

Overview

Step toe & Johnson's Public Utility attorneys assist clients, including oil and gas producers, renewable energy clients, gas and electric utilities, water, and wastewater systems before various state public utility commissions, as well as federal regulatory agencies.

With more than 100 years of experience in the energy industry, our team members have served as in-house lawyers for some of the country's largest regulated and unregulated energy companies and as legal counsel to various regulatory agencies, including the state chairman of a public service commission. This experience enables the Steptoe & Johnson team to provide clients with forward-thinking solutions aimed at solving problems before costly litigation arises, but when litigation is the only answer, our team of seasoned counselors is ready to assist.

Representative Experience

- Represented gas and electric utilities and pipelines in matters before state utility commissions and FERC related to rate, cost recovery, technical conference, rulemaking, tariff, service, expansion, abandonment, construction, and regulatory jurisdiction
- Represented an independent investment management firm in its acquisition of a shareholder-owned local distribution company before a state public service commission
- Represented natural gas midstream company challenging state utility commission jurisdiction over gas gathering facilities and services
- Represented a methane gas-fired electric generating facility in a siting certificate proceeding before the Public Service Commission of West Virginia
- Represented a private equity firm in its evaluation of several natural gas-fired power generation facilities
- Represented a PURPA-qualifying facility before the state public service commission in a complaint asking the PSC to require an electric utility to consent to a refinancing of the qualifying facility's outstanding debt

- Represented midstream/gathering pipeline companies in assessing their exposure to regulation by state public utility commissions and FERC
- Represented a private utility in its petition to receive expedited recovery of infrastructure costs through rate base before the Public Service Commission of West Virginia
- Advised multiple E&P companies and investors in the interpretation of North Dakota Industrial Commission, Colorado Oil and Gas Conservation Commission, Texas Railroad Commission, Wyoming Oil and Gas Conservation Commission, Utah Board of Oil, Gas and Mining, and Montana Board of Oil and Gas statutes and regulations
- Determined the extent of state and federal (FERC) regulatory jurisdiction and structuring facilities, service, or transactions accordingly
- Represented utilities in base rate and other regulatory proceedings
- Routinely drafted and counseled on commercial contracts for the transmission of energy commodities
- Litigation of service disputes, antitrust issues, and appeals of agency decisions
- Advised transactions (including debt and stock offerings, sales of utility property, utility service agreements, acquisitions and divestitures, etc.)
- Represented proceedings for certification of new utilities and expansion of existing certificates
- Represented power plant and transmission line sitings
- Represented legislative drafting and rulemaking
- Interpreted the governing of common carrier designations for operators of pipeline easements and rights-of-way covering federal lands in northwest Utah



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