

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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THE BROOKLYN UNION GAS COMPANY) FE DOCKET NO. 92-120-NG
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ORDER GRANTING BLANKET AUTHORIZATION TO
IMPORT NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 709

NOVEMBER 13, 1992

I. DESCRIPTION OF REQUEST

On September 18, 1992, The Brooklyn Union Gas Company (Brooklyn Union) filed an application with the Office of Fossil Energy of the Department of Energy (DOE), under section 3 of the Natural Gas Act (NGA), requesting blanket authorization to import up to 50 Bcf of natural gas from Canada over a two-year term beginning on the date of first delivery after December 1, 1992.

Brooklyn Union is a corporation organized under the laws of the State of New York with its principal place of business in Brooklyn, New York. Brooklyn Union is a local distribution company providing natural gas service to various consumers in Brooklyn, Queens and Staten Island in New York City.

A notice of the application was published in the Federal Register on October 6, 1992, inviting protests, motions to intervene, notices of intervention, and comments to be filed by November 5, 1992. 1/ No comments or motions to intervene were received.

II. FINDING

The application filed by Brooklyn Union has been evaluated to determine if the proposed import arrangement meets 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 of natural gas from a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas is deemed to be

1/ 57 FR 47163.

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consistent with the public interest and must be granted without modification or delay. The authorization sought by Brooklyn Union to import natural gas from Canada, a nation with which a free trade agreement is in effect, meets the section 3(c) criterion and is therefore consistent with the public interest.

ORDER

For the reasons set forth above, under section 3 of the Natural Gas Act, it is ordered that:

A. The Brooklyn Union Gas Company (Brooklyn Union) is authorized to import from Canada, at any point on the international border, up to 50 Bcf of natural gas over a two-year term beginning on the date of first delivery after December 1, 1992.

B. Within two weeks after deliveries begin, Brooklyn Union shall notify the Office of Fuels Programs, Fossil Energy, Room 3F-056, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, in writing of the date that the first import delivery of natural gas authorized in Ordering Paragraph A above occurred.

C. With respect to the natural gas imports authorized by this Order, Brooklyn Union shall file with the Office of Fuels Programs, within 30 days following each calendar quarter, quarterly reports indicating whether imports of natural gas have been made. If no imports have been made, a report of "no activity" for that calendar quarter must be filed. If imports have occurred, Brooklyn Union must report total monthly volumes

in Mcf and the average purchase price per MMBtu at the international border. The reports shall also provide the details of each import transaction, including (1) the name of the seller(s); (2) the name of the purchaser(s); (3) the estimated or actual duration of the agreement(s); (4) the name of the U.S. transporter(s); (5) the point(s) of entry; (6) the geographic market(s) served; (7) whether sales are being made on an interruptible or firm basis; and if applicable, (8) the per unit (MMBtu) demand/commodity/reservation charge breakdown of the contract price.

D. The first quarterly report required by Ordering Paragraph C of this Order is due not later than January 30, 1993, and should cover the period from December 2, 1992 until the end of the current calendar quarter December 31, 1992.

Issued in Washington, D.C., on November 13, 1992.

Charles F. Vacek
Deputy Assistant Secretary
for Fuels Programs
Office of Fossil Energy