

Overview

StepToe & Johnson's regulatory attorneys assist clients with natural gas, NGLs, and electric matters involving regulation by the Federal Energy Regulatory Commission (FERC), by state public utility regulatory commissions, and in unregulated businesses in various producing basins.

Firm attorneys have worked in government and as in-house counsel for Fortune 500 energy companies; have counseled clients on federal and state regulation of natural gas utilities, gathering and processing facilities, and intrastate and interstate pipelines and storage facilities; and have developed and implemented FERC compliance programs. This real-world experience provides the perspective needed to create effective, value-added solutions for clients.

Representative Experience

STATE REGULATORY

- Defended a major natural gas producer from claims that its pipeline should be regulated
- Represented clients regarding certificates of public convenience and necessity, utility rate cases, affiliated transactions cases, purchases and sales of public utilities, defense of customer complaints, agency rule-making, and territorial disputes
- Represented purchasers in state regulatory, real property, and environmental due diligence in planned acquisition of natural gas local distribution company
- Assisted numerous clients in obtaining regulatory approval for financings, construction projects, and agreements with affiliates

FERC

- Represented and counseled gas pipelines in general and limited-rate case proceedings, technical conferences, rule-making, tariff, service, expansion, abandonment, and construction certificate matters
- Advised clients on gathering intrastate and interstate facility classifications and distinctions, and FERC jurisdiction over facilities, rates, or services by intrastate pipelines and local distribution companies

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- Represented FERC-regulated companies on numerous FERC enforcement matters, including extensive negotiation experience on matters involving significant penalties
 - Developed, implemented, and managed a FERC compliance program for interstate natural gas pipelines and public utilities
 - Represented public utilities on rulemaking, RTO, inter-connection, and rate matters
 - Assisted FERC-regulated hydroelectric facilities with post licensing compliance matters

MIDSTREAM

- Counseled midstream natural gas businesses and interstate natural gas pipelines on federal and state regulation of facilities, rates, services, safety, and eminent domain matters
- Represented and counseled pipelines and electric transmission utilities regarding easements, rights-of-way, and condemnation issues and proceedings in state and federal courts
- Negotiated and drafted natural gas gathering and transportation agreements
- Counseled clients on extent of regulation over natural gas liquids (NGLs) pipelines
- Assisted in structuring transactions to minimize regulation and achieve business objectives



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