prior submissions in this proceeding that regrettably did not comply with the DOE’s procedures for filing and service. ENSTAR has been an active participant in this proceeding since its inception. ENSTAR initially requested that the DOE condition its approval of the requested export authorization. On January 23, 2008, ENSTAR filed supplemental comments informing the DOE that, following discussions between ENSTAR and the Applicants – ConocoPhillips Alaska Natural Gas Corporation and Marathon Oil Company – regarding the

supply of gas to ENSTAR during the proposed export period, ENSTAR supports the prompt approval of the Applicants' requested authorization without condition. The April 10 Letter was intended to buttress ENSTAR's supplemental comments by explaining to the DOE that ENSTAR's supply agreements with the Applicants are contingent upon the timely approval of the LNG export authorization.

ENSTAR did not intend the April 10 Letter to be an off-the-record communication with Mr. Corbin. To the contrary, ENSTAR plainly intended the April 10 Letter to be a public document, as evidenced by the fact copies were sent to the Alaska congressional delegation, Governor Palin, the Alaska state legislature, and the Deputy Commissioner of the Alaska Department of Natural Resources. Unfortunately, due to an internal miscommunication, the ENSTAR personnel responsible for the April 10 Letter mistakenly believed that addressing the letter to Mr. Corbin with a reference to the docket number would result in the April 10 Letter being placed in the public record and provided to the other parties.

ENSTAR regrets that its failure to comply with the DOE's procedures may have inadvertently violated the prohibition on off-the-record communications. ENSTAR and its counsel have taken steps to ensure that all personnel with responsibility for ENSTAR's participation in this proceeding are aware of the requirement to properly file and serve all submissions.

While ENSTAR does not believe that any party was prejudiced by ENSTAR's failure to serve the April 10 Letter, any potential prejudice has been cured by the Order's request for comments. All parties will have an opportunity to support or rebut on the record the statements in the April 10 Letter prior to the issuance of a final order in this proceeding. ENSTAR, therefore, submits that no further action is required or appropriate.

**II. Conclusion.**

For the foregoing reasons, ENSTAR respectfully requests that DOE take no further action regarding the April 10 Letter.

Respectfully submitted,



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Dated: May 8, 2008

**CERTIFICATE OF REPRESENTATIVE**

I hereby certify that I am a duly authorized representative of ENSTAR Natural Gas Company and that I am authorized to sign and file with the Office of Fossil Energy, on behalf of ENSTAR Natural Gas Company, the foregoing document.

Dated at Washington, D.C. this 8<sup>th</sup> day of May, 2008.

  
John S. Decker