

# Energy Newsletter



February 2012

## REGULATORY

### U.S. Antitrust / FERC

#### Converging On Federal Reviews Of Electricity Mergers

*Donna N. Kooperstein*

Although the Federal Energy Regulatory Commission and the U.S. Department of Justice have in large part concurrent jurisdiction over electricity mergers, the two agencies have coordinated little in their review of transactions. Collaboration between the DOJ and the Commission can result in more consistency in their decisions on the competitive aspects of transactions. [More »](#)

### EU / UK Competition Law

#### Natural resources and keeping your head above water in the EU

*Suzanne Rab*

A comparative review of recent EU competition law investigations in the water sector and their implications for investment in utilities. [More »](#)

### Environmental

#### Marcellus Shale: Aftershocks From Ohio Earthquakes

*Drew T. Bell, Lynn Kerr McKay*

Recent seismic events associated with the disposal of hydraulic fracturing wastewater may invite a regulatory response. [More »](#)

### U.S. Antitrust

#### Revised Department of Justice / Federal Trade Commission Guidelines -- 16 Months Later

*Donna N. Kooperstein*

Merger enforcement under the revised Horizontal Merger Guidelines is slowly taking shape in the energy area. [More »](#)

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## TRANSACTIONAL

### Construction

#### Choice of law in international contracts: An English law primer

*Scott Chalmers*

Certain key considerations regarding choice of English law for cross-border construction contracts. [More »](#)

### Corporate / London

#### Decommissioning Liability in the UK and Relief under the Finance Bill 2012

*Kevin Conway, Nina Howell*

## In The News

### Making Sense of the SEC's Conflict Minerals Rulemaking Delay

[More »](#)

### Comments to SEC Characterize Proposed Resource Extraction Payment Disclosure Rules as "Legally Deficient"

[More »](#)

### FTC Announces Increased Hart-Scott-Rodino Thresholds

[More »](#)

### Upcoming Events Investing in a Modern Russia

Speakers will include:

**Andrew Somers**, President and CEO, American Chamber of Commerce in Russia  
**Partners** from the Moscow office of Ernst & Young  
**Partners** from the Moscow, London and Washington, D.C., offices of King & Spalding

Presentations:

9:00AM - 1:00PM

Decommissioning liability is currently a key consideration for oil and gas companies operating in the UK North Sea. Also, in December, the UK Government published the draft Finance Bill 2012 which introduces a cap to limit the relief on decommissioning expenditures for Supplementary Charge purposes. [More »](#)

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## DISPUTE RESOLUTION

### International Arbitration

#### **The Role of Corporate Counsel in International Energy Arbitration**

*John Bowman*

In-house energy counsel performs a multifaceted role frequently crucial to the successful conclusion of a dispute, a role that ranges from selection, engagement, and supervision of outside arbitration counsel to the more substantive, significant, and collaborative responsibilities as part of the trial team. [More »](#)

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Dates/Locations:

Mon, Feb 6, 2012

*New York*

[More Info / Register »](#)

Tue, Feb 7, 2012

*Atlanta*

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Wed, Feb 8, 2012

*Houston*

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**Between Cooperation and Capitulation: How to comply with EU competition law investigations?**

Speakers will include:

**Len Hawkes**, Demolin - Brulard - Barthelemy, Brussels

**Suzanne Rab**, King & Spalding, London

Roundtable Discussion:

11:45AM - 2:00PM

Date/Location:

Tue, Feb 7, 2012

*London*

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**Suzanne Rab to Discuss Anti-corruption, Competition Compliance at International Bar Association Conference in Paris**

[More Info »](#)