



Robert A. O'Neil

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

“Bob O’Neil’s comprehensive knowledge of the electric power industry and his ability to identify alternative strategies and future possible outcomes—combined with exceptional win-win negotiating skills—reduced risks and created extraordinary value for our company.”—long-time client

Bob O’Neil advises municipalities and rural electric cooperatives on long-term power supply planning, including on generation project and resource development, power supply contracting, transmission access, and wholesale electric markets. He has navigated clients through regulatory and business considerations involved with meeting the challenges of complying with renewable energy requirements, developing and owning generation resources, participating in organized energy markets, and resolving disputes through negotiation, arbitration and litigation, including appearing before state and federal regulatory agencies and district and appellate courts.

He has helped shape electric energy policies on transmission access and deregulation. He advised a task force that developed the National Rural Electric Cooperative Association’s (NRECA’s) transmission access policy, and he was a member of the Keystone Center Transmission Project. He has testified before committees of the U.S. House of Representatives and the U.S. Senate on energy policy matters.

Prior to entering private practice, Bob served with the Judge Advocate General’s Corps of the United States Army as Chief, International Law Division, U.S. Army Japan. He then represented the consumer interest of the Army and other federal agencies in utility rate proceedings with the Regulatory Law Division of the Judge Advocate General.

Bob was a founding principal of the boutique energy law firm Miller, Balis & O’Neil, PC (MBO). The attorneys and staff of MBO joined with McCarter & English in 2014.

Representative Matters

Electric cooperative— Renewable energy development project

Represented an owner in matters related to the acquisition of development rights and the development of a 78-MW wind facility near Amarillo, Texas, including handling transmission interconnection, off-take purchaser contracting, financing and insurance matters.

Connecticut municipal electric utility—Numerous transactions, litigation

Represented a Connecticut municipal electric utility since 1987 on a broad range of issues, initially involving the purchase of power from a Federal Energy Regulatory Commission-regulated, investor-owned utility and more recently in matters related to participation in the ISO New England wholesale electric markets. He also has represented this utility in the

leasing of municipally owned land to an independent power producer for the development of new generation, including such related matters as a property tax agreement and a Large Generator Interconnection Agreement.

Electric cooperative—Renewable energy contract

Represented an electric cooperative in negotiating a contract for the purchase of output of 30 MW of solar generation capacity from a project under development in Colorado.

Electric cooperative—Renewable energy contract

Represented an electric cooperative in negotiating a contract for the purchase of the output of 100 MW of wind turbine capacity from a project under development in Colorado.

Electric cooperative—Gas-fueled generation projects

Represented an electric cooperative in the development and ownership of a 936-MW generation facility in Texas, consisting of one 480-MW, combined-cycle generating unit and three simple-cycle generating units with an aggregate capacity of 456 MWs. The legal work included contracts for fuel procurement and transportation of natural gas, transmission interconnections, major equipment purchasing, construction, off-take purchases, financing, and insurance.

Electric cooperative—Generation project

Represented the owner and developer of a 168-MW, quick-start generating facility near Lubbock, Texas, consisting of 18 natural gas-fueled reciprocating engine generators in matters related to fuel procurement and transportation, transmission interconnection, major equipment purchasing and construction contracting, off-take purchaser contracting, financing, and insurance.

Electric cooperative—Generation project

Represented the municipal minority owner of a 520-MW, gas-fueled, combined-cycle generating facility near Las Vegas, Nevada, in negotiating joint ownership project documents.

Electric cooperative—Renewable energy contract

Represented the off-take purchaser from a 12-MW, wood-fueled biomass facility in Colorado in the negotiation of a long-term power purchase agreement.

Education

Boston College Law School, JD, 1971

- Editor, *Boston College Law Review*

Boston College, BA, 1968

Bar Admissions

District of Columbia

Massachusetts

Court Admissions

U.S. Court of Appeals, Armed Forces

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Tenth Circuit

U.S. Supreme Court

Memberships & Affiliations

American Bar Association

Electric Cooperative Bar Association

Energy Bar Association

Recognitions

Washington, DC Super Lawyer, 2009–2010, 2013–2015

The Best Lawyers in America, Energy Law, Washington, DC, 2006–2020

Speaking Engagements

Preconference Workshop: Coal Plant Repowering 101, American Public Power Association (APPA)—
The Legal Seminar, 10.11.2015

Quoted

Clean Power Plan Puts Financial Squeeze on Electric Co-Ops, Law360, 8.31.2015