

[RESCINDED]

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-26
TO THE FEDERAL ENERGY REGULATORY COMMISSION

Pursuant to the authority vested in me as Secretary of Energy (“Secretary”) and by Sections 402(e) and 642 of the Department of Energy Organization Act (the “DOE Act”), there is hereby delegated and assigned to the Federal Energy Regulatory Commission (“FERC”) such authority under the Natural Gas Act, Executive Order 10485, and Sections 301 and 402(f) of the DOE Act, as is vested in the Secretary to carry out the following functions with respect to the regulation of exports and imports of natural gas:

- (1) Except insofar as such functions have been delegated to the Administrator of the Economic Regulatory Administration (“Administrator”), all functions under Section 3 of the Natural Gas Act to approve or disapprove the construction and operation of particular facilities and the site at which they would be located, and with respect to imports of natural gas, the place of entry.
- (2) All other functions under Section 3 of the Natural Gas Act, which are not delegated to the Administrator under paragraphs (a)(1) through (4) or (d)(1) of Delegation Order No. 0204-25, and which have not been previously exercised by the Administrator under paragraph (a)(5) of Delegation Order No. 0204-25.
- (3) All functions under Sections 4, 5, and 7 of the Natural Gas Act; and
- (4) All functions with respect to issuance of such orders, authorizations and certificates which the FERC determines to be necessary or appropriate to implement the respective determinations made by the Administrator under Delegation Order No. 0204-25 (to the extent that he determines such import or export is not inconsistent with the public interest) and by the FERC under this Order.

This order does not delegate to the FERC authority to authorize an import or export under Section 3 of the Natural Gas Act unless such authorization adopts such terms and conditions as shall have been previously attached by the Administrator pursuant to the authority delegated to him by Delegation Order No. 0204-25. However, nothing in this paragraph shall require the FERC to authorize an import or export under any section of the Natural Gas Act if it determines that the application, as conditioned by the Administrator pursuant to the authority delegated by Delegation Order No. 0204-25, is inconsistent with provisions of the Natural Gas Act which the FERC has been delegated authority to administer by this Order or which are otherwise vested in the FERC.

The authority delegated and assigned to the FERC may be further delegated within the FERC, in whole or in part, as may be appropriate.

