Natural Gas

Eversheds Sutherland’s Natural Gas team maintains strong ties with FERC, CFTC and DOE, and also lobbies Congress and the executive branch on energy issues.

Eversheds Sutherland attorneys help energy clients make natural gas the fuel of choice—both in the United States and throughout the world.

Today’s dynamic natural gas industry bears little resemblance to the bureaucratic regimes of past decades. The boom in domestic shale gas production is keeping U.S. natural gas prices relatively low and driving ever-greater consumption, especially in the industrial and electric power sectors. Further, leading energy companies are poised to export these reserves to fuel-hungry foreign markets in the form of liquefied natural gas (LNG). Eversheds Sutherland has been at the forefront of this industry for more than 30 years. Our clients span the natural gas supply chain—producers, marketers, pipelines, local distribution companies, end users—and we provide a full range of regulatory and transactional services to assist our clients in achieving their business objectives.

Eversheds Sutherland’s grasp of competitive markets for natural gas and pipeline capacity, in combination with a deep understanding of the regulatory policies that affect them, makes our team uniquely qualified to reconcile the commercial and regulatory aspects of transactions involving the purchase, sale and transportation of natural gas across the country or around the world, and to address the compliance and enforcement issues these transactions often present.

Eversheds Sutherland’s tradition of serving our clients’ regulatory needs well is matched by the commercial experience we bring to bear on increasingly complex natural gas transactions. Our regulatory practice offers clients the expertise needed to stay on the cutting edge of the industry’s evolution and to shape policy through either legislative action or administrative rulemakings. Our lawyers have strong ties at the Federal Energy Regulatory Commission (FERC), Commodity Futures Trading Commission (CFTC) and Department of Energy (DOE), as well as significant experience lobbying Congress and the executive branch on energy matters.

Why Eversheds Sutherland

Regulatory knowledge. Eversheds Sutherland attorneys work with every U.S. federal agency involved in natural gas regulation and oversight, including FERC, MARAD, USCG, EPA and several state regulatory bodies. Our ability to design and implement sound regulatory, legislative and executive branch representation creates real results.
**Transactional experience.** Our multidisciplinary team has a deep understanding of the natural gas business. This foundation permits us to address effectively the full range of issues that arise when buying, selling or developing natural gas assets.

**Historical perspective.** From the open access transportation policies (Order No. 436) to the service comparability requirements (Order No. 636) and policy refinements (Order No. 637), Eversheds Sutherland has actively participated in shaping the industry’s prevailing regulatory framework of unbundled sales and transportation services.

**Strong LNG industry support.** Eversheds Sutherland assists LNG importers and project developers in planning for and negotiating around the uncertainty created by the gas quality debate. This includes providing advice on the relevant technical, commercial and regulatory aspects of interchangeability. As our nation’s significant domestic natural gas resources are being developed, Eversheds Sutherland remains at the forefront, assisting potential LNG exporters in negotiating commercial agreements for export terminal capacity.

**Precise industry focus.** We provide advice concerning the construction, transfer or sale of regulated natural gas assets; interpret and ensure compliance with federal and state regulatory schemes; and advise on the preparation, implementation and interpretation of regulated tariffs.

**Nuts and Bolts**
- Natural gas practice

Eversheds Sutherland’s natural gas team has been advising clients on federal and state regulatory and policy matters for more than 30 years. Our attorneys have intimate knowledge of the shale gas industry and hydraulic fracturing issues, including substantial experience with federal and state legislative and regulatory bodies and key decision-makers with authority over shale gas development and hydraulic fracturing.

- LNG export terminal development

We counsel clients on the U.S. Department of Energy permitting process for LNG export terminals, "the FERC" authorization process for the construction of new LNG facilities, terminal scheduling and facilities technology, and also negotiate and draft supply arrangements and supply purchase agreements.

- Shale gas expansion and infrastructure development
Eversheds Sutherland advises clients on shale gas development issues, including gathering agreements, pipeline expansions and capacity acquisitions, processing issues, gas composition, environmental permitting and compliance, transactional advice, litigation risk, and federal and state policy developments.

- Natural gas infrastructure

Eversheds Sutherland provides regulatory, transactional and commercial advice on complex natural gas supply and natural gas infrastructure projects involving construction, acquisition and operation of natural gas transportation facilities.

- Interchangeability proceedings

Eversheds Sutherland represents natural gas marketers and traders, including shale gas supply holders and LNG importers, in numerous gas quality and interchangeability proceedings before the Federal Energy Regulatory Commission (FERC).

- Electric cooperative practice

Eversheds Sutherland’s electric cooperative practice group has been representing electric cooperatives for more than 35 years, advising coop organizations on physical and financial energy trading agreements and delivering tailored day-plus presentations on ISDA, EEI and NAESB Master Agreements.

- Pro-competition initiative
  Eversheds Sutherland attorneys frequently litigate gas utility rate cases before state commissions, and consistently work to reduce or eliminate rate subsidies and other anti-competitive utility rate and services features.

**Take Action**
As the natural gas industry continues to expand globally, so too will its legal needs. Eversheds Sutherland’s Natural Gas team stands ready to provide the full complement of solutions to best protect and serve our clients’ short- and long-term business interests.

**Experience**
Served as counsel in the purchase of a natural gas marketing and trading book.
Advised Oglethorpe Power Corporation on complex natural gas transactions and issues associated with obtaining pipeline capacity to supply its gas-fired power generation capacity.

Represented a large energy user coalition in electric and gas utility ratemaking and policy matters before the New Jersey Board of Public Utilities.