



## **PUBLIC POLICY & REGULATION PRACTICE**

- The Holland & Knight Energy and Natural Resources Public Policy & Regulation practice represents a wide range of energy industry stakeholders before the U.S. federal government, including electric utilities, renewable energy producers, and natural resource interests such as oil, natural gas, liquefied natural gas (LNG) and mining companies.
- Our team provides comprehensive advocacy strategies for our clients to implement legislative and regulatory solutions by effectively engaging with Capitol Hill and administration decision-makers.
- We skillfully and aggressively advocate on behalf of our clients' interests to shape policy and regulations to drive their business, from policy development and implementation, to tax issues, to appropriations and grant opportunities.

Energy and natural resources are some of the most heavily regulated industries in the United States and internationally. Nearly every transaction in the energy, mining and natural resources sectors must engage with federal and state government – mergers, public-private partnerships, construction projects and major contracts alike. The professionals in Holland & Knight's bipartisan Energy and Natural Resources (ENR) Public Policy & Regulation (PP&R) team have spent decades navigating and shaping the complex relationship between the energy industry and the federal government. Our team works collaboratively to develop strategies and solutions for clients in all aspects of energy production, transmission and distribution.

Holland and Knight's ENR PP&R team is comprised of a bipartisan, bicameral array of dozens of senior professionals who engage in legislative, policy and regulatory matters. Our team includes former senior officials from the White House, the U.S. Environmental Protection Agency and the Federal Energy Regulatory Commission, former members of Congress who served on the Energy and Commerce Committee and numerous former Congressional staff members, and former counsels to energy companies including large investor-owned electric utilities, developers of onshore and offshore wind facilities, and importers and exporters of liquefied natural gas (LNG). Our seasoned professionals have decades of experience representing a wide variety of energy clients – from Fortune 500 companies in the traditional energy sector to startups deploying innovative technologies for the first time at commercial scale.

We actively lead our clients in identifying and confronting all policy, political and legal challenges that stand between them and their business objective – whether advancing specific policy goals or safeguarding existing interests. Our team works with clients throughout the entire advocacy process – from initial strategy development to implementation and regulation. We assist our clients in identifying and building enduring relationships with decision-makers in Congress, as well as with senior White House and executive branch staff. Our strategies for success are customized to meet our clients' specific needs, often including direct advocacy, grassroots and grassroots outreach, communications and litigation strategy.

The ENR PP&R team also has extensive experience building, incorporating and managing ad hoc and formal coalitions. We take a candid approach to coalition management, synthesizing the views of divergent stakeholders to develop integrated strategies that will affect target audiences. In our coalition efforts, we employ "campaign-style" advocacy that combines comprehensive strategy with targeted and nuanced tactics to engage with federal agencies in the executive branch, key players in Congress, third-party stakeholders and the media.

### **LEGISLATIVE**

Our Holland & Knight ENR PP&R team advocates on behalf of our clients before Congress for both specific provisions and general language in energy and environment legislation. Our team has played a role in the formulation of all major energy and tax legislation enacted over the last decade, including the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007 and the Toxic Substance Control Act of 2016. We also prepare our clients to testify before Congress, brief members of Congress on key matters affecting our clients and their constituents, and serve as a resource for senior staff professionals handling complex issues.



## REGULATORY

Holland & Knight's ENR PP&R team works to establish clarity in the dense world of federal government regulations. Our team understands that translating complex legal and regulatory issues into a practical real world framework is key to our clients success. We advise clients on how to navigate the regulatory process, communicate with key agency decision-makers and leverage congressional oversight to maximize regulatory action benefits. We also assist clients with filing comments in significant federal agency proceedings, participating in technical workshops designed to evaluate solutions to pressing technical issues and working closely with the agencies to ensure that officials are aware of our clients' views on issues and proposed regulations. We regularly work with agencies including:

- U.S. Department of Energy (DOE)
- U.S. Department of Agriculture (USDA)
- U.S. Department of Defense (DOD)
- U.S. Department of the Interior (DOI)
- U.S. Department of the Treasury
- U.S. Environmental Protection Agency (EPA)
- Federal Energy Regulatory Commission (FERC)
- The White House
- The National Economic Council (NEC)
- Council on Environmental Quality (CEQ)
- Office of Management and Budget (OMB)

## GOVERNMENT FINANCE AND APPROPRIATIONS

In addition to our legislative and regulatory capacity, the ENR PP&R team has secured billions of dollars of funding for its clients through grants, loans, loan guarantees, appropriations, procurements and other mechanisms of financial support. We provide targeted opportunity monitoring and intelligence, ensuring clients are well-positioned to maximize returns on investment. In particular, our team focuses on developing new project opportunities through integrating public and private financing tools. We guide clients to ensure that government funding aligns with a company's fundraising efforts in venture capital, private equity or investment banking. Since 2000, we have secured more than \$5 billion in appropriations for our public sector, nonprofit and corporate clients.

## Representative Matters

- Submit comments and participate in meetings with high-level White House and EPA officials in connection with significant EPA rulemakings, including the EPA's proposed rule on carbon emissions limits for existing power plants (Clean Power Plan)
- Successfully advocate for the extension of various tax credits in support of renewable energy, including the Production Tax Credit (PTC) and other tax credits supporting cellulosic and renewable diesel fuels
- Represent numerous clients in FERC proceedings related to the integration of renewables and battery storage into regional wholesale electric markets, the expansion of interstate natural gas pipeline systems, and the development of LNG import and export facilities
- Represent several electric cooperatives in negotiating the prepayment and refinancing of loans from the USDA's Rural Utilities Service
- Advise a leading solar module manufacturer in the sale of nearly 100 MW of solar panels to U.S. military installations
- Advise several leading solar generation developers in connection with the development of more than 100 MW of projects throughout the United States
- Represent a California investor-owned utility before the Bureau of Land Management regarding Endangered Species Act and National Environmental Policy Act (NEPA) policy issues and military base conflicts and leasing issues in the development of a utility-scale solar thermal facility
- Represent financial services companies on the procurement of renewable energy, the development of renewable energy generation facilities, and corporate sustainable initiatives
- Regularly advise national energy recovery company regarding compliance with federal environmental and transportation requirements for shipment of drilling fluids, frack water, and wastes from fields to refineries and distribution centers



- Represent developers of offshore wind farms before the U.S. Department of the Interior (DOI), Bureau of Ocean Energy Management (BOEM) regarding site leasing and development
- Serve as counsel for a renewable energy developer in addressing whether gasification technology is eligible for federal and state renewable energy incentives
- Serve as legislative counsel for large multistate energy company in developing Florida and federal Renewable Portfolio Standards
- Guide a major electric utility as climate legislation was developed, passed in the House and debated in the Senate; Holland & Knight successfully represented the utility's interest and argued for the inclusion of provisions to promote responsible policy that would enable the electric industry to meet ambitious climate goals without undue economic burdens
- Counsel a major biofuels trade association in the development and implementation of an advocacy strategy to reform the Renewable Fuels Standard
- Create and coordinate a coalition of major chemical manufacturers seeking to overhaul the Superfund remediation process
- Advise multiple clients on federal grants and loan guarantee applications for new biofuel refineries and battery storage production facilities
- Successfully advocate for legislative language to create funding programs to assist numerous clients, including millions of dollars funding in the American Reinvestment and Recovery Act of 2009
- Secure millions in funding for a national research consortium made up of 30 universities and 30 companies which do groundbreaking renewable energy and environmental research
- Regularly advise clients on compliance with Renewable Fuel Standard (RFS) and assist multiple biofuels companies with EPA RFS pathway approvals
- Navigate numerous federal agencies including the U.S. Department of the Interior (DOI) to assist a major mining company in expanding operations on federal lands
- Regularly advise electric power licensees regarding FERC matters such as market-based rate and tariff requirements, power generation regulations and enforcement questions
- Represent major transformer manufacturer in advocating for legislative language resulting in the Strategic Transformer Reserve Program
- Advocate on behalf of a consortium of power transformer manufacturers in a U.S. Department of Commerce Section 232 investigation into the impact of steel imports on national security
- Represent and counsel several oil and natural gas pipelines in regulatory proceedings before FERC, including petitions for declaratory orders, license transfers, rate setting and tariff proceedings, and compliance and enforcement matters
- Provide regulatory counsel for mining company to expanding mining operations in Nevada and Alaska

## CONTACT US



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