



DEPARTMENT OF ENERGY

[GDO Docket No. EA-257-F]

Application for Authorization to Export Electric Energy; Emera Energy Services, Inc.

AGENCY: Grid Deployment Office, Department of Energy.

ACTION: Notice of application.

SUMMARY: Emera Energy Services, Inc. (the Applicant or EES) 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 Redelegation Order No. S3-DEL-GD1-2023.

In April 2002, DOE issued Order No. EA-257, authorizing EES to transmit electric energy from the United States to Canada as a power marketer. This authority was renewed in

2004 (Order No. EA-257-A), 2006 (Order No. EA-257-B), 2009 (Order No. EA-257-C), 2014 (Order No. EA-257-D), and 2019 (Order No. EA-257-E). On October 25, 2023, EES 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, EES states that it is a Delaware corporation with its principal place of business in Kittery, Maine. *Id.* EES states it is a “wholly-owned subsidiary of Emera Incorporated (“Emera”), a Nova Scotia company that is a publicly-traded diversified energy and services company.” *Id.* The Application represents that EES 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.* at 1-2. The Applicant notes that Emera holds ownership interests in various subsidiaries that provide energy services. *Id.* at 2-6. Although some of Emera’s subsidiaries own and control electric power generation and transmission facilities, the Applicant asserts that EES does not “own or control any electric power generation or transmission facilities and does not have a franchised electric power service area.” *Id.* at 6. EES represents that it will “purchase surplus electric energy from electric utilities and other suppliers within the United States and will export this energy to Canada” and that the “export of power will not impair the sufficiency of electric power supply in the U.S.” App. at 7. 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. *Id.* at Exhibit C.

PROCEDURAL MATTERS: Any person desiring to be heard in this proceeding should file a comment or protest to the Application at Electricity.Exports@hq.doe.gov. Protests should be filed in accordance with Rule 211 of Federal Energy Regulatory Commission’s (FERC) 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 Electricity.Exports@hq.doe.gov in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning EES' Application should be clearly marked with GDO Docket No. EA-257-F. Additional copies are to be provided directly to Keith Sutherland, Emera Energy, Inc., 5151 Terminal Road, Halifax, NS B3J 1A1 Canada, keith.sutherland@emeraenergy.com; Jeffrey Jakubiak, Vinson & Elkins LLP, 1114 Avenue of the Americas, 32nd Floor, New York, NY 10036, JJakubiak@velaw.com; and Jennifer Mansh, Vinson & Elkins LLP, 2200 Pennsylvania Ave, Suite 500 West, Washington, DC 20037, 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.

Signing Authority: This document of the Department of Energy was signed on December 19, 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 December 20, 2023.

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

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