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Peter G. Nemeth
Shareholder

April 7, 2023

Open Records Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

By Certified Mail -
Return Receipt Requested

Re: Request for Decision Pursuant to Texas Government Code Section 552.301
Governmental Body: Port Freeport
Date of PIA Request: March 22, 2023
Requestor: Hannah Saggau, Public Citizen

Dear sir or madam:

This law firm represents Port Freeport, a conservation and reclamation district, a body politic, and a corporate and governmental agency of the State of Texas. Port Freeport is subject to the Texas Public Information Act (the "Act").

Port Freeport has received an email from Ms. Hannah Saggau of Public Citizen requesting a copy of insurance certificates that have been provided to Port Freeport by Freeport LNG Development, L.P. ("Freeport LNG"). By letter to you dated March 4, 2023, and as required by Texas Government Code Section 552.301(a), Port Freeport requested a decision whether portions of the insurance certificates fall within the exception set forth in Section 552.110 of the Act (Exception: Confidentiality of Trade Secrets; Confidentiality of Certain Commercial or Financial Information) and are therefore exempt from public disclosure.


As required by Section 552.301(e) of the Act:

1. Port Freeport believes that the insurance certificates include commercial and financial information obtained from Freeport FLNG that, if released, would cause substantial competitive harm to Freeport FLNG. Port Freeport believes that such information is protected under the exception set forth in Section 552.110 of the Act. We understand that Freeport LNG will be submitting a brief to you in support of this position.
2. Enclosed is a copy of Ms. Saggau's email request, which Port Freeport construes to be a request under the Public Information Act.

3. The written request from Ms. Saggau was received by Port Freeport at 3.44 p.m. on Wednesday, March 22, 2023.
4. Enclosed are copies of the Insurance Certificates requested by Ms. Saggau, labeled to show the specific information to which the exception applies or may apply.

If you have any questions concerning this matter, please let me know. Thank you in advance for your time and attention to this matter.

Very truly yours,



Peter G. Nemeth

Enclosures:

- Copy of email request for information from Hannah Saggau
- Copies of Insurance Certificates

cc: Ms. Hannah Saggau (with redacted certificates)
By email to: hsaggau@citizen.org

Email from Hannah Saggau

From: Hannah Saggau <hsaggau@citizen.org>
Date: March 22, 2023 at 3:44:14 PM CDT
To: Mary Campus <campus@portfreeport.com>
Subject: Certificate of Insurance for Freeport LNG

Hi Ms. Campus,

I am researching insurance coverage for LNG export terminals, and specifically Freeport LNG's insurance. It is my understanding that the Port has requirements regarding insurance coverage for LNG export terminals that you have agreements with. Jason Hull, your Director of Engineering, recommended I ask you about proof of insurance.

Does Port Freeport require a copy of Freeport LNG's certificate of insurance and if so, would you be able to send me a copy? If you don't have access to it, could you refer me to someone who would know more about this?

Thanks so much,

Hannah Saggau (*she/her*)
Public Citizen | Climate & Energy
(708) 870-8177



ADDITIONAL REMARKS SCHEDULE

AGENCY Marsh USA Inc.		NAMED INSURED FLNG Policy Procurement, LLC 333 Clay Street, Suite 5050 Houston, TX 77002-4173	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance



ADDITIONAL REMARKS SCHEDULE

AGENCY Marsh USA Inc.		NAMED INSURED FLNG Policy Procurement, LLC 333 Clay Street, Suite 5050 Houston, TX 77002-4173	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 **FORM TITLE:** Certificate of Liability Insurance

Port Freeport (f/k/a Brazos River Harbor Navigation District of Brazoria County, Texas) as "landlord" under the Borrower Site Leases is added as an Additional Insured and is granted Waiver of Subrogation as required by written contract but limited to the operations of the Insured under said contract, and always subject to the policy terms, conditions and exclusions.

If the insurance carrier cancels these policies for any reason other than nonpayment of premium, they will endeavor to notify the certificate holder at least 30 days before the cancellation becomes effective. This advance notification of a pending cancellation of coverage is intended as a courtesy only. The insurance carrier's failure to provide such advance notification will not extend the policy cancellation date nor negate cancellation of the policy.



ADDITIONAL REMARKS SCHEDULE

AGENCY Marsh USA Inc.		NAMED INSURED FLNG Policy Procurement, LLC 333 Clay Street, Suite 5050 Houston, TX 77002-4173	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

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EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

3/6/2023

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY Alliant Insurance Services, Inc. 131 Oliver Street 4th Floor Boston, MA 02110		PHONE (A/C, No, Ext):	COMPANY Various - See Attached	
FAX (A/C, No):	E-MAIL ADDRESS:		<div style="border: 2px solid blue; border-radius: 15px; padding: 10px; text-align: center;"> <p>RECEIVED</p> <p><i>By Bailee Pavlovsky at 3:30 pm, Mar 06, 2023</i></p> </div>	
CODE:	SUB CODE:			
AGENCY CUSTOMER ID #:				
INSURED FLNG Policy Procurement, LLC; 333 Clay Street, Suite 5050 Houston TX 77002		LOAN NUMBER	POLICY NUMBER Various - See Attached	
		EFFECTIVE DATE 3/1/2023	EXPIRATION DATE 3/1/2024	<input type="checkbox"/> CONTINUED UNTIL TERMINATED IF CHECKED
THIS REPLACES PRIOR EVIDENCE DATED:				

PROPERTY INFORMATION

LOCATION/DESCRIPTION

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

PERILS INSURED	BASIC	BROAD	<input checked="" type="checkbox"/> SPECIAL
----------------	-------	-------	---

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
<p><input type="text"/> of direct physical loss or damage including Machinery Breakdown <input type="text"/></p> <p><input type="text"/> insurance subject to policy terms, conditions and exclusions.</p> <p>The property policies evidenced above contain various sublimits and are subject to deductibles specific to various perils covered. If you would like additional information regarding these sublimits or deductibles, please contact <input type="text"/></p> <p>Other deductibles may apply as per policy terms and conditions.</p>	<input type="text"/>	PER POLICY

REMARKS (Including Special Conditions)

Named Windstorm Sublimit: Named Windstorm Property Damage in respects to Named Windstorm which includes wind, ensuing flood, storm surge, wind-driven water and wind-driven rain all caused by or resulting from a Named Windstorm.

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS Port Freeport Attn: Phyllis Saathoff, Executive Director/CEO 1100 Cherry Street Freeport TX 77541	ADDITIONAL INSURED	LENDER'S LOSS PAYABLE	<input type="checkbox"/> LOSS PAYEE
	MORTGAGEE		
	LOAN #		
AUTHORIZED REPRESENTATIVE Robert J. Bothwell			



ADDITIONAL REMARKS SCHEDULE

AGENCY Alliant Insurance Services, Inc.		NAMED INSURED FLNG Policy Procurement, LLC; 333 Clay Street, Suite 5050 Houston TX 77002	
POLICY NUMBER Various - See Attached		EFFECTIVE DATE: 3/1/2023	
CARRIER Various - See Attached	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 27 **FORM TITLE:** Evidence of Property (03/16)

ADDITIONAL INTEREST: Port Freeport Attn: Phyllis Saathoff, Executive Director/CEO

ADDRESS: 1100 Cherry Street Freeport TX 77541

COMPANIES AFFORDING COVERAGE :



ADDITIONAL REMARKS SCHEDULE

AGENCY Alliant Insurance Services, Inc.		NAMED INSURED FLNG Policy Procurement, LLC; 333 Clay Street, Suite 5050 Houston TX 77002	
POLICY NUMBER Various - See Attached		EFFECTIVE DATE: 3/1/2023	
CARRIER Various - See Attached	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 27 **FORM TITLE:** Evidence of Property (03/16)

ADDITIONAL INTEREST: Port Freeport Attn: Phyllis Saathoff, Executive Director/CEO

ADDRESS: 1100 Cherry Street Freeport TX 77541

Port Freeport as "landlord" under the site leases is included as Additional Insured with respect to property as their interest may appear where required by written contract. Waiver of Subrogation is granted in favor of Port Freeport as required by written contract but subject to the policy terms, conditions and exclusions. The policies certified hereon are primary and non contributory to other insurance available to Port Freeport but only to the extent required by written contract with the Insured, and always subject to the policy terms, conditions and exclusions.

Interested parties will receive ninety (90) days written notice of cancellation from insurer, except ten (10) days for non payment of premium.