

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

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FREEMPORT-MCMORAN) FE Docket No. 13-26-LNG
ENERGY LLC)
_____))

INDUSTRIAL ENERGY CONSUMERS OF AMERICA

MOTION TO INTERVENE

Pursuant to 10 C.F.R. § 590.303, the Industrial Energy Consumers of America (“IECA”) hereby moves to intervene in the above-captioned proceeding on the application of Freeport-McMoRan Energy LLC (“Freeport-McMoRan”) under section 3 of the Natural Gas Act (15 U.S.C. § 717b) for long-term authorization to export liquefied natural gas (“LNG”) to countries with which the United States does not have a free trade agreement (“FTA”). In support of its motion, IECA states as follows:

COMMUNICATIONS

Any communications regarding this pleading or this proceeding should be addressed to:

Paul N. Cicio
President
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STATEMENT OF INTEREST

IECA is a nonpartisan association of leading manufacturing companies with \$1.3 trillion in annual sales, over 1,500 facilities nationwide, and with more than 1.7 million employees worldwide. It is an organization created to promote the interests of manufacturing companies through advocacy and collaboration for which the availability, use and cost of energy, power or

feedstock play a significant role in their ability to compete in domestic and world markets. IECA membership represents a diverse set of industries including: chemical, plastics, steel, iron ore, aluminum, paper, food processing, nitrogen fertilizer, glass, industrial gases, and cement. Further information about IECA is available at www.ieca-us.org.

IECA's members are significant consumers of natural gas, natural gas liquids and electricity that is fueled by natural gas, to provide products that are consumed by every sector of the American economy. Many of these products that IECA companies produce are essential "building-block" products for U.S. economic growth. Producing these products in the United States creates high paying jobs and exports of high valued products. Accordingly, IECA and its members have a substantial interest in the domestic supply and price of natural gas.

Freeport-McMoRan's application could affect those interests. Freeport-McMoRan is requesting authorization to export up to 1,176 billion cubic feet of LNG produced from domestic resources each year over a term of 30 years. The Freeport-McMoRan application represents a significant amount of LNG for export and could have a significant negative impact to the supply and price of domestic natural gas and natural gas fired electricity, and the competitiveness of these companies, domestic jobs and economic growth. This is especially the case when Freeport-McMoRan's request is viewed, as it must be, in conjunction with the LNG export authorizations the Office of Fossil Energy of the Department of Energy ("DOE/FE") granted to Sabine Pass Liquefaction, LLC and to Freeport LNG Expansion, L.P. and FLNG Liquefaction LLC,¹ as well as the 19 other applications for LNG export authorization that are under review by DOE/FE.

¹ DOE/FE Order No. 2961, *Sabine Pass Liquefaction, LLC*, FE Docket No. 10-111-LNG (May 20, 2011); DOE/FE Order No. 3282, *Freeport LNG Expansion, L.P. and FLNG Liquefaction LLC*, FE Docket No. 10-161-LNG. These authorizations cover countries with which the United States does not have a FTA that provides for national treatment of trade in natural gas.

No other party to this proceeding can adequately represent the interests of IECA and its members. No other party to this proceeding represents energy-intensive natural gas consumers.

STATEMENT OF POSITION

At this time, IECA is still developing its position on Freeport-McMoRan's application. *Cf.* 10 C.F.R. § 590.303(c) (requiring a movant to state its position "to the extent known"). As a general matter, IECA's members support expanded trade and U.S. exports. IECA has questions, however, about the cumulative effect that LNG exports planned by Freeport-McMoRan and other current and future LNG export applicants would have on the public interest, including considerations that are directly relevant to IECA's members, as well as the absence of adequate policy criteria and metrics to guide DOE/FE's review of whether requested LNG export authorizations are inconsistent with the public interest.

IECA will be able to develop and articulate a more fully realized position on Freeport-McMoRan's application at a later date. In the interim, IECA reserves all of its rights, including, without limitation, its rights to file comments with respect to Freeport-McMoRan's application.

CONCLUSION

Based on the foregoing, IECA respectfully requests that its motion to intervene be granted.

Dated: August 5, 2013

Respectfully submitted,

PAUL N. CICIO
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