

DEPARTMENT OF ENERGY

[GDO Docket No. EA-497]

Application for Authorization to Export Electric Energy; Direct Energy Business Marketing, LLC**AGENCY:** Grid Deployment Office, Department of Energy.**ACTION:** Notice of application.

SUMMARY: Direct Energy Business Marketing, LLC (the Applicant or DEBM) has applied for authorization to transmit electric energy from the United States to Mexico pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before July 27, 2023.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to Electricity.Exports@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT:Christina Gomer, (240) 474-2403, Electricity.Exports@hq.doe.gov.

SUPPLEMENTARY INFORMATION: The United States Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On April 10, 2023, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) by Delegation Order No. S1-DEL-S3-2023 and Redelegation Order No. S3-DEL-GD1-2023.

On March 31, 2023, DEBM filed an application with DOE (Application or App.) for authorization to transmit electric energy to Mexico for a five-year term. App. at 1.

In its Application, DEBM states that it "does not own or control any electric power generation or transmission facilities and does not have a franchised electric power service area. DEBM operates as a marketer[] and broker of electric power at wholesale and arranges services in related areas such as fuel supplies and transmission services." *Id.* at 2. DEBM represents that it "will purchase the energy to be exported from

wholesale generators, electric utilities, and federal power marketing agencies." *Id.* DEBM notes they are "affiliated with entities that own wholesale generating facilities." *Id.* at n.3. DEBM also states that, "[b]y definition, such energy is surplus to the system of the generator and thus, exportation of said energy will not impair the adequacy of electric power supply within the United States." *Id.* at 3.

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. *See Id.* at Exhibit C.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the Application at Electricity.Exports@hq.doe.gov. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission's (FERC's) Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at Electricity.Exports@hq.doe.gov in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning DEBM's Application should be clearly marked with GDO Docket No. EA-497. Additional copies are to be provided directly to Michael A. Yuffee and Ryan C. Norfolk, Baker Botts LLP, 700 K Street NW, Washington, DC 20001, michael.yuffee@bakerbotts.com, ryan.norfolk@bakerbotts.com, and Alan Johnson NRG Energy, Inc., 804 Carnegie Center, Princeton, NJ 08540, Alan.Johnson@nrg.com.

A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing Electricity.Exports@hq.doe.gov.

Signing Authority: This document of the Department of Energy was signed on June 21, 2023, by Maria Robinson, Director, Grid Deployment Office, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is

maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE **Federal Register** Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on June 21, 2023.

Treena V. Garrett,*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2023-13541 Filed 6-26-23; 8:45 am]

BILLING CODE 6450-01-P**DEPARTMENT OF ENERGY**

[GDO Docket No. EA-499]

Application for Authorization To Export Electric Energy; Elektron Power LLC**AGENCY:** Grid Deployment Office, Department of Energy.**ACTION:** Notice of application.

SUMMARY: Elektron Power LLC (the Applicant or Elektron) has applied for authorization to transmit electric energy from the United States to Mexico pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before July 27, 2023.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to Electricity.Exports@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT:Christina Gomer, (240) 474-2403, Electricity.Exports@hq.doe.gov.

SUPPLEMENTARY INFORMATION: The United States Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On April 10, 2023, the authority to issue such orders was

delegated to the DOE's Grid Deployment Office (GDO) by Delegation Order No. S1-DEL-S3-2023 and Redelegation Order No. S3-DEL-GD1-2023.

On May 2, 2023, Elektron filed an application with DOE (Application or App.) for export authority for a five-year term. App. at 1.

In its Application, Elektron states that it "does not own or control any electric generating or transmission facilities, nor does the Applicant have a franchised service area. Upon obtaining authorization to export power, Applicant will operate as a power marketer[] and broker and buy electric power at wholesale in the United States." *Id.* at 2. Elektron also states it "contemplates making wholesale sales within the United States, and will seek all appropriate regulatory authorizations, including but not limited to authorization from the Federal Energy Regulatory Commission ("FERC") to make sales of electric power at wholesale in interstate commerce at market-based rates." *Id.* Elektron represents that it "may purchase the power to be exported from wholesale generators, electric utilities, power marketers, and power marketing agencies; or may return to Mexico energy transmitted to but not sold in the United States (e.g., from battery storage in the U.S.). Applicant will have title to any electricity transmitted to Mexico under the authorization sought in this Application." *Id.* Elektron also states "the proposed exports will not impair or tend to impede the sufficiency of electricity supplies in the United States or the regional coordination of electric utility planning or operations." *Id.* at 3.

The existing international transmission facilities to be utilized by the Applicant have been previously authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. *See Id.* at Exhibit G.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the Application at Electricity.Exports@hq.doe.gov. Protests should be filed in accordance with Rule 211 of FERC's Rules of Practice and Procedure (18 CFR 385.211). Any person desiring to become a party to this proceeding should file a motion to intervene at Electricity.Exports@hq.doe.gov in accordance with FERC Rule 214 (18 CFR 385.214).

Comments and other filings concerning Elektron's Application should be clearly marked with GDO Docket No. EA-499. Additional copies are to be provided directly to Roberto

Gomez, Elektron Power LLC, 939 Coast Blvd., 6F, La Jolla, CA 92037, roberto.gomez@me.com and Mark F. Sundback, Sheppard, Mullin, Richter & Hampton LLP, 2099 Pennsylvania Avenue NW, Suite 100, Washington, DC 20006, msundback@sheppardmullin.com. A final decision will be made on the requested authorization after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after DOE evaluates whether the proposed action will have an adverse impact on the sufficiency of supply or reliability of the United States electric power supply system.

Copies of this Application will be made available, upon request, by accessing the program website at <https://www.energy.gov/gdo/pending-applications> or by emailing Electricity.Exports@hq.doe.gov.

Signing Authority: This document of the Department of Energy was signed on June 21, 2023, by Maria Robinson, Director, Grid Deployment Office, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on June 21, 2023.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2023-13543 Filed 6-26-23; 8:45 am]

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DEPARTMENT OF ENERGY

[GDO Docket No. EA-196-F]

Application for Renewal of Authorization To Export Electric Energy; ALLETE, Inc., d/b/a Minnesota Power

AGENCY: Grid Deployment Office, Department of Energy.

ACTION: Notice of application.

SUMMARY: ALLETE, Inc. d/b/a Minnesota Power (the Applicant or Minnesota Power) has applied for renewed authorization to transmit

electric energy from the United States to Canada pursuant to the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before July 27, 2023.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed by electronic mail to Electricity.Exports@hq.doe.gov.

FOR FURTHER INFORMATION CONTACT: Christina Gomer, (240) 474-2403, Electricity.Exports@hq.doe.gov.

SUPPLEMENTARY INFORMATION: The United States Department of Energy (DOE) regulates electricity exports from the United States to foreign countries in accordance with section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)) and regulations thereunder (10 CFR 205.300 *et seq.*). Sections 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. 7151(b) and 7172(f)) transferred this regulatory authority, previously exercised by the now-defunct Federal Power Commission, to DOE.

Section 202(e) of the FPA provides that an entity which seeks to export electricity must obtain an order from DOE authorizing that export. (16 U.S.C. 824a(e)). On April 10, 2023, the authority to issue such orders was delegated to the DOE's Grid Deployment Office (GDO) by Delegation Order No. S1-DEL-S3-2023 and Redelegation Order No. S3-DEL-GD1-2023.

On February 11, 1999, DOE issued Order No. EA-196, authorizing Minnesota Power to transmit electric energy from the United States to Canada as a power marketer. Such authority was renewed in 2001 (EA-196-A), 2003 (EA-196-B), 2008 (EA-196-C), 2013 (EA-196-D), and 2018 (EA-196-E). On May 2, 2023, Minnesota Power filed an application with DOE (Application or App.) for renewal of their export authority for an additional five-year term. App. at 1.

In its Application, Minnesota Power represents that the electric power it intends to export, "on either a firm or interruptible basis, will generally be purchased from others voluntarily and will, therefore, be surplus to the needs of the selling entities." *Id.* at 2. Minnesota Power also notes that it "does have an obligation to serve native load in northeastern Minnesota. However, the exports proposed by Minnesota Power will not impair its ability to meet any current and prospective retail or wholesale power supply obligations in the United States." *Id.* Therefore, Minnesota Power contends that its "proposed exports will