

Natural Gas

Wilkinson Barker Knauer's attorneys have extensive experience and are well-equipped to provide legal services pertaining to natural gas issues. On a substantive level, our natural gas team has developed an expertise in issues involving the Natural Gas Act (NGA), the Natural Gas Policy Act, the Energy Policy Act of 2005, state regulatory statutes, and the regulations thereunder, including limited-jurisdiction certificates and the rules governing Hinshaw pipelines. Our lawyers' experience extends to interstate pipeline transportation, interstate storage, standards of conduct, affiliate transactions, transfers of pipeline and storage capacity, purchases and sales of regulated assets, corporate reorganizations, negotiation and drafting of various transactional documents related to regulated transactions (such as asset management agreements), certification and abandonment of facilities and services, ratemaking, rulemaking, tariff filings, record retention, and filing requirements. Our attorneys have significant experience representing clients in matters related to both certificate and abandonment of natural gas pipeline and storage projects—both reservoir and salt cavern projects. We have advised clients on eminent domain issues as well as jurisdictional matters, including those raising pre-emption concerns.

Our lawyers have participated in a significant number of natural gas proceedings before the Federal Energy Regulatory Commission (FERC) and state public utility commissions (PUCs) over the past decades and have been at the forefront of many of the major court decisions impacting the industry during that time. Our lawyers have extensive litigation experience before agencies and the United States Courts of Appeals, in addition to significant mediation experience.

Our understanding of the industry and our clients' needs also allows us to assist in the negotiation and drafting of various commercial agreements, such as special conditions to North American Energy Standard Board base contracts, precedent agreements for new pipeline or storage capacity, interconnection agreements between local distribution companies or electric generators and interstate pipelines, and other commercial arrangements impacted by regulation.

Members of our natural gas regulatory team also provide advice and counsel regarding compliance with statutes and regulations governing natural gas. Our attorneys regularly conduct compliance training programs and assist clients in the development of compliance programs. These compliance training sessions and compliance programs have focused on the scope of FERC jurisdiction over natural gas pipeline shippers; an explanation of FERC's enforcement process; FERC's capacity release program, including the shipper-must-have-title requirement; buy/sell arrangements; the prohibition against tying; asset management arrangements; record retention; transfers of interstate pipeline capacity; and FERC's Standards of Conduct. When necessary, we can be called upon to represent and defend our clients in FERC Enforcement proceedings.

HIGHLIGHTS

Ranked as a "top tier" firm by US News/Best Lawyers, Chambers and Legal 500

Litigators experienced in state and federal agencies, and in the federal courts