196 FERC ¶ 61,213
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Laura V. Swett, Chairman;
David Rosner, Lindsay S. See,
Judy W. Chang, and David LaCerte.

Magnolia LNG, LLC Docket Nos. CP14-347-002
CP19-19-001

ORDER GRANTING EXTENSION OF TIME REQUEST

(Issued September 22, 2026)

1. On January 15, 2026, Magnolia LNG, LLC (Magnolia) filed a motion requesting a five-year extension of time, until April 15, 2031, to construct the Magnolia LNG Project and place it into service. For the reasons discussed below, we grant the extension request.

I. Background

2. On April 15, 2016, the Commission issued an order authorizing Magnolia to construct and operate a liquefied natural gas (LNG) terminal in Calcasieu Parish, Louisiana for the liquefaction and export of natural gas (Magnolia LNG Project).[1] In the same order, the Commission issued a certificate to Kinder Morgan Louisiana Pipeline LLC (Kinder Morgan) to construct and operate the Lake Charles Expansion Project, which would make its existing pipeline facilities bi-directional, enabling it to provide firm natural gas transportation service to the Magnolia LNG Project. The Authorization Order required that both projects be available for service by April 15, 2021.

3. On September 11, 2020, Magnolia and Kinder Morgan filed a request for an extension of time, until April 15, 2026, to complete construction of the projects and make them available for service. Noting that Magnolia required additional time to execute

[1] *See Magnolia LNG, LLC*, 155 FERC ¶ 61,033 (2016) (Authorization Order). The Magnolia LNG Project includes four LNG trains; two LNG storage tanks; LNG vessel berthing, mooring, and loading facilities; and LNG truck loading facilities. On June 18, 2020, the Commission authorized Magnolia to increase the total LNG production capacity of the Magnolia LNG Project from 8 million metric tons per annum (MTPA) to 8.8 MTPA. *Magnolia LNG, LLC*, 171 FERC ¶ 61,231 (2020).

commercial agreements and achieve a final investment decision, Commission staff granted the request by delegated letter order on October 7, 2020.[2]

4. On January 15, 2026, Magnolia filed a request for a five-year extension of time, until April 15, 2031, to complete construction of the Magnolia LNG Project and place it into service.[3] In its request, Magnolia states that regulatory delays regarding its U.S. Department of Energy (DOE) authorization to export LNG to non-Free Trade Agreement (FTA) nations have impacted its ability to advance the commercial development of the project.[4] Magnolia notes that its non-FTA LNG export authorization from DOE required it to commence commercial operation by November 30, 2023.[5] Magnolia states that it filed a timely request to extend the commercial operation deadline, and subsequently, on November 29, 2023, following changes in DOE's policy for extending commencement deadlines, it submitted a new non-FTA export application. Magnolia notes that its new application was then subject to DOE's 2024 pause on reviewing non-FTA export applications.[6] It states that its non-FTA export application remains pending with DOE, but maintains that it has made efforts to develop the project and remains committed to completing it.[7]

II. Notice, Interventions, and Protests

5. Notice of Magnolia's Request for Extension of Time was issued on February 18, 2026, and published in the *Federal Register* on February 23, 2026.[8] The notice established March 5, 2026 as the deadline for filing interventions, comments, and

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[2] *Magnolia LNG, LLC*, Docket Nos. CP14-347-000, CP14-511-000, CP19-19-000 (Oct. 7, 2020) (delegated order).

[3] Kinder Morgan did not request an extension of time for the Lake Charles Expansion Project. On August 10, 2026, Magnolia filed supplemental information stating that it executed a precedent agreement with Texas Eastern Transmission, LP for up to 1,400,000 dekatherms per day of firm transportation service (the same amount of service that would have been provided by the Kinder Morgan project) to supply feed gas to the Magnolia LNG Project. Magnolia August 10, 2026 Supplemental Information.

[4] Magnolia January 15, 2026 Request for Extension of Time at 2-3.

[5] *Id.* at 2.

[6] *Id.*

[7] *Id.*

[8] 91 Fed. Reg. 8475 (Feb. 23, 2026).

protests. Public Citizen, Inc. filed a timely, unopposed motion to intervene.[9] Fishermen Involved in Sustaining Our Heritage (FISH) filed comments opposing the extension of time request and raising concerns regarding the project's impacts on local fishermen and communities, but did not intervene.

III. Discussion

6. The completion date specified in a certificate or authorization order provides what the Commission believes—based on the applicant's initial project schedule and the Commission's assessment of circumstances relevant to the specific project—to be a reasonable period of time for the project sponsor to complete construction and make the project available for service.[10] However, construction deadlines may be extended for good cause.[11] One way good cause can be shown is by the project sponsor demonstrating that it made good faith efforts to meet its deadline but encountered circumstances beyond its control.[12] We consider extension requests on a case-by-case basis.[13]

A. Good Cause Exists for Granting an Extension of Time

7. Magnolia argues that good cause exists to grant an extension of time. Magnolia states that DOE's policy change on extending commencement deadlines and its pause on reviewing non-FTA export applications caused delays, but that Magnolia attempted to work with DOE to secure its authorization.[14] It contends that the regulatory delays hindered its ability to secure offtake contracts and advance the commercial development

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[9] Timely, unopposed motions to intervene are granted by operation of Rule 214 of the Commission's Rules of Practice and Procedure. *See* 18 C.F.R. § 385.214 (2025).

[10] *See, e.g.*, *Delfin LNG LLC*, 185 FERC ¶ 61,009, at P 9 (2023).

[11] 18 C.F.R. § 385.2008(a) (2025) (except as otherwise provided by law, allowing the relevant decisional authority to extend for good cause the time by which any person is required or allowed to act under any statute, rule, or order).

[12] *Compare Adelphia Gateway, LLC*, 178 FERC ¶ 61,030, at P 15 (2022) (granting request for extension of time), *with Chestnut Ridge Storage LLC*, 139 FERC ¶ 61,149, at P 11 (2012) (denying request for extension of time).

[13] *See Chestnut Ridge Storage LLC*, 139 FERC ¶ 61,149 at P 8; *see also Sierra Club v. FERC*, 97 F.4th 16, 24 (D.C. Cir. 2024) ("FERC has permissibly adopted a case-by-case, fact-based approach to deciding whether an extension of time is warranted.").

[14] Magnolia January 15, 2026 Request for Extension of Time at 2.

of the Magnolia LNG Project.[15] Magnolia explains that, during the pendency of its export application, it selected two Engineering and Procurement Contractor (EPC) companies from an initial pool of potential contractors and began negotiations with those companies.[16] However, according to Magnolia, negotiations ceased due to the uncertainty of its export authorization status.[17] Magnolia maintains that it remains committed to the project as it has incurred costs for maintaining necessary permits, property taxes, site acquisition, facility engineering, and various consulting and legal services.[18]

8. As stated above, the Commission has found that good cause exists for an extension of time where the authorization holder has made a good faith effort to complete authorized actions within the time allotted but encountered circumstances that prevented it from doing so.[19] Despite the delays that Magnolia experienced with its export authorization due to changes in DOE's policy, the company still advanced the project and took concrete steps towards project development.[20] Magnolia incurred substantial expenditures to maintain its permits and develop the project, began negotiations to secure a contract with an EPC company, and acquired the project site.[21] Further, the Commission has previously found that an extension of time is appropriate where an authorization holder requires more time to secure contracts with potential customers.[22]

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[15] *Id.* at 3.

[16] *Id.*

[17] *Id.*

[18] *Id.*

[19] *Gulf LNG Liquefaction Co., LLC*, 187 FERC ¶ 61,096, at PP 7-8 (2024) (finding good cause where, despite experiencing delays from the COVID-19 pandemic and requesting more time to secure offtake contracts, the company advanced the project by seeking offtake partners, securing federal, state, and local authorizations, and finalizing the project's engineering design); *Rio Grande LNG, LLC*, 181 FERC ¶ 61,032, at PP 12-13 (2022) (finding good cause where the company cited unforeseeable difficulties caused by the COVID-19 pandemic but demonstrated its continued commitment by executing commercial agreements, extending the lease for the terminal site, and actively pursuing a proposed amendment to the project).

[20] Magnolia January 15, 2026 Request for Extension of Time at 2.

[21] *Id.* at 3.

[22] *See, e.g.*, *Trunkline Gas Co., LLC*, 179 FERC ¶ 61,086, at PP 20-21 (2022) (highlighting attempts to secure long-term offtake agreements as a sign of commitment to

Magnolia states that it intends to secure offtake contracts, reach a final investment decision, and construct the project.[23] Magnolia has demonstrated its continued commitment to the project and made a good faith effort to meet its in-service deadline. Accordingly, we find that Magnolia has demonstrated that good cause exists to grant the five-year extension request.

B. Continuing Validity of the Authorization's Public Interest Finding and Environmental Review

9. FISH argues that the Commission should not approve Magnolia's extension of time request without first reconsidering the environmental analysis and public interest determinations for the project.[24] Noting changes to the conditions of the region—including increased hurricanes, coastal erosion, saltwater intrusion, increased ship traffic, and more LNG infrastructure projects, along with the impacts to commercial fishermen and local communities—FISH argues that the environmental impact statement (EIS) that Commission staff prepared for the Magnolia LNG Project is outdated, and that the Commission must revisit its review under the National Environmental Policy Act.[25] FISH also contends that the Commission must revisit its public interest determination under the Natural Gas Act.[26]

10. As we have explained previously, granting an extension of time is an administrative action that does not require additional NEPA review.[27] Under NEPA, a supplemental EIS is required only when "new information is sufficient to show that the remaining action will 'affec[t] the quality of the human environment' in a significant manner or to a significant extent *not already considered*."[28] An agency is not required to

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the project and a good faith effort to meet the previous deadline); *Delfin LNG LLC*, 178 FERC ¶ 61,031, at PP 21-23 (2022) (finding that an authorization holder's efforts to secure long-term offtake contracts demonstrates interest in the project and a good faith effort to meet the previous deadline).

[23] Magnolia January 15, 2026 Request for Extension of Time at 3.

[24] FISH March 5, 2026 Comments.

[25] *Id.*

[26] *Id.*

[27] *See Driftwood LNG LLC*, 186 FERC ¶ 61,112, at P 14 (2024).

[28] *Marsh v. Or. Nat. Res. Council*, 490 U.S. 360, 374 (1989) (citing 42 U.S.C. § 4332(2)(C)) (emphasis added).

take a new look every time it takes a step that implements a previously-studied action, so long as the impacts of that step were contemplated and analyzed by the earlier analysis.[29] While we acknowledge FISH's concerns, there has been no evidence of significant changes in the facts underlying the Authorization Order's conclusion that the proposed project, as conditioned, remains an environmentally acceptable action. Therefore, no additional environmental analysis is necessary.[30]

11. We also decline to revisit our prior public interest determination. We have previously found that extension of time proceedings are not an invitation to reopen closed proceedings.[31] The extension request at issue concerns only the timing, not the nature, of the project. Extending the deadline to construct the project and place it into service will not undermine the Commission's determination in the Authorization Order that the Magnolia LNG Project is not inconsistent with the public interest.[32]

IV. Conclusion

12. Because we find that Magnolia has demonstrated good cause for its inability to meet the deadline for constructing and placing into service the Magnolia LNG Project, and has shown good faith efforts to complete the project, we will grant a five-year extension of time to complete construction of the project and place it into service.

13. The Commission on its own motion received and made a part of the record in this proceeding all evidence, including the motion and exhibits thereto, and upon consideration of the record,

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[29] *Mayo v. Reynolds*, 875 F.3d 11, 14-15 (D.C. Cir. 2017).

[30] *Appalachian Voices v. FERC*, 139 F.4th 903, 916 (D.C. Cir. 2025) (holding that the Commission enjoys broad discretion in determining whether a project sponsor has demonstrated "good cause" for an extension and whether circumstances have changed enough to warrant revisiting the agency's findings justifying approval of the project).

[31] *See, e.g.*, *Transcon. Gas Pipe Line Co., LLC*, 186 FERC ¶ 61,038, at P 22 (2024) (declining to relitigate in an extension of time proceeding matters resolved in the underlying order). *See also Corpus Christi Liquefaction Stage III, LLC*, 181 FERC ¶ 61,033, at P 15 (2022) (stating that the Commission will not relitigate whether the Commission properly found the project to be in the public convenience and necessity in an extension of time proceeding); *Adelphia Gateway, LLC*, 178 FERC ¶ 61,030 at PP 10, 16; *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

[32] *See* Authorization Order, 155 FERC ¶ 61,033 at PP 19-24.

The Commission orders:

Magnolia LNG, LLC is granted a five-year extension of time, until April 15, 2031, to construct and make available for service the Magnolia LNG Project.

By the Commission.

(S E A L)

Carlos D. Clay,
Deputy Secretary.

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