

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-112
FEDERAL ENERGY REGULATORY COMMISSION

Pursuant to the authority vested in me as the Secretary of Energy (“Secretary”) by Sections 301(b), 402(e) and (f), and 642 of the Department of Energy Organization Act (Pub. L. No. 95-91, 91 Stat. 565 [42 U.S.C. §7101 et seq.]) the Natural Gas Act (Act of June 21, 1938, ch. 556, 52 Stat. 821 [15 U.S.C. §7171]) (“NGA”), and Executive Order No. 10485, as amended by Executive Order No. 12038, there is hereby delegated to the Federal Energy Regulatory Commission (“FERC”) the authority to perform the following functions with respect to the regulation of imports and exports of natural gas:

- (a) Approval or disapproval of the construction and operation of particular facilities, the site at which such facilities shall be located, and, with respect to natural gas that involves the construction of new domestic facilities, the place of entry for imports or exit for exports, except when the Administrator of the Economic Regulatory Administration (“Administrator”)¹ exercises the disapproval authority delegated pursuant to paragraph (d) of Delegation Order No. 0204-111.
- (b) All functions under Sections 4, 5, and 7 of the NGA.
- (c) Issue orders, authorizations, and certificates which the FERC determines to be necessary or appropriate to implement the determinations made by the Administrator under Delegation Order No. 0204-111 and by the FERC under this Order. The FERC shall not issue any order, authorization, or certificate unless such order, authorization, or certificate adopts such terms and conditions as are attached by the Administrator pursuant to the authority delegated to the Administrator by Delegation Order No. 0204-111.

The delegate (s) may take such action as may be necessary and appropriate to carry out the functions delegated by this Order.

This Order supersedes Delegation Order No. 0204-55.

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

In exercising the authority delegated by this Order, or redelegated pursuant thereto, the delegates shall be governed by the rules, regulations, and procedures of the FERC and shall be guided by the policies prescribed by the Secretary or the Secretary's delegate.

¹Now Assistant Secretary for Fossil Energy as amended by 0204-127

All actions pursuant to any authority delegated prior to this Order, or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended, or superseded.

Nothing in this Order shall preclude the Secretary from exercising any of his authority so delegated whenever in the Secretary's judgment the exercise of such authority is necessary or appropriate to administer the functions vested in the Secretary.

This Order is effective February 22, 1984, the date of publication in the Federal Register.

_____/s/_____
Donald Paul Hodel
Secretary of Energy