



**DEPARTMENT OF ENERGY**

**[GDO Docket No. EA-287-D]**

**Application for Renewal of Authorization to Export Electric Energy;**

**Emera Energy U.S. Subsidiary No. 1, Inc.**

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

**ACTION:** Notice of application.

**SUMMARY:** Emera Energy U.S. Subsidiary No. 1, Inc. (the Applicant or EE US No. 1) 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 **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].**

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

**FOR FURTHER INFORMATION CONTACT:** Christina Gomer, (240) 474-2403, *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 April 10, 2023, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) by Delegation Order No. S1-DEL-S3-2023 and Redellegation Order No. S3-DEL-GD1-2023.

In April 2004, DOE issued Order No. EA-287, authorizing EE US No. 1 to transmit electric energy from the United States to Canada as a power marketer. This authority was renewed in 2009 (Order No. EA-287-A), in 2014 (Order No. EA-287-B), and in 2019 (Order No. EA-287-C). On October 12, 2023, EE US No. 1 filed an application with DOE (Application or App.) for renewal of their export authority for a five-year term. App at 1.

In its Application, EE US No. 1 states that it is a wholly-owned subsidiary of Emera Incorporated (Emera). App. at 1. The Application represents that EE US No. 1 is authorized to export energy from the United States to Canada and has market-based authority from FERC to provide wholesale and retail marketing services as a power marketer. *Id.* The Applicant notes that Emera holds ownership interests in various subsidiaries that provide energy services. *See id.* at 2-6. Although some of Emera’s subsidiaries own and control electric power generation and transmission facilities, the Applicant asserts that EE US No. 1 “does not own or control any electric power generation or transmission facilities and does not have a franchised electric power service area.” App. at 6.

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 previously provided email address in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning EE US No. 1’s Application should be clearly marked with GDO Docket No. EA-287-D. Additional copies are to be provided directly to Keith Sutherland, Vice President, Legal & Regulatory Affairs, Emera Energy Inc., 5151 Terminal

Road, Halifax, NS B3J 1A1, Canada, [keith.sutherland@emeraenergy.com](mailto:keith.sutherland@emeraenergy.com), Jeffrey Jakubiak, Vinson & Elkins LLP, 1114 Avenue of the Americas, 32<sup>nd</sup> Floor, New York, NY 10036, [JJakubiak@velaw.com](mailto:JJakubiak@velaw.com), and Jennifer Mansh, Vinson & Elkins LLP, 2200 Pennsylvania Avenue, NW, Suite 500 West, Washington, D.C. 20037, [JMansh@velaw.com](mailto:JMansh@velaw.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-0> 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 November 8, 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 November 9, 2023.

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