Dustin T. Till

Partner

Portland

dustin.till@troutman.com

D 503.290.2315



Capitalizing on more than a decade of experience as in-house energy regulatory counsel, Dustin has led on some of the most challenging projects in the utility sector, particularly in the Pacific Northwest. His knowledge spans a broad range of environmental, regulatory, litigation, tribal, and legislative issues.

OVERVIEW

Bringing more than a decade of high-caliber in-house experience at one of the Pacific Northwest's largest utilities, Dustin leverages his extensive knowledge of hydropower and energy regulatory issues to help the firm's energy sector clients effectively and efficiently navigate federal and state regulatory landscapes.

Dustin focuses on guiding clients through complex hydroelectric relicensing, license surrender, and license compliance processes before the Federal Energy Regulatory Commission (FERC) and other federal and state regulators. He is uniquely positioned to advise hydroelectric asset owners on high-stakes FERC hydropower proceedings, given his central role in navigating the successful FERC license surrender proceeding for the Lower Klamath Hydroelectric Project in California and Oregon, as well as the numerous state and federal regulatory requirements that applied to the largest dam removal effort in history. Working effectively with federal and state regulators, Native American Tribes, and other stakeholders, Dustin helped craft the legal, regulatory, and political strategies that delivered a balanced outcome, which included core utility business and customer protections, and resolved one of the nation's most long-standing and intractable FERC hydropower proceedings on record.

Dustin also helps utility and independent power producers develop strategic plans for implementing fish passage solutions at existing hydropower facilities, as well as developing new energy projects, including pumped storage and other renewable energy initiatives. His ability to manage diverse stakeholder negotiations and settlements helps clients navigate multifaceted regulatory environments effectively.

In addition to his hydropower experience, Dustin has substantial experience advising utility clients on emerging issues associated with catastrophic wildfires. For years, he has worked closely with utilities across the West and utility industry groups to develop federal and state legislative strategies for mitigating the existential operational, financial, and legal risks utilities are facing due to catastrophic wildfires. His experience in developing legislative solutions and advising on policy matters helps clients mitigate risks and navigate that rapidly evolving regulatory landscape.

Dustin's litigation background, including defending permits and approvals for generation and transmission projects and litigating environmental cost recovery claims, provides clients with robust legal representation in various

©2026 Troutman Pepper Locke

forums. His ability to coordinate defense strategies and negotiate settlements that balance regulatory requirements and business objectives is a significant asset to clients facing complex legal challenges.

REPRESENTATIVE MATTERS

- Advised a six-state utility on a broad range of policy, energy regulatory, and environmental issues, with a particular focus on relicensing and compliance issues associated with hydroelectric assets across the West.
- Served as lead counsel for the executive team that developed the legislative, legal, and regulatory strategies resulting in the successful implementation of the Klamath Hydroelectric Settlement Agreement, resolving the largest dam removal project in history in a manner that met the utility-owner's financial and other business objectives, and successfully ending one of the nation's most complex and protracted FERC hydropower proceedings.
- Represented a multistate utility in multiple federal and state forums, including FERC, U.S. Court of Appeals for the D.C. and Ninth Circuits, Oregon Public Utility Commission, and California Public Utilities Commission.
- Led negotiations and settlement implementation with diverse stakeholders, including numerous Native American tribes, federal and state natural resource agencies, environmental advocates, and local governments.
- Led the legal team on a wide range of licensing and compliance issues related to hydroelectric assets, including resolving fish passage disputes under the Lewis River Settlement Agreement and advising on regulatory strategies for potential pumped storage projects.
- Served as lead policy counsel on efforts to develop federal and state legislative solutions to mitigate the operational and financial risks utilities face with respect to wildfires.
- Provided litigation support in various proceedings, including coordinating the defense of a class action lawsuit alleging trespass and unjust enrichment related to fiber optic communication cables and successfully settling citizen suits arising under California's Proposition 65.
- Provided advice on a wide range of regulatory and operational matters, including proceedings before the Bonneville Power Administration, Superfund, Tribal relations, property rights and rights-of-way, service territory allocations between utilities, and customer-facing incentive programs.
- Represented a *Fortune* 50 company in Bonneville Power Administration rate and contract proceedings, including administrative litigation and appeals before the U.S. Court of Appeals for the Ninth Circuit.
- Successfully defended permits and approvals for generation and transmission projects in state and federal court, briefing issues under the Clean Air Act, the National Environmental Policy Act, the Washington State Environmental Policy Act, the Federal Land Policy and Management Act, and the National Historic Preservation Act.
- Litigated environmental cost recovery and contribution claims in state and federal court, including briefing at the U.S. Court of Appeals for the Eighth Circuit and negotiating a multiparty settlement involving the sale of an active Superfund site.

AWARDS

- *Best Lawyers in America*®: Energy Law (2027) and Energy Regulatory Law (2027)

TOP AREAS OF FOCUS

- FERC
- Hydropower
- Natural Resources

ALL AREAS OF FOCUS

- Energy
- Energy Policy + Legislation
- Environmental + Natural Resources
- FERC
- Government + Regulatory
- Hydropower
- Litigation + Trial
- Natural Resources
- Water Quality + Water Resources

PROFESSIONAL EXPERIENCE

- Judicial extern, Hon. Thomas S. Zilly, U.S. District Court for the Western District of Washington, 2004

EDUCATION AND CERTIFICATIONS

EDUCATION

- Seattle University School of Law, J.D., *summa cum laude*, 2005, technical editor, *Seattle University Law Review*
- Western Washington University, B.A., *magna cum laude*, 2002, history

BAR ADMISSIONS

- Washington
- Oregon

COURT ADMISSIONS

- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. District Court, Western District of Washington

SPEAKING ENGAGEMENTS

- Speaker, “Session 8: Hydro Regulatory Hot Topics and How California Could Be Affected” and “Clean Water Act Section 401 Rule,” NHA California Regional Meeting, July 24-26, 2026.
- Speaker, “Federal Regulatory & Legislative Update,” 2026 NHA Alaska Regional Meeting, May 21, 2026.
- Speaker, “National Environmental Policy Act Update,” The Seminar Group Law of Hydropower Seminar, May 14, 2026.
- Panelist, “Navigating Decommissioning: From Evaluation to Execution,” NHA Clean Currents, October 2025.
- Speaker, “Costs, Benefits, and the Future of Cost Drivers,” 2025 NWHA Fall Regional Workshop, September 26, 2025.
- Speaker, “All Things Regulatory – Updates on Decisions That Could Affect Hydro,” NHA Alaska Regional Meeting, August 6, 2025.
- Speaker, “Decision-Making around What To Do with Aging or Costly Assets,” NHA California Regional Meeting, June 25, 2025.

- Moderator, “Politics and Litigation Update,” NWHA 2025 Annual Conference, February 2025.
- Speaker, “Developments in Utility Wildfire Policy,” Northwest Hydroelectric Association Annual Meeting, February 2024.
- Speaker, “Klamath – Creative Solutions to Hydroelectric Decommissioning,” NHA Waterpower Week, April 2022.
- Speaker, “FERC Hydro Project Relicensing: Case Study of the Klamath Dam Removal,” Electric Power in the West, Law Seminars International, January 2020.

PUBLICATIONS

- Co-author, “FERC Issues Draft Revised Cybersecurity Guidance for Hydropower Projects (Section 9.0),” *Troutman Pepper Locke*, May 5, 2026.
- Co-author, “One Stop Shop: Court Confirms Exclusive Jurisdiction of U.S. Courts of Appeals Over Review of Licensed Hydropower Projects,” *Environmental Law and Policy Monitor*, August 12, 2025.
- Co-author, “To Waive or Not to Waive, Redux,” *Troutman Pepper Locke*, July 16, 2025.
- Co-author, “One-Track Mind: Unanimous SCOTUS Decision on Rail Line Approval Further Narrows Scope of NEPA,” *Troutman Pepper Locke*, May 30, 2025.
- Co-author, “To Waive or Not to Waive? That Is the 401 Question,” *Troutman Pepper Locke*, May 22, 2025.