

Kimberly B. Frank

Partner

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OVERVIEW

Kimberly Frank is an electric regulatory lawyer who helps large energy consumers, electric cooperatives, generators, developers, utilities, and other market participants navigate the rules governing wholesale electricity markets and grid infrastructure. She represents clients before the Federal Energy Regulatory Commission (FERC) and state utility commissions on market design and reform, capacity and energy markets, transmission planning and cost allocation, interconnection, rates, and regulatory issues involving large loads and data centers.

WHOLESALE ELECTRICITY MARKETS

Kimberly helps clients interpret, shape, and litigate the rules governing capacity, energy, and ancillary-services markets administered by regional transmission organizations (RTOs) and independent system operators (ISOs). Her work encompasses resource adequacy, market pricing and incentives, reliability, market power, and the allocation of costs and risks among market participants. She advises clients on proposed changes to wholesale market rules and represents them in proceedings concerning the design and operation of those markets.

TRANSMISSION, RATES, AND INTERCONNECTION

Kimberly advises clients on regional and interregional transmission planning, transmission and generation formula rates, annual updates, cost allocation, and generation and load interconnection. She represents clients in regulatory proceedings that determine how transmission infrastructure is planned and funded and how those decisions affect utilities, generators, consumers, developers, and other market participants. Her practice also addresses the regulatory implications of changing generation resources and electricity demand.

LARGE LOADS AND DATA CENTERS

A significant focus of Kimberly's practice is helping clients navigate the electric regulatory issues associated with data centers and other large, energy-intensive facilities. She advises hyperscalers and other large computational loads, developers, and others on load interconnection, generation and transmission requirements, rate design and cost responsibility, co-location and behind-the-meter arrangements, and engagement in ISO/RTO stakeholder processes.

Her experience includes advising on federal and state regulatory issues involving co-location of data centers and generation, access to reliable and affordable power, regional resource adequacy, and cost allocation. Kimberly is currently advising clients on federal and state electric regulatory issues associated with the redevelopment of power plant sites into major energy and data center campuses, including jurisdictional, compliance, interconnection, transmission, and market-participation matters.

FERC AND PSC PROCEEDINGS AND REGULATORY STRATEGY

Kimberly also represents clients before FERC and state utility commissions in contested proceedings, rulemakings, investigations, enforcement matters, technical conferences, rate cases, and settlement negotiations. She develops regulatory and litigation strategies, prepares complaints, protests, comments, and other pleadings, advocates for and challenges market rules, litigates contested regulatory matters, and negotiates settlements.

Her practice also includes renewable energy development and compliance under the Public Utility Regulatory Policies Act (PURPA), Public Utility Holding Company Act (PUHCA), and Federal Power Act (FPA), as well as federal and state regulatory issues arising from electric-power transactions and commercial arrangements.

ECONOMICS AND TECHNICAL EXPERIENCE

Before beginning her legal career, Kimberly served as research faculty with a law-and-economics think tank in the Department of Economics at the University of Maryland College Park. She draws on that economics background in working with economists, engineers, accountants, financial analysts, and other technical experts to develop regulatory strategies and present complex electricity-market and grid issues to regulators.

ACHIEVEMENTS

- Listed in *The Best Lawyers in America*® in Washington, DC
  - Energy Law, 2019-2027
  - Energy Regulatory Law, 2023-2027
- Recognized by *Chambers USA* for Energy: Electricity (Regulatory & Litigation), USA-Nationwide, 2023-2026
- Recognized by *Chambers Global* for Energy: Electricity (Regulatory & Litigation), USA-Nationwide, 2024-2026
- Recognized by *The Legal 500 United States* as a Recommended Lawyer
  - Energy Transactions: Electric Power – Mid-Market ($0-500m), 2024-2026
  - Energy Regulation: Electric Power, 2024-2026
  - Energy: Renewable/Alternative Power, 2024-2026
  - Energy Litigation: Electric Power, 2024-2025

PROFESSIONAL / CIVIC ACTIVITIES

- Solar United Neighbors-Member and Chair, Board of Directors (2022–2024)
- Charitable Foundation of the Energy Bar Association-Member, Board of Directors (2019–2022)
- Energy Bar Association-Member, Board of Directors (May 2016–2019)
- Women's Council on Energy and the Environment

SPEAKING ENGAGEMENTS

- Panelist “Navigating the Current Economics Job Market,” Economics Career Panel, University of Maryland, October 2026
- Panelist “Rules of Engagement: How Policy and Politics Shape the Future of the US Data Center Market,” The Power Bridge-Exchanging Ideas and Creating Opportunity for US and French Digital Infrastructure, French-American Chamber of Commerce, October 2026
- Panelist, “The New RFK Campus Development” at Powering the Future: Energy, Infrastructure, and the Next Generation of Development in the DMV, May 2026
- *ESG for Renewable Energy Financing,* hosted by Infocast Master Class, November 2021
- *Connecticut: Ground Zero for Offshore Wind*, Moderator, Business Network for Offshore Wind, June 2019
- “FERC's Inaction Frustrates Opportunities for Offshore Wind in New England,” *Business Network for Offshore Wind*, February 2019
- *Connecticut: Ground Zero for Offshore Wind*, Moderator, Business Network for Offshore Wind, June 2019
- *Cybersecurity Outlook*, Moderator, Women's Council on Energy and the Environment, May 2019
- *Women in Leadership Committee Holiday Reception* featuring Sue Kelly, Moderator, Women's Council on Energy and the Environment, December 2018
- *How the Federal Power Act Impacts Your Utility*, Speaker, American Public Power Association, National Conference, June 2018
- *Lessons Learned from Political Appointees*, Women's Council on Energy and the Environment, January 2018
- *Florida Electric, Renewable and Telecommunications Updates: The Interplay of Federal, State and Local Jurisdiction*, Speaker, Energy Bar Association and the Florida Bar Association, October 2017
- *States Move Toward a Cleaner Energy Future: Opportunities and Challenges*, Moderator, Energy Bar Association Mid-Year Conference, October 2016
- *Federal Energy Regulation*, Speaker, New England Conference of Public Utilities Commissioners Symposium, February 2015 and November 2016

- *Offshore Innovation: The Development, Implementation and Financing of Offshore Wind Energy in Maryland's Coastal Waters*, Moderator, Women's Council on Energy and the Environment, December 2014
- *Meet the Judges: Trial Practice with Judge Peter Young*, Moderator, FERC Practice Committee, Energy Bar Association, June 2014
- *Capacity Roundtable: Sharing Regional Perspectives*, Moderator and Panelist, National Association of Regulatory Utility Commissioners, September 2013
- *Debating the Minimum Offer Price Rule*, Panelist, Restructuring Today, December 2012

EDUCATION

- J.D., Georgetown University Law Center, 2004
- M.A., University of Maryland at College Park, 1996 *(Economics)*
- B.A., 1992 *(Economics)*

ADMISSIONS

- Bar of District of Columbia
- Bar of Kansas
- Bar of Maryland
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Eighth Circuit
- United States Court of Appeals for the Federal Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Tenth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the District of Maryland

THOUGHT LEADERSHIP *POWERED BY HUB*

- October 2026, Pennsylvania Public Utility Commission Adopts Model Interconnection Tariff for Large Load Customers, *The Energy Law Report*
- 16 July 2026 , Data Center Deep Dives: Interconnection, Gas, and Grid Access–The Path to Power
- 29 May 2026, Pennsylvania Public Utility Commission Adopts Model Interconnection Tariff for Large Load Customers

- 30 March 2026, Request for Comments on Texas PUCT Draft Report Regarding Transmission Cost Recovery in the ERCOT Region
- 15 January 2026, FERC Orders PJM to Reform Tariff for Co-Located Generation and Load
- 30 October 2025, DOE Directs FERC to Take Action on Large Load Interconnection
- 6 June 2025, Regional Grid Operators Attempt to Tackle Resource Adequacy by Fast-Tracking Generator Interconnection
- May 2025, Energy Policy in the Trump Administration Webinar Series–Session 5: Electricity, Transmission, and Data Centers
- 26 February 2025, FERC Moves Forward Quickly on Generator Co-Location With Large Loads
- 11 November 2024, FERC's Rejection of Data Center Co-Location Amendments to a Pennsylvania Nuclear Power Plant's Interconnection Agreement Raises Big Questions About What's Next
- 7 August 2024, FERC to Hold Commissioner-Led Technical Conference to Discuss Co-Location of Large-Load Customers With Generating Facilities
- 16 May 2024, FERC Issues Landmark Transmission Planning Rule, Order No.1920: Final Rule Modifies the Proposed Rule, Drawing 2-1 Vote
- 26 March 2024, FERC Interconnection Reform Is Full Steam Ahead
- 6 December 2023, FERC Issues 2023 Enforcement Report
- 27 October 2023, Federal Energy Regulatory Commission Orders Development of Inverter-Based Reliability Standards
- 6 September 2023, Order No. 2023: Interconnection Reform is Finally Here
- 5 September 2023, BOEM Offshore Wind Lease Update: Gulf of Mexico Auction Produces Lackluster Results, Not Likely Repeated in Future Oregon and Mid-Atlantic Lease Areas Auctions
- 30 May 2023, FERC Approves Enforcement's Settlements With Two Demand Response Providers
- 3 November 2022, Heightened Scrutiny of Director Positions by FERC and DOJ
- 7 July 2022, Lessons to be Learned from FERC's Investigation of a New Power Project's Participation in the New England Capacity Market
- 17 June 2022, Unclogging the Interconnection Queues – FERC Proposes Interconnection Reform
- 25 April 2022, Offshore Wind Handbook
- 22 April 2022, FERC Moves Forward on Transmission Planning and Cost Allocation Reform
- 30 March 2022, BOEM Issues Final Sale Notice for Offshore Wind Lease Areas in Carolina Long Bay

- 16 March 2022, Record-Setting New York Bight Auction and Newly-Announced Oregon Lease Areas Portend Rapid Growth in U.S. Offshore Wind Industry
- 4 January 2022, FERC Enforcement In 2021: A Year Of Change
- 20 July 2021, FERC Issues Advance Notice of Proposed Rulemaking to Reform Transmission Planning, Cost Allocation, and Generator Interconnection Procedures
- 25 June 2021, FERC Prepares to Launch Long-Awaited MBR Relational Database
- 23 September 2020, FERC Issues Landmark Order No. 2222 to Facilitate the Participation of Distributed Energy Resources in Wholesale Markets
- 17 September 2020, Senate ENR Committee Holds Hearing on FERC Commissioner Nominees
- 15 September 2020, Senate ENR Hearing Slated for FERC Nominees
- 28 July 2020, Trump Nominates Clements, Christie to FERC
- 12 March 2020, COVID-19: Federally Regulated Energy Businesses

OTHER PUBLICATIONS

- "Order No. 2023-A: Federal Regulatory Energy Commission Interconnection is Full Steam Ahead," *Pratt's Energy Law Report,* July-August 2024
- "Order No. 2023: Interconnection Reform Is Finally Here," *The Journal of Federal Agency Action*, January–February 2024
- "The Curious Case of the 1,200 MW Transmission Size 'Limit' in New England," *Marine Technology Reporter*, November/December 2023
- "Offshore Wind Auction Results Portend Difficulties In Gulf," *Law360*, 12 September 2023
- "Reactive Power Compensation for Renewable Energy Facilities: Opportunity Amidst Change," *Oil, Gas & Energy Resources Law Section Report*, Jan. 2023
- "Lessons From FERC New England Capacity Market Settlement," *Law360*, 29 July 2022
- "Key Provisions of FERC's 2021 Enforcement Report," *Pratt's Energy Law Report*, Feb. 2022
- FERC Enforcement In 2021: A Year Of Change, *Law360*, 3 Jan. 2022
- Series and survey, *Industrial Maintenance & Plant Operation*, "Manufacturers Show Interest in, But Lack Awareness of, Energy Demand Response Programs," Jan./Feb. 2014, and "Demand Response Programs Lower Electricity Costs, But Also Pose Risks," Nov. 2013.
- "Federal Courts Thwart State Efforts to Develop New Generation for Reliability," *New England Consumer Liaison Group*, Nov. 2013.
- "Ominous News for State Energy Commissions," *Law360 Expert Analysis*, Oct. 2013.

- "Rethinking Capacity Markets: A Pragmatic New Approach to Assuring Reliability," *Public Utilities Fortnightly*, May 2013.

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 7 May 2026, Powering the Future: Energy, Infrastructure, and the Next Generation of Development in the DMV
- 12 February 2026, *Chambers Global* 2026 Guide Ranks K&L Gates Lawyers, Practices
- 9 December 2025, "Under the Wire" CLE Seminar | Powering Progress: Navigating Energy Policy, Judicial Deference, and Data Center Infrastructure
- 19 August 2025, K&L Gates Advises Commonwealth Fusion Systems on Strategic Partnership With Google on Power Purchase Agreements
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 13 February 2025, *Chambers Global* 2025 Guide Ranks K&L Gates Lawyers, Practices
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 15 February 2024, *Chambers Global* 2024 Guide Ranks K&L Gates Lawyers, Practices
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 2-3 November 2021, ESG for Renewable Energy Financing, hosted by Infocast Master Class
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 17 August 2020, K&L Gates Advises Tokyo Gas America on Two Acquisitions

MEDIA MENTIONS

- 21 January 2026, *The Legal Intelligencer* | Pennsylvania Firms Cash In on AI Data Center Boom

OTHER MEDIA MENTIONS

- Quoted, "Pennsylvania Firms Cash In on AI Data Center Boom," *Law.com*, 21 January 2026
- Quoted, "FERC In Position To Ride Out Any Election Day Upheaval," *Law360*, 1 November 2024

AREAS OF FOCUS

- Environment and Energy
- Appellate Litigation

INDUSTRIES

- Corporate Sustainability
- Energy
- Energy Storage and Distributed Resources
- Nuclear Energy
- Offshore Wind Energy
- Power
- Power Generation and Transmission
- Renewables
- Utilities

EMERGING ISSUES

- Data Centers and Energy Intensive Infrastructure

REPRESENTATIVE EXPERIENCE

Large Loads, Data Centers, and Co-Located Generation

- Advised a hyperscale data center operator on its federal regulatory strategy, including advocacy before FERC on large-load interconnection, resource adequacy, load flexibility, and speed-to-market priorities.
- Represented a hyperscale data center operator in contested FERC proceedings involving local transmission planning tariff changes and rate agreements for local transmission expansion projects needed to provide transmission service.
- Advised a global technology company on FERC's proposed large-load reform docket to promote clearer, more workable interconnection and transmission service rules for data centers.
- Provided a global technology company with strategic monitoring and practical advice on federal initiatives affecting data center interconnection and service to large loads, system reliability, cost responsibility, and power procurement.

- Advised a developer on the federal and state regulatory strategy for a behind-the-meter data center joint venture, including co-location, interconnection, power supply, and RTO/ISO market rules.
- Advised a developer repurposing a legacy coal-generation site for new energy and data center development on co-located supply, interconnection, and utility-service arrangements.
- Counseled a data center developer on federal energy regulatory, ISO/RTO, and state regulatory requirements for co-locating new generation with data center facilities at brownfield sites.
- Conducted multistate regulatory diligence for a generation developer on co-locating utility-scale generation with behind-the-meter data center load, identifying development risks under several states' electric utility laws and regulations.
- Advised an electric cooperative on structuring wholesale supply and transmission arrangements to provide wholesale service to members serving data centers or other large loads.
- Advised a data center developer on FERC-jurisdictional metering, interconnection, and service arrangements for redeveloping legacy generation sites to serve new data center and other large-load uses.

FERC Litigation and Appeals, Rulemakings, and Technical Conferences

- Represented utility in complaint proceeding against respondent utility, alleging respondent's transmission formula rate establishing the revenue requirement for certain assets to be unjust and unreasonable. FERC agreed and granted the complaint, ordered refunds, and directed respondent utility to make compliance filing addressing changes.
- Represented New Hampshire attorney general opposing petition for declaratory order requesting that FERC declare a state law to be preempted by the FPA.
- Represented intervenor in Section 203 proceedings opposing certain proposed elements of public utilities' request for merger approval.
- Represented respondent rural electric cooperative in complaint proceeding initiated by its member to terminate power supply agreement; represented cooperative in related proceedings.
- Represented utility in complaint proceeding against respondent utility, asking FERC to provide relief for significant unauthorized flows and adverse impacts to transmission system caused by respondent's new transmission line. The case settled, with respondent agreeing to pay more than US$90 million for transmission facilities necessary to resolve impacts and to new operation and long-term transmission planning protocols.
- Represented state utility commission in complaint proceeding challenging energy market mitigation rules that exempted some generators from energy-offer mitigation in the PJM energy market. FERC agreed and directed removal of the exemptions.
- Defended five petitions for enforcement filed against three state utility commissions seeking that FERC investigate each state's implementation of PURPA. FERC issued Notices of Intent Not to Act in all cases.

- Represented electric cooperative in formal challenges at FERC opposing a public utility's implementation of its cost-of-service generation formula rate. FERC agreed with the electric cooperative's position each time, setting the cases for settlement and hearing procedures.
- Represented electric cooperative in formal challenge proceedings before FERC opposing the public utility's implementation of its transmission formula rate. FERC agreed, ruling on the papers and directing refunds to transmission customers.
- Represented electric cooperative opposing a public utility's proposal to recover unamortized regulatory assets through wholesale generation and transmission formula rates. FERC agreed, finding the proposal may not be just and reasonable, and set the case for hearing and settlement.
- Represented intervenor electric cooperative in proceeding before FERC to determine changes to the formula setting cost-of-service rates for transmission service and the transmission protocols for a non-jurisdictional rural electric cooperative. FERC agreed, finding the proposal may not be just and reasonable, and set the case for hearing and settlement.
- Represented intervenor electric cooperative in settlement proceedings to update applicant utility's depreciation schedule in its transmission formula rate.
- Represented a state utility commission in various settlement proceedings setting "reliability-must-run" cost-of-service rates for generators operating to ensure grid reliability.
- Prepared supporting comments on behalf of state utility commissions in FERC rulemaking proceedings proposing to revise PURPA regulations.

Eastern Capacity Markets

- Represented state utility commissions in numerous proceedings before FERC and the federal appellate courts concerning the rules governing the PJM or New England capacity markets, addressing multifaceted issues including competition, federal-state jurisdiction, resource adequacy and reliability, product definition and performance, fraud, market power and competition, imports and seams issues, energy offer obligations, zonal pricing, demand curves, cost-of-new-entry benchmarks, administrative pricing, minimum offer requirements, investment, market monitoring and mitigation, reliability-must-run compensation, interconnection queue reforms, and integration of energy efficiency and demand response capacity.
- Represented state utility commission opposing the New England Forward Capacity Market (FCM) "Pay for Performance" rule changes establishing penalties and payments for capacity resources.
- Represented state utility commission opposing the New England FCM rule change proposal, Competitive Auctions with Sponsored Policy Resources (CASPR). The CASPR proposal restricted entry of new entrant renewable energy resources developed through state initiatives.
- Argued for intervenor state utility commission in FERC proceedings below and in New England Power Generators Ass'n v. FERC, 757 F.3d 283 (D.C. Cir. 2014), supporting FERC's decision to reject proposals to implement buyer-side market power rules in the New England FCM.

- Prepared comments for state energy administration and state utility commissions participating in technical conferences about state policies and impacts to the eastern wholesale capacity markets.
- Represented intervenor state utility commission in proceeding opposing proposed changes to a minimum offer price rule change to the PJM Reliability Pricing Model (RPM) capacity market that would prevent new generation from offering to sell capacity at verifiable cost-based prices. Representation continued through the Third Circuit's review of other elements of FERC's order. N.J. Bd. of Pub. Utils. v. FERC, 744 F.3d 74 (3d Cir. 2014).
- Developed appellate arguments for a coalition of nine amici state agencies opposing claims in the Third and Fourth Circuits that state commission-administered procurements for new generation capacity are preempted by the FPA. PPL EnergyPlus, LLC v. Solomon, 766 F.3d 241 (3d Cir. 2014); PPL EnergyPlus, LLC v. Nazarian, 753 F.3d 467 (4th Cir. 2014), aff'd Hughes v. Talen Energy Mrkt'g, 136 S. Ct. 1288 (2016).
- Represented state utility commission in complaint and in full hearing proceedings against capacity importers selling in the New England FCM.
- Represented state utility commission in FERC proceedings protesting the agency's exercise of jurisdiction over the state's resource adequacy requirements, and petitioned for appellate review of FERC decisions. Petitioned the US Supreme Court for a writ of certiorari regarding the application of Chevron deference to FERC's interpretation of the scope of its jurisdiction under the FPA. Conn. Dep't of Pub. Util. Control v. FERC, 569 F.3d 477 (D.C. Cir. 2009), cert. denied, 558 U.S. 1110 (2010).

Utility-Scale Renewables and Offshore Wind

- Legal advisor to state regulatory commission staff to develop comprehensive regulations implementing the state's offshore wind legislation, which included a commission-administered competitive solicitation process and the development of financeable offshore renewable energy credit payment (OREC) mechanism between energy suppliers and wind projects.
- Represented offshore supply chain association before the Maryland Public Service Commission's "Round 2" offshore wind procurement targeting at least 1.2 gigawatts (GW) of new capacity to be installed by 2030.
- Lead counsel for transmission owners in proposing a method to assign cost responsibility for the transmission upgrades selected by New Jersey pursuant to the PJM State Agreement Approach. The transmission upgrades, paid for by New Jersey ratepayers, will support interconnection of 7.5 GW of offshore wind.
- Advised a Connecticut agency on the development of competitive procurements for utility-scale renewable energy.
- Advised a Connecticut agency participating in the three-state New England Clean Energy RFP.
- Counseled onshore and offshore developers on a variety of issues arising in connection with FERC-regulated interconnection procedures, e.g., acquisition of queue positions, self-build option, milestones, security, study schedules, affected system studies, and interconnection agreement negotiations.
- Prepared PURPA-qualifying facility submissions, Exempt Wholesale Generator (EWG) notices, and applications for market-based rate (MBR) authorizations to FERC.

Community Solar, Distributed and Behind-the-Meter Generation, and Renewable Energy Certificates (RECs)

- Advised financial institution client on a behind-the-meter 1 megawatt (MW) solar project for its Connecticut campus and submission of a bid for a long-term contract to sell zero-emission renewable energy credits to a Connecticut distribution utility.
- Advised client on interconnection for a .5 MW community solar installation at an apartment complex for low-income residents. Funded in part through a District of Columbia government grant, the solar project provides approximately 160 residents with a US$500 reduction in their electric power bills each year for the next 15 years.
- Counseled pro bono grassroots association on a wide variety of legislative and regulatory initiatives to create opportunities for residential rooftop solar in the District of Columbia.
- Represented corporate client in negotiations for an on-site, behind-the-meter solar facility, including agreements for facility design and construction, operation and maintenance, interconnection, and the REC offtake agreement.
- Performed power purchase agreement reviews for an on-site, behind-the-meter solar facility.
- Negotiated electric power supply and REC purchase agreement for large commercial customer.
- Represented solar advocacy intervenor before the District of Columbia utility regulator in proceedings to consider acquisition of electric distribution utility.
- Represented solar developer in rehearing of the New Jersey utility commission's determination that the developer's proposed site was not eligible under state law for the project to be deemed behind-the-meter.

State Utility Commission Proceedings

- Represented default electric service provider in two proceedings before the Ohio utility commission arising from a governmental aggregator's return of 500,000 customers to default electric service.
- Represented intervenor in Kansas utility commission proceedings to establish an open integrated resource planning (IRP) process for the state's regulated public utility affiliates, with ongoing representation in the IRP stakeholder process.
- Represented intervenor in three proceedings before the Kansas utility commission to evaluate the proposed mergers of regulated utilities.
- Represented an electric utility in a complex litigation before the Indiana utility commission, defending allegations of imprudence, gross mismanagement, fraud and concealment in the design, engineering, and construction of an integrated gasification combined cycle plant.
- Investigated for the Maryland utility commission, the commission's prior proceedings implementing retail electric industry restructuring legislation and going-forward options to provide retail customers with reliable, cost-effective electric service.

Energy Regulatory Diligence and Transactions

- Federal and state regulatory diligence for projects under development and operating facilities.
- Assisted buyer in a multistate regulatory diligence review of waste-to-energy facilities.
- Represented lender in state regulatory diligence for operating gas-fired facility in New Jersey.
- Represented borrower in the financing of several New Jersey solar facilities, focusing on state regulatory issues.
- Advised on energy regulatory matters in connection with the sale of a New Jersey gas-fired generator selling into the NYISO power market.
- Assisted lender with federal and state energy regulatory diligence for a US$350+ million debt financing of a gas-fired generator.
- Assisted potential buyer in evaluating portfolio of competitive retail energy companies.