

purpose of selling the LNG for use as fuel for vehicles, with any excess LNG being sold as fuel for non-vehicular uses.

2. We find herein, for reasons that do not rely on the exemption provided by NGA section 1(d) for vehicular gas, that Shell will not need to apply to the Commission for authorization under NGA section 3 or section 7 for any of its planned facilities and activities.

¹ Shell's *Petition for a Declaratory Order (Petition)* was submitted pursuant to Rule 207 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.207 (2014).

² 15 U.S.C. § 717, *et seq.* (2012).

ii. *Emera CNG, LLC ("Emera")*, [148 FERC ¶ 61,219 \(Sept. 19, 2014\)](#), Docket No. CP14-114-000

1. On March 20, 2014, Emera CNG, LLC (Emera) filed a petition requesting that the Commission declare that Emera's construction and operation of facilities to produce **compressed natural gas (CNG)** that will be transported by trucks to ships for export to the Commonwealth of the Bahamas will not be subject to the Commission's jurisdiction under the Natural Gas Act (NGA).²

¹ Emera's *Petition for a Declaratory Order (Petition)* was submitted pursuant to Rule 207 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.207 (2014).

² 15 U.S.C. § 717, *et seq.* (2012).

2. For the reasons discussed herein, we grant the petition for a declaratory finding that Emera's proposed facilities and operations will not be subject to the Commission's jurisdiction under the NGA.

In III. Response, A. NGA Section 3 Authority over Emera's Facility:

10. While the stated purpose of Emera's CNG facility will be to compress gas so that it can be **exported in ISO containers**, the facility will be subject to our section 3 jurisdiction only if we find it will be an "export facility." Floridian argues that Emera's facility will constitute a jurisdictional natural gas export facility, and thus, its siting, construction, and operation are subject to the Commission's jurisdiction.