Eric A. Koontz

Partner

Atlanta

eric.koontz@troutman.com

D 404.885.3309

With a focus on representing public utilities in their corporate and project-related financings, Eric combines industry knowledge with a sophisticated understanding of capital markets and securities law.

OVERVIEW

Eric represents clients in a wide variety of capital markets transactions and related disclosure and corporate governance matters.

Eric has extensive experience advising issuers in public offerings, Rule 144A/Reg S offerings, and Section 4(a)(2) private placements of debt, hybrid and equity-linked securities, including fixed and floating rate debt securities, first mortgage bonds, tax-exempt bonds, subordinated debt securities with hybrid features, preferred stock and convertible debt. He also represents issuers in public offerings of equity securities, such as traditional underwritings, block trades, at-the-market offerings, forward sales and dividend reinvestment/direct purchase programs.

Additionally, Eric has advised utilities in utility tariff securitizations, including securitizations to recover costs relating to the early retirement of coal-fired electric generating facilities.

Furthermore, Eric represents borrowers in project financings, syndicated and bilateral credit facilities, and commercial paper programs.

REPRESENTATIVE MATTERS

Advised issuers and borrowers in:

- Acquisition financings, including:
  - $8.5 billion public offering of unsecured senior notes by an energy services company.
  - $1.1 billion public offering of unsecured senior notes (guaranteed by certain U.S. and non-U.S. subsidiaries) by an agricultural machinery and technology firm.
- Offerings of equity and equity-linked securities, including:
  - $1.7 billion Rule 144A multitranche (3 year and 5 year) offering of convertible senior notes.
  - $550 million Rule 144A offering of convertible junior subordinated notes that received rating agency hybrid equity treatment.

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- $1.7 billion public offering of equity units, each consisting of a common stock purchase contract and remarketable junior subordinated notes.
- $1.6 billion block sale public offering of common stock.

- Offerings of hybrid securities, including:
  - $1.0 billion public offering of fixed-to-fixed rate junior subordinated notes.
  - $1.0 billion retail public offering of NYSE-listed junior subordinated notes.
  - 4(a)(2) private placement of $750 million of junior subordinated notes to a group of institutional investors.
  - Reg S offering of $550 million of junior subordinated notes listed on the Singapore Stock Exchange.
- Utility tariff securitization transactions, including:
  - $343 million securitization to recover the undepreciated investment and other energy transition costs relating to a coal-fired generating facility in New Mexico.
  - $118 million securitization to recover a portion of the undepreciated investment of retired coal-fired generating facility in Wisconsin.
- Public offerings of ESG-focused debt securities, including:
  - €1.1 billion of euro-denominated “green bonds” issued to fund renewable projects.
  - $750 million of “sustainability bonds” to finance solar projects and programs supporting diverse and small business suppliers (first sustainability bond issued by U.S. regulated utility).
  - $350 million of “green bonds” to finance solar projects (first green bond issued by U.S. regulated utility).
- Project financings, including:
  - Represented an electric utility in connection with the two guarantees ($5.1 billion) issued by the DOE under its nuclear advanced technology loan guarantee program.
  - Represented an electric utility in connection with a $2.5 billion conditional commitment issued by the DOE under its energy infrastructure reinvestment program (the first conditional commitment issued to a utility under the program).
  - $300 million private placements of mortgage style senior notes secured by leases relating to newly constructed natural gas-fired generating units.
  - $135 million back leverage debt financing of three tax equity-financed solar projects.
  - $120 million tax-exempt “green bond” offering to finance construction of an ethanol production facility.
- Private placements of debt securities, including:
  - $1.7 billion private placement of unsecured senior debt securities issued by privately held company.
  - $260 million private placement of unsecured senior debt securities by utility holding company.
  - $200 million private placement of first mortgage bonds by gas utility.
- Liability management transactions, including an abbreviated tender offer for $2.1 billion of debt securities and a waterfall tender offer for $900 million of multiple series of debt securities of an electric utility.
- Stock repurchase transactions, including tender offers and accelerated share repurchase transactions.

AWARDS

- *Legal 500 United States*: Energy: Renewable/Alternative Power (2021-2026); Finance: Project Finance (2021-2026); Energy: Energy Transactions: Electric Power – Mid-Market ($0-$500M) (2023-2026)
- *Best Lawyers in America*®: “Lawyer of the Year” in Energy Law (2023, 2025)
- *Best Lawyers in America*®: Energy Law (2018-2027)
- *Chambers Global USA*, Energy: Electricity (Finance), Nationwide (2024-2026)
- *Chambers USA*, Energy: Electricity (Finance), USA Nationwide (2015-2026), and Energy & Natural Resources, Georgia (2021-2026)
- “Top Lawyer in Energy Law,” *GaBiz Magazine* (2026)
- *IFLR1000*, Capital markets (2025)

TOP AREAS OF FOCUS

- Capital Markets
- Corporate Governance
- Energy

ALL AREAS OF FOCUS

- Capital Markets
- Corporate
- Corporate Governance
- Energy
- Mergers + Acquisitions

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Board of Directors, Diabetes Association of Atlanta

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of North Carolina School of Law, J.D., *with high honors*, 1999
- Robert Morris University, B.S., *magna cum laude*, 1996, business administration

BAR ADMISSIONS

- Georgia