

UNITED STATES OF AMERICA  
DEPARTMENT OF ENERGY  
OFFICE OF FOSSIL ENERGY



ConocoPhillips Alaska )  
Natural Gas Corporation )  
and ) FE Docket No. 07-02-LNG  
Marathon Oil Company )

**ORDER GRANTING MOTION OF CHUGACH ELECTRIC ASSOCIATION,  
INC. FOR ADDITIONAL TIME TO COMMENT ON THE SETTLEMENT  
AGREEMENT BETWEEN APPLICANTS AND THE STATE OF ALASKA**

On January 4, 2008, the State of Alaska (the State), an intervenor in this proceeding, filed a motion (State's motion) requesting leave to file supplemental comments in the instant proceeding. By its supplemental comments, the State intends to advise the Department of Energy (DOE) that the State now unconditionally supports the application of ConocoPhillips Alaska Natural Gas Corporation and Marathon Oil Company (applicants) in this proceeding for a license to export liquefied natural gas. A copy of a settlement agreement between the State and the applicants is appended to the State's motion. While both parties to the settlement have executed the settlement agreement, the agreement is contingent upon DOE's approval of the pending export license application in the export amount requested by applicants.

On January 18, 2008, Chugach Electric Association, Inc. (Chugach) filed a motion (Chugach's motion) seeking additional time until February 7, 2008 to comment on the settlement agreement between the State and the applicants, and the State's motion. Chugach states that its request is supported by Agrium, Inc. (Agrium). Chugach and Agrium are both intervenors in this proceeding. Chugach states that the settlement agreement purports "to address a (small) portion of Chugach's future gas supply needs while ignoring the remainder of those needs." (motion at 4). Chugach also indicates that it intends to discuss the settlement agreement with the State, the applicants, and other customers as promptly as possible and that additional time is needed until February 7, 2008 to hold such discussions and to respond thereto. Other than Chugach and Agrium, no party has responded to the State's motion.

Pursuant to 10 C.F.R. 590.302(b), intervenors have fifteen days from the date that a motion is filed in which to file a response. Currently, therefore, Chugach's response to the State's motion is due on January 22, 2008. The time period for responding to motions, however, may be altered pursuant to the cited regulation by action of the Assistant Secretary for Fossil Energy or the presiding official.

Upon review, I find that Chugach has shown good cause for granting its motion to extend the due date for filing its response to the State's motion to February 7, 2008. The extension applies to all intervenors herein. Correspondingly, I find also that action on the State's motion will be deferred until such time as DOE reviews and acts upon the anticipated comments of Chugach and other intervenors in response thereto. *See*, 10 C.F.R. 590.302(c) (a pending motion shall be deemed denied unless the Assistant Secretary or presiding official acts within 30 days of the filing of the motion).

Accordingly, Chugach's motion for an extension of time to comment on the settlement agreement between the applicants and the State of Alaska is granted and action on the pending motion of the State is deferred.

Issued in Washington, DC, on January 23, 2008.



Robert F. Corbin  
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Office of Oil and Gas Global Security and Supply  
Office of Fossil Energy