

Energy Newsletter



January 2013

TRANSACTIONAL

Corporate / London; Maritime

Maritime Boundaries: UNCLOS and disputes over the right to explore and develop offshore reserves and the effect on the oil and gas industry

Dominique Askew, Anthony Long

Despite the 1982 United Nations Convention of the Law of the Sea (UNCLOS) providing member states with a 200-mile offshore exclusive economic zone for exploiting maritime reserves, international waters are still being contested. [More »](#)

Transactions

Preserving the Economic Stability of an Energy Project

William (Pete) Musgrove

Economic stability is one of the most important issues for a sponsor to consider when investing in a project in a foreign country, especially when dealing with the governments of developing nations in industries that are politically sensitive such as the export of energy and other natural resources. A Host Country Agreement may help contribute to the long-term success of such an energy project. [More »](#)

DISPUTE RESOLUTION

Business Litigation

Important Texas Water Rights Case Could Affect Oil & Gas Activities as Well

Brannon Robertson

In *Edwards Aquifer Authority v. Day*, the Texas Supreme Court held that Texas property owners have an actual ownership interest in the groundwater beneath their property. While this holding does not directly address oil & gas issues, it may well affect the industry because petroleum production activities are frequently water-intensive. [More »](#)

Oil & Gas Litigation

Seven States Threaten to Sue to Force EPA to Address Methane Emissions from Oil and Gas Operations

Harold Shaw

The demand for action has increased the pressure on the EPA to impose additional new environmental requirements on the oil & gas sector, including fracking activities. [More »](#)

In The News

FERC Issues Report Discussing Office of Enforcement Audit of Rockies Express Pipeline LLC [PDF]

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Time to Reset US Trade Policy for the 21st Century [PDF]

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Appellate Lawyer of the Week: Jeffrey Bucholtz [PDF] [More »](#)

King & Spalding Among Best Firms in France In International Arbitration and Environmental Law

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Former U.S. Congressman Michael Andrews Joins King & Spalding

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Project Finance Partner Kelly Malone Joins King & Spalding in Singapore

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Cynthia Stroman is Contributing Author of

REGULATORY

International Trade

LNG Export Requests Pose Challenge for U.S. Trade Policy

Steve Jones

The boom in U.S. natural gas production from shale deposits has important implications for U.S. trade policy. The rapidly increasing supply of natural gas as fracking techniques continue to improve is resulting in lower prices for consumers and increasing the competitiveness of U.S. manufacturing. At the same time, however, lower prices in the United States are causing producers to seek business in export markets. [More »](#)

EU Competition Law

Twenty Million Euro: The Price for Merging Without European Commission Approval

Suzanne Rab

The EU's second-highest court upheld a fine of EUR 20 million against an acquiring company for early implementation of a merger without notifying and seeking prior approval from the European Commission. [More »](#)

Government Relations

Alternative Energy Initiatives Continue at Department of Defense

Michael A. Andrews, Thomas J. Spulak, Allison F. Kassir

While renewable energy tax issues remain in flux amidst negotiations between Congress and the Administration, work on other federal renewable initiatives continues.

[More »](#)

International Trade

Energy Discrimination And International Rules In Hard Times: What's New This Time Around, And What Can Be Done

Daniel C. Crosby

The ever expanding substantive and geographic scope of international trade rules forces governments to seek out increasingly nuanced and creative modes of protection in order to disguise treaty violations. The recent trend toward unapologetic protectionism may indicate a new direction in trade policy. [More »](#)

EU Competition Law

European Commission opens two abuse of dominance inquiries against Bulgarian and Romanian Energy Companies

Suzanne Rab

The European Commission announced formal proceedings to investigate potential abuse of dominant market positions by two companies in electricity wholesale markets. [More »](#)

International Trade

U.S. Continues to Expand Sanctions Against Iran

Christine Savage, Jane Cohen, Shannon Doyle

Over the past three years a series of new laws have continued to expand already restrictive U.S. sanctions programs by, among other things, expanding the extraterritorial reach of U.S. law. In particular, these new sanctions have a direct impact on the energy and petrochemical industries.

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Book on Environmental Issues

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Jeffrey Telep Reappointed to Court of International Trade's Rule Advisory Committee

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