



Energy & Public Utilities

Overview

We represent:

- A coalition of commercial/industrial energy users
- 30 large industrial customers
- Seven transportation carriers
- An association of energy marketers

Fox Rothschild attorneys are highly regarded for their familiarity with state regulatory policies and have played a primary role in their creation and refinement. To respond to the increasingly transactional nature of the energy marketplace, the practice group incorporates resources in finance, real estate, and litigation to provide the full range of service that sophisticated energy firms and commercial and industrial customers require.

Recent Matters

- represented coalitions of large energy users and marketers in a merger proceeding involving two major electric and gas utilities; played a lead litigation role in the merger, which was ultimately rejected by the New Jersey Public Board of Utilities. Negotiated a favorable partial settlement valued in excess of \$20 million.
- represented one of the premier Qualifying Facilities in the Delaware Valley, guiding it through successful litigation with a traditional electric distribution company pertaining to the preservation of power purchase agreements in the face of electric restructuring, gas transportation arrangements, and refinancings; client recovered in excess of \$15 million in value through pre-trial settlement
- structured dedicated power facilities designed to support large industrial projects nationwide
- negotiated settlements in numerous utility rate cases that minimized rate impacts and included significant offsetting benefits to commercial and industrial customers
- obtained all regulatory approvals and structured commercial and construction contracts for new chilled water service to serve a major Philadelphia medical institution
- represented commercial and industrial customers and energy marketers regarding all regulatory and competitive issues arising before state regulators

Services

- represent commercial and industrial customers in electric and gas rate cases, in matters relating to the viability and competitiveness of the energy markets, and in utility merger proceedings

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"Our attorneys are inextricably involved with the fundamental changes in utility regulatory policy associated with the restructuring of the energy markets. We bring this in-depth experience to our clients."

Buzz Satinsky and Steve Goldenberg
Co-Chairs of the Energy & Public Utilities Practice



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- represent independent power producers and financial institutions in the development, acquisition, and sale of electric generation facilities, with a broad range of services including
 - due diligence review
 - analysis of and compliance with applicable New Jersey and Pennsylvania laws and regulations
 - environmental assessments and permitting
 - siting and land use issues
 - review and preparation of power purchase and related agreements
 - opinion letters
 - risk management
 - the securing of necessary governmental approvals
- advise utilities on environmental matters
- help real estate developers contain utility construction costs with the most beneficial tax consequences
- represent communications utility carriers in establishing their geographical territories, erection of equipment, and setting of rates
- represent large paratransit association and member companies, as well as other common and contract carriers in regulatory proceedings pertaining to certification/licensing, rates, and operations
- assist developers and commercial and industrial customers with utility-related issues, including access and quality and cost of service
- handle disputes with utilities, including metering, billing and facilities issues, demand side management programs, and the renegotiation of non-utility generator agreements
- advise on private aggregation programs
- help service providers grow from formation and financing to full operating mode

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