



## Kevin J. Conoscenti

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Energy & Utilities | Renewable Energy | Environment & Energy | Environment & Energy Litigation | Environment & Energy Strategic Counseling | Environment & Energy Transactions

**Kevin helps advance the interests of electric and natural gas market participants in vital transactions and regulatory litigation.**

Kevin Conoscenti represents clients—particularly municipalities, rural electric cooperatives, and natural gas joint-action agencies—in litigation before the Federal Energy Regulatory Commission and state public service commissions concerning the rates, terms, and conditions of service for electric transmission and natural gas transportation and in appellate proceedings challenging administrative agency decisions.

Kevin helps these clients implement their commodity supply planning goals through a variety of business transactions, including the acquisition of long-term supplies of natural gas and electricity at below-index rates through prepaid supply contracts funded by municipal bond financings. Kevin helps clients implement their strategic goals through transmission access and service agreements and through generation resource acquisitions. He helps end users negotiate lease agreements for the operation and maintenance of behind-the-meter distributed energy resources.

Kevin helps clients navigate and comply with the rules established for participation in organized transmission, energy, and capacity markets, particularly those markets run by PJM Interconnection, LLC; Southwest Power Pool; and Midcontinent Independent System Operator, Inc.

For more than a decade, Kevin has represented consumer interests in Washington, DC, in proceedings before the DC Public Service Commission concerning distribution rates, including the proper allocation of costs to customer classes and the reliability of service provided to ratepayers.

### Representative Matters

#### Energy Southeast – Electric Prepay Transaction

Served as energy counsel and swap counsel to cooperative district Energy Southeast in an electric prepayment transaction with Morgan Stanley Energy Structuring, LLC (MSES). Energy Southeast issued approximately \$600 million in tax-exempt bonds to fund the acquisition of a fixed quantity of electricity to be delivered over the 30-year term of a prepaid energy sales agreement with MSES. Energy Southeast will sell all of the electric energy acquired in the transaction to the Alabama Municipal Electric Authority (AMEA) at a rate that produces significant savings for AMEA's member and their retail customers.

#### The Black Belt Energy Gas District—\$1 Billion Prepay Transaction

Assisted The Black Belt Energy Gas District in securing a 30-year supply of natural gas that was funded by the issuance of \$1 billion in gas supply revenue bonds; will later be distributed to several municipal utilities in Alabama, Florida, Louisiana, Michigan,

Mississippi, and Ohio at discounted rates; and ultimately will provide significant cost savings to natural gas and electricity customers of these utilities.

**The Tennessee Energy Acquisition Corporation—Natural gas prepayment transaction**

Assisted The Tennessee Energy Acquisition Corporation in acquiring a 30-year supply of natural gas financed through the issuance of \$516 million in tax-exempt bonds that will save more than \$40 million to its customers over the life of the prepaid supply agreement.

**The Southeast Alabama Gas Supply District—Natural gas prepayment transaction**

Served as gas counsel to The Southeast Alabama Gas Supply District concerning a 30-year natural gas prepayment transaction funded by our client's issuance of \$970 million in tax-exempt municipal bonds. The transaction produced substantial natural gas commodity price savings for municipal natural gas systems in Alabama, Louisiana, Tennessee, Mississippi, and Virginia and will save the natural gas consumer millions in the first six years.

**The Black Belt Energy Gas District—Natural gas prepayment transaction**

Served as lead transaction counsel, special gas counsel and commodity swap counsel for our client in a transaction that issued \$446,760,000 of the District's Gas Supply Revenue Bonds to purchase a 30-year supply of natural gas to be delivered to three Alabama gas districts—Clarke-Mobile Counties Gas District, The Marshall County Gas District, and The Southeast Alabama Gas District.

**Louisiana municipal utility—Resource acquisition**

Represented a municipal utility in the acquisition of an 80 MW, natural gas-fired generating facility as part of a comprehensive overhaul of the client's capacity supply portfolio on integration into an organized regional market.

**Southeast electric cooperative—FERC litigation**

Assisted a transmission-dependent rural electric cooperative in FERC proceedings concerning the breakup of its host transmission provider's operating companies. We helped the cooperative ensure the continued economic dispatch of resources to serve its load through litigation to avoid pancaked transmission rates and through negotiated revisions to a new open access transmission tariff for the standalone transmission provider.

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## **Education**

George Washington University Law School, JD, 2005

University of Notre Dame, BBA, *magna cum laude*, 2002

## **Bar Admissions**

District of Columbia

Maryland

## **Memberships and Certifications**

Energy Bar Association