

Brian Fineman

Partner

Atlanta

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Brian works with clients on transactional matters related to project development in the energy and telecommunications industries. He strives to craft practical solutions to complex legal issues. Before attending law school, Brian worked in both sales and construction management.

OVERVIEW

Brian represents public utility holding companies and their wholesale affiliates, developers, contractors, and other energy companies through the process of developing, constructing, and operating energy-generating assets and related facilities. He has a particular focus on renewable energy and transmission line development as well as dark fiber infrastructure.

Brian is experienced in working with business leads, in-house attorneys, client technical professionals, and other client team members to effectively translate business strategies into contract language that achieves critical goals and protects important client interests. He is committed to ensuring his clients are continually updated on developments and involved in decision-making at each stage of representation.

Brian's experience includes drafting and negotiating major documentation with respect to the acquisition, construction, warranty and operation of various energy projects, including, among others, the following types of agreements: membership interest purchase; limited liability company; power purchase; engineering, procurement and construction (EPC); operation and maintenance; route development; administrative services; construction management; development services; and fiber-optic facilities and services.

REPRESENTATIVE MATTERS

- Represented a Southwestern public utility company in joint negotiations with a developer and renewable energy transmission authority for the development and construction of an approximately 165 mile 345kV transmission line that would allow the transmission of more than 300 MW of wind power generation into New Mexico through a build-transfer agreement structure, including negotiation and finalization of BTA and other ancillary documentation and strategic regulatory advice based on a unique incremental rate structure.
- Represented a public utility company in its exit from leases for an approximately 114 MW generating interest in a nuclear generating station, the sale of related generating and transmission assets, and the structuring of ongoing decommissioning obligations.
- Represented a public utility holding company and its renewable energy subsidiary in the acquisition of an

approximately 118 MW wind-powered electric generating project in Oklahoma, including negotiation of the turbine supply agreement and BOP EPC agreements.

- Represented a public utility holding company and its renewable energy subsidiary in the buyout of membership interests in a joint venture relating to an approximately 157 MW solar photovoltaic electric generating facility.
- Represented a renewable energy developer in the structuring and negotiation with multiple counterparties of master supply agreements, safe harbor product supply agreements, and resulting project specific supply agreements for the purchase of solar trackers and related equipment.
- Represented a public utility company in the negotiation of an EPC agreement and O&M services agreement relating to the construction, integration, and servicing of an approximately 100 MW battery storage system with an approximately 150 MW solar photovoltaic electric generating facility.
- Represented a public utility holding company and its renewable energy subsidiary in the acquisition of numerous solar projects built, owned and operated in the Western and Southeastern U.S. totaling more than 1,500 MW of solar capacity.
- Represented a public utility holding company and its renewable energy subsidiary in the acquisition of an approximately 150 MW wind-powered electric generating project in Texas.
- Served as counsel to a public utility company in preparation of renewable energy RFP documentation and the evaluation and negotiation of documentation related thereto (including PPAs, build transfer agreements, EPC agreements, and other documentation).
- Worked with a publicly traded EPC contractor to negotiate and draft EPC, route development and contractor interface agreements as part of a joint venture in response to an independent system operator's RFP for the development of electric transmission lines.
- Represented a public utility holding company and its telecommunications subsidiary in negotiating an innovative agreement to develop 500-plus miles of dark fiber cable on a utility-controlled right of way, generating excess fiber capacity at costs far below estimates utilizing traditional development structures.

AWARDS

- *Best Lawyers in America®: Ones to Watch: Energy Law* (2022-2024)
- *Legal 500 United States* for Energy: Energy Transactions: Electric Power (2025)

TOP AREAS OF FOCUS

- Energy
- Energy Construction
- Renewable Energy

PROFESSIONAL EXPERIENCE

- Intern to the Honorable Sol Blatt Jr. of the U.S. District Court for the District of South Carolina, 2012
- Intern to the Honorable J. Michelle Childs of the U.S. District Court for the District of South Carolina, 2012

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of North Carolina School of Law, J.D., *with honors*, 2014
- University of Virginia, B.A., 2005

BAR ADMISSIONS

- Georgia

SPEAKING ENGAGEMENTS

- Speaker, "Executive Orders and Tariffs: Impacts to the Utility Industry," EEI Tax Section Meeting, June 4, 2025.
- Speaker, "Energy Contracting and the Hidden Power of the Force Majeure Clause," *Energy Law Insights*, February 7, 2024.