DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP15-490-000, CP15-490-001, CP16-20-000]

Delfin LNG LLC; Notice of Request for Extension of Time

Take notice that on June 30, 2021, Delfin LNG LLC (Delfin) requested that the Federal Energy Regulatory Commission (Commission) grant an extension of time, until September 28, 2022, to construct and place into service the facilities that were authorized in the original certificate authorization issued on September 28, 2017 (Certificate Order). The Certificate Order authorized certain “onshore facilities” that would be used exclusively to transport natural gas to Delfin’s deepwater port “offshore facilities” (collectively, the Project) in federal waters offshore Louisiana. The onshore facilities would be used to meet the requirements of the customers of the offshore facilities. The Certificate Order required Delfin to construct and place the facilities in service by September 28, 2019.

Delfin states that on June 21, 2019, it requested an extension of time until March 28, 2023 to complete the construction of the onshore facilities in conjunction with construction of the offshore facilities. Delfin states that on July 8, 2019, the Commission’s Office of Energy Projects granted an extension of time until September 28, 2020 to construct the onshore facilities and make them available for service.

On June 25, 2020, Delphin requested an extension of time until September 28, 2021 to continue to construct the onshore facilities. Delphin explains that it was continuing to work to develop the Project, however, a variety of factors complicated the

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1 Delfin LNG LLC, 160 FERC ¶ 61,130 (2017).
task of negotiating offtake agreements with potential customers. Delfin states that on July 15, 2020, via delegated order, the Commission granted an extension of time until September 28, 2021 to construct the onshore facilities and make them available for service. (2020 Extension)

Delfin states that since the 2020 Extension, it has continued to work to develop the Project. Additionally, Delfin asserts that economic conditions are recovering from the global coronavirus pandemic, and the spot and short-term market for the LNG have significantly improved. Delfin views these developments as a precursor for an improved longer-term market, which it asserts will support long-term LNG offtake contract(s). Accordingly, applicants request an extension of time until September 28, 2022 to complete construction of the onshore facilities and place them into service.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on Delfin’s request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission’s Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10).²

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for Natural Gas Act facilities when such requests are contested before order issuance. For those extension requests that are

² Only motions to intervene from entities that were party to the underlying proceeding will be accepted. Algonquin Gas Transmission, LLC, 170 FERC ¶ 61,144, at P 39 (2020).
The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension. The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission’s environmental analysis for the certificate complied with the National Environmental Policy Act. At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance. The OEP Director, or his or her designee, will act on all of those extension requests that are uncontested.

In addition to publishing the full text of this document in the Federal Register, The Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through the Commission’s Home Page (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. At this time, the Commission has suspended access to Commission's Public Reference Room, due to the

3 Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1) (2019).

4 Algonquin Gas Transmission, LLC, 170 FERC ¶ 61,144, at P 40 (2020).

5 Id. at P 40.

6 Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission’s environmental analysis for the permit order complied with NEPA.

7 Algonquin Gas Transmission, LLC, 170 FERC ¶ 61,144, at P 40 (2020).
proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact FERC at FERCONlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TYY, (202) 502-8659.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFiling” link at http://www.ferc.gov. Persons unable to file electronically should submit an original and three copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

Comment Date: 5:00 pm Eastern Time on, July 22, 2021.

Dated: July 7, 2021.

Kimberly D. Bose,

Secretary.

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