

## Andy J. Flavin

Partner

Richmond

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### OVERVIEW

Andy focuses his practice on state and federal energy and environmental matters. Andy, a 16-year veteran of the energy industry, frequently represents electric and natural gas utilities and other businesses in energy and environmental administrative litigation, enforcement actions, citizen suits, and permit proceedings. Prior to joining the firm, Andy worked for nearly eight years at a major utility where he primarily researched and analyzed federal, state, and local energy legislation and regulation.

Andy regularly leads proceedings before the Virginia State Corporation Commission and Maryland Public Service Commission. Additionally, he assists clients in proceedings before the North Carolina Utilities Commission, the Public Service Commission of West Virginia, the Federal Energy Regulatory Commission, and local government authorities. Andy also worked for a major New England-based utility where he coordinated and oversaw the development of petitions for siting approval of electric transmission and natural gas infrastructure projects in multiple states.

### REPRESENTATIVE MATTERS

- Represented utility in obtaining Certificates of Public Convenience and Necessity from Virginia State Corporation Commission to construct and rebuild electric transmission lines.
- Represented utility in litigation concerning retail choice matters before Virginia State Corporation Commission.
- Represented utility in appeal of Virginia State Corporation Commission order to Supreme Court of Virginia.
- Represented local government before the Virginia State Corporation Commission in multiple challenges to requested toll rate increases by private toll road operator.
- Advised utilities and other developers on renewable energy and energy storage permitting matters.
- Represented developers in applications to obtain Certificate of Public Convenience and Necessity from Virginia State Corporation Commission for utility-scale solar facilities.
- Represented developer in applications to obtain Certificates of Public Convenience and Necessity from Maryland Public Service Commission for community solar facilities.
- Advised multiple auto manufacturers concerning electric vehicle charging infrastructure regulatory requirements.
- Advised electric vehicle charging station manufacturer regarding regulatory requirements.
- Defended multiple Clean Water Act citizen suits for alleged unpermitted discharges and permit violations in

Federal District Court.

- Defended appeal of a Clean Water Act Section 401 Certification issued to a natural gas distribution utility.
- Assisted with permitting and implementation of interstate natural gas pipeline under the Natural Gas Act.
- Assisted in the defense of multiple federal and state permit appeals in federal circuit court on behalf of an interstate natural gas pipeline developer.
- Advised electric and natural gas utilities and other businesses on compliance with local, state, and federal energy and environmental laws and regulations.

## AWARDS

- *Best Lawyers in America®*: Environmental Law (2026)
- *Chambers USA*: Environment, Virginia (2024-2025)
- *Legal 500 United States* or Environment: Environment: Regulatory (2025)

## TOP AREAS OF FOCUS

- Energy
- Energy Storage
- Environmental + Natural Resources
- Renewable Energy
- State Energy Regulation

## ALL AREAS OF FOCUS

- Energy
- Energy Storage
- Environmental + Natural Resources
- Public Records/FOIA
- Renewable Energy
- State Energy Regulation
- Virginia State Corporation Commission

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Associate board member, Sportable (2020-2023)
- Assistant coach, Chesterfield Little League (2022-2023)
- Member, Energy Bar Association
- Member, Administrative Law Section, Virginia State Bar

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- University of Richmond School of Law, J.D., *magna cum laude*, 2016
- Northwestern University, M.P.P.A., 2011

- College of William & Mary, B.A., 2006

## BAR ADMISSIONS

- Virginia
- Maryland

## SPEAKING ENGAGEMENTS

- Speaker, “Transmission,” The Tulane Offshore Wind Conference: The Future for Offshore Wind in the Gulf and Nationally, January 31, 2025.
- Panelist, “Getting There From Here – Growing Electric Demand and the Green Transition,” American Bar Association Infrastructure and Regulated Industries Section Fall Meeting, October 18, 2024, Houston, TX.
- “Regulatory Considerations for EV Charging,” Energy, Utility and Environment Conference/Charge Expo 2024, February 14, 2024, Dallas, TX.
- “State Siting Regulation of Energy Storage Resources,” Energy, Utility and Environment Conference 2022, October 6, 2022, Tucson, AZ.
- “Microgrids: What Are They & How Are They Regulated?” Troutman Pepper, May 26, 2022.
- Chair, moderator, and presenter, “10th National Conference on Microgrids,” March 30-31, 2022, Boston, MA.
- “Renewable Energy and Energy Storage Siting in Virginia,” Troutman Pepper, April 21, 2021.
- “Electrifying Transportation in Virginia,” The Virginia Governor’s Transportation Conference, December 2011, Norfolk, VA.
- “Electrifying Transportation in Virginia,” Smart EV 2011 Executive Leadership Forum, November 2011, Washington, D.C.

## PUBLICATIONS

- Co-author, “Charging Ahead: Legal, Regulatory, and Operational Considerations for EV Infrastructure Development,” *Troutman Pepper*, October 1, 2024.
- Co-author, “Driving Change: Scaling Up EVs in the U.S.,” *Troutman Pepper*, April 8, 2024.
- Contributor, “Unlocking U.S. Transmission Upgrades – Are We on the Cusp of Real Progress? Bridging the Gap Between Planning and Permitting,” *Troutman Pepper*, November 27, 2023.
- Co-author, “Advancing Nuclear Energy: The Role of Advanced Technologies in a Changing Political and Regulatory Landscape,” *Infrastructure*, Volume 62, Number 4, Summer 2023.
- Podcast, “Virginia Energy Regulation Update,” *Battery + Storage Podcast*, April 6, 2021.
- Author, “Streamlining Power Transmission Siting to Help Renewables,” *Law360*, September 17, 2020.
- Author, “Getting State Approvals for Energy Storage Siting,” *Law360*, February 6, 2020.
- Co-author, “Climate Change Litigants Get Creative,” *Law360*, November 2016.