



## Robert F. Riley

### Partner

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Bob Riley is co-chair of the Energy Practice at Williams Mullen, where he concentrates on energy project development, energy transactional matters and related federal and state regulatory issues. In particular, Bob focuses on helping clients develop, construct, own, operate and manage electric power projects utilizing conventional fuel sources (natural gas, oil and coal) and renewable resources (solar, wind, hydro, landfill gas and solid waste). Bob also assists clients in performing due diligence evaluations regarding the acquisition, sale and financing of energy projects. In addition, he supports large industrial end-users with their energy purchasing needs and requirements.

Bob has been advising energy clients for more than 29 years and has extensive law firm, in-house corporate and government experience. Before joining Williams Mullen, Bob was vice president and general counsel for numerous wholly owned subsidiaries of Edison Mission Energy Company (a major independent power plant developer and subsidiary of Edison International and a Southern California Edison Company affiliate). Formerly, Bob was an energy associate with Akin Gump Straus Hauer & Feld. In addition, Bob worked for the Federal Energy Regulatory Commission (FERC), where he served as a trial attorney in the Enforcement Section and an attorney-advisor in the Pipeline Certificates Section. Prior to and during law school, Bob was a landman for an oil and gas company with exploration and production activities throughout Ohio, Pennsylvania and New York.

Bob is listed in *The Best Lawyers in America* for Energy Law (2020-present), and he is listed in *Washington D.C. Super Lawyers* (2007, 2013-2015, 2018-present). Martindale-Hubbell has rated Bob an AV attorney, its highest rating available.

Bob is licensed to practice law in Ohio, Virginia and the District of Columbia. He is a member of the Energy Bar Association and is a former chair of its Generation and Power Marketing Committee. He is

also a member of the American Bar Association, where he serves as vice chair of the Renewable Energy and Distributed Generation Resource Committee. Bob is a member of the American Council on Renewable Energy and is a former member of the Renewable Energy Credit (REC) Trading Working Group. He also serves as chair of the Virginia Chamber of Commerce's Energy Industry Council.

Bob is a 1985 graduate of Case Western Reserve University School of Law, and he received his B.A. from St. Louis University in 1979.

## Practice Areas

- Energy
- Corporate
- Economic Development
- Manufacturing
- Infrastructure
- Energy Regulation
- Coastal Flooding & Resiliency
- Administrative and Regulatory Litigation
- Solid Waste Management and Resource Recovery
- Renewable Energy
- Solar & Energy Storage
- Wind Energy
- Outside General Counsel

## Experience

Project Development and Energy Transactional Issues. Bob is actively involved in electric power plant development, permitting, financing, ownership, operation, acquisition, and divestiture, and related regulatory and transactional issues. Consequently, Bob has experience with a wide variety of transactions and has assisted clients with the following matters:

- Power purchase and sale agreements (PPAs) (long and short term) – including agreements based on the standard Edison Electric Institute (EEI) Master Power Purchase & Sale Agreement.
- Electric interconnection requirements (including FERC's Standard Generator Interconnection Agreements and Procedures [Large Generator and Small Generator, and corresponding Feasibility Study Agreement, System Impact Study Agreement, and Facilities Study Agreement] and PJM Interconnection L.L.C.'s Interconnection Service Agreements.
- Natural gas purchase agreements (long and short term) -- including agreements based on standard North American Energy Standards Board (NAESB) Base Contract for Sale and Purchase of Natural Gas.

- Natural gas transportation requirements for large volume end-users.
- Upstream natural gas transportation capacity release agreements.
- Requests for proposals (RFP) regarding fuel procurement (natural gas and oil).
- Fuel Management Agreements (natural gas and fuel oil).
- Traditional “tariff” and “special contract” energy purchase agreements.
- Water Agreements / Steam Sales Agreements.
- Power plant Operation and Maintenance (O&M) Agreements.
- Business Development Agreements / Consulting Agreements / Independent Contractor Agreements.

Regulatory Issues. Bob has represented clients before FERC, the Department of Energy (DOE) and numerous state public utility commissions. In that regard, Bob has:

- Participated in numerous administrative cases before FERC and various state commissions.
- Counseled clients concerning certificates of public convenience and necessity and various protest issues.
- Assisted clients with the interpretation of federal and state statutes, regulations and orders regarding the sale and transportation of electricity and natural gas.
- Evaluated compliance with applicable federal and state regulatory requirements focused on electricity and natural gas regulations, and related policy issues.
- Counseled clients regarding FERC natural gas certificate and capacity release issues.
- Counseled clients regarding Federal Power Act Section 203 proceedings.
- Assisted large energy consumers with rate case analysis, strategy and related issues.

Litigation. Bob has represented clients in commercial and administrative litigation involving PPA disputes concerning:

- Issues relating to force majeure, and facility outages, and
- “Right of first refusal” (ROFR) disputes concerning ownership interests involving electricgenerating facilities.

Project Finance. Bob has served as special energy project counsel to numerous large independent power producer borrowers concerning the negotiation, execution and ongoing administration of Credit Facilities with loan values and credit availability in excess of \$750,000,000.

## **Education**

- Case Western Reserve Law School (J.D.), 1985
- St. Louis University (B.A.), 1979

## Professional Affiliations

- American Bar Association - Vice Chair, Renewable Energy and Distributed Generation Resources Committee (2006-Present)
- American Council on Renewable Energy - Renewable Energy Credit (REC) Trading Working Group
- Energy Bar Association - Former Chair, Generation and Power Marketing Committee
- Virginia Chamber of Commerce - Chair, Energy Committee

## Awards

- *The Best Lawyers in America* <sup>©</sup> - Energy Law (2020-present)
- *Washington, D.C. Super Lawyers* - Energy and Natural Resources (2007, 2013-2015, 2018-present)
- AV-Rated by Martindale Hubbell
- International Academy of Trial Lawyers Advocacy Award