

1. Receive, unload, load, store, transport, gasify, liquefy; or
2. Process natural gas imported to United States from foreign country, or exported to foreign country from the United States, or transported in interstate commerce by waterborne vessel

Does not include:

1. Waterborne vessels used to deliver natural gas to or from any such facility; or
2. Any pipeline or storage facility subject to jurisdiction of the Commission under Section 717f

15 U.S. Code § 717f - *Construction, extension, or abandonment of facilities*

1. After notice and opportunity for hearing, if FERC finds such action necessary or desirable in the public interest, Commission may by order direct a natural-gas company to extend or improve its transportation facilities;
2. To establish physical connection of its transportation facilities with the facilities of, and sell natural gas to, any person or municipality engaged or legally authorized to engage in the local distribution of natural or artificial gas to the public; and
3. Extend its transportation facilities to communities immediately adjacent to such facilities or to territory served by such natural gas company.

B. Time to reconsider and revisit

As Chairman Glick wrote in his Concurring Opinion in [New Fortress Energy LLC, ORDER ON SHOW CAUSE, 174 FERC ¶ 61,207 \(March 19, 2021\). Docket No. CP20-466-000](#):

*1. We concur in today's order finding New Fortress Energy LLC's liquefied natural gas (LNG) facility subject to the Commission's jurisdiction under section 3 of the Natural Gas Act (NGA). We write separately to explain our view that **it is time to reconsider our precedent in Shell U.S. Gas & Power, LLC (Shell), which held that a facility must be connected to a pipeline to be a jurisdictional LNG terminal.**¹*

*3. Nowhere does the statute say that a facility must be connected to a pipeline to qualify as an LNG terminal and, thus, come within the Commission's jurisdiction under section 3.⁴ **We should revisit Shell to ensure that we are carrying out our statutory responsibilities under the letter of the law.**"*