

# Energy Newsletter



July 2012

## TRANSACTIONAL Transactions

### **Mitigating Expropriation Risk of Natural Gas Projects**

*Philip Weems, Matt Salo*

International energy companies often find the most attractive oil and gas prospects to be located in countries where the risk of expropriation looms on the horizon. Given the right political and social atmosphere and the rising value of hydrocarbons, any of these nations could become the next expropriator. [More »](#)

### **Chinese investment in U.S. Energy: What works?**

*Crayton L. Bell, S. Kiran Lingam*

Chinese investment in the U.S. energy sector has the potential to provide tremendous benefits for both America and China. Given the current political climate in America, Chinese investors would do well to highlight the positive impact that their transactions will have on U.S. job growth as they navigate the regulatory process. [More »](#)

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## REGULATORY FERC

### **FERC Issues New Rule to Facilitate Integration of Wind, Solar, and Other Variable Energy Resources into the Grid**

*Neil L. Levy, David G. Tewksbury, Stephanie S. Lim, Grace Su*

FERC's Order No. 764 is intended to remove barriers to the integration of variable energy resources (such as wind and solar) into the electric grid. Because these resources represent an increasing percentage of generation capacity, FERC concluded that it must take steps to prevent public utility transmission providers from treating these customers in an unduly discriminatory manner. [More »](#)

## EU Competition Law

### **Spain Fines Endesa for "Unfair" Competition**

*Suzanne Rab*

A recent decision by Spain's National Competition Commission highlights the increasing competition law scrutiny of the energy sector in the European Union and the delicate balance between general competition law enforcement and sector-specific regulation. [More »](#)

### **UK Competition Commission Clears Water Merger - Unconditionally for First Time**

*Suzanne Rab*

## In The News

**Doak Bishop, Edward Kehoe to Speak at GAR's Inaugural North American Conference**

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**Suzanne Rab Authors New Book on Indian Competition Law**

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**Enactment of the New Georgia International Commercial Arbitration Code Solidifies Atlanta's Status as a Hub for International Arbitration [PDF]**

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**Before Risk Becomes Reality, Check Your Risk Management Plan And How It Is Being Implemented**

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Historically, consolidation in the water industry has been challenging and mergers between the larger water companies have been prohibited or subject to conditions. While the regulatory regimes for the energy and water sectors are similar, the water sector has several specific features. [More »](#)

## Government Relations

### Renewable Energy Initiatives in the Department of Defense

*Thomas J. Spulak, Allison F. Kassir*

Ensuring energy security for operations and installations is a top priority for the U.S. Department of Defense, the largest energy consumer in the country. In response to various concerns, the Department of Defense has set an ambitious goal of obtaining 25 percent of its energy from renewable sources by 2025. [More »](#)

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## DISPUTE RESOLUTION

### Business Litigation

#### Preserving the Attorney-Client Privilege Between Client, Attorney, and Independent Technical Consultant

*Keri Smith*

Courts have long been hesitant to find work of certain environmental consultants to be protected by attorney-client privilege unless it is clear that the consultant was retained to provide legal advice. [More »](#)

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