

143 FERC ¶ 61,202  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellingshoff, Chairman;  
Philip D. Moeller, John R. Norris,  
Cheryl A. LaFleur, and Tony Clark.

Freeport-McMoRan Energy LLC

Docket Nos. CP04-68-000  
CP04-69-000

ORDER VACATING CERTIFICATE AUTHORIZATIONS

(Issued June 3, 2013)

1. On May 18, 2006, in Docket No. CP04-68-000, the Commission issued a certificate of public convenience and necessity to Freeport-McMoRan Energy, LLC (Freeport-McMoRan), under section 7 of the Natural Gas Act,<sup>1</sup> to construct and operate 5.1 miles of 36-inch-diameter pipeline in Mobile County, Alabama, for the purpose of connecting Freeport-McMoRan's proposed deepwater LNG port facility to an existing interstate pipeline hub at Coden, Alabama.<sup>2</sup> The Commission issued a blanket construction certificate to Freeport-McMoRan under subpart F of part 157 of the Commission's regulations.<sup>3</sup> The Commission also granted Freeport-McMoRan's request to operate the pipeline on a proprietary basis.<sup>4</sup>
2. The 2006 Order required Freeport-McMoRan to place its facilities in service within 3 years of the final order, i.e., by May 18, 2009.<sup>5</sup> The Commission extended this in-service deadline an additional 3 years to May 18, 2012, by a series of letter orders issued on May 20, 2009, on June 16, 2010, and on June 26, 2011. To date, Freeport-McMoRan has still not constructed the pipeline. Thus, authorizations for the project have

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<sup>1</sup> 15 U.S.C. § 717(f) (2006).

<sup>2</sup> *Freeport-McMoran*, 115 FERC ¶ 61,201, at ordering para. (A) (2006).

<sup>3</sup> *Id.* at ordering para. (C); 18 C.F.R. pt. 157, subpt. f (2012).

<sup>4</sup> *Id.* at PP 21–28.

<sup>5</sup> *Id.* at ordering para. (H).

lapsed. Therefore, we are vacating the certificates and authorizations issued in the 2006 Order.

The Commission orders:

The certificates and authorizations issued to Freeport-McMoRan Energy, LLC, on May 18, 2006, in Docket Nos. CP04-68-000 and CP04-69-000 are vacated.

By the Commission.

( S E A L )

Kimberly D. Bose,  
Secretary.