

## Mindy McGrath

Partner

Charlotte

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Mindy proactively advises energy clients on all aspects of federal and state regulatory law. She provides comprehensive strategies to help her clients navigate disputes, compliance, enforcement, and regulatory challenges.

### OVERVIEW

Mindy has diverse experience across the energy industry and across the gas, electric, and water sectors. She routinely represents all major participants in the energy industry in significant regulatory matters before the Federal Energy Regulatory Commission (FERC), state regulatory commissions, and the U.S. Courts of Appeals. These clients include operating utilities of the nation's largest electric power holding company, natural gas pipeline and storage companies, natural gas distribution companies (LDCs), electric and water utilities, and generation owners.

Most recently, Mindy began representing a water utility in complex acquisition cases for multiple water/wastewater systems in North Carolina. She has extensive experience in handling matters related to ratemaking, acquisition, and certificate proceedings; administrative complaints and litigation; and rulemaking, enforcement, and compliance matters. On the transactional side, Mindy negotiates and reviews precedent agreements, capacity release agreements, and asset management and supply agreements.

A former litigator, Mindy has significant experience in both federal and state courts, including corporate and commercial disputes involving contract, business, and employment matters. This background makes Mindy a formidable advocate in the regulatory context, given her experience structuring successful case strategies, identifying strengths and weaknesses in a case, developing persuasive arguments, handling the discovery process and related disputes, and preparing witnesses to testify.

In addition to representing her energy clients, pro bono representation is an important part of Mindy's practice. She serves as a volunteer attorney with the Council for Children's Rights in child custody disputes and represents victims of domestic violence in protective order hearings.

### REPRESENTATIVE MATTERS

- Represented Central States Water Resources and its subsidiary, Red Bird Utility Operating Company, in a series of complex acquisition cases for multiple water/wastewater systems in North Carolina. Representation involved interpreting a new state statute, drafting testimony, negotiating with public staff, preparing witnesses, and representing Red Bird at evidentiary hearings.

- Represented large investor-owned electric utilities in North Carolina, South Carolina, and Florida rate cases. Recently obtained successful outcomes in the first electric performance-based regulation (PBR) and multiyear rate plan (MYRP) cases in North Carolina under new legislation.
- Advised on various emerging issues in the electric vehicle charging industry, including energy suppliers, charge point owners, charge point operators, and e-mobility service providers.
- Represented a litigating customer group in a Section 4 general rate increase proceeding with FERC. Representation included all legal issues regarding both the settlement and litigation phases, as well as follow-up FERC proceedings involving natural gas imbalances on the pipeline system and technical working group settlement discussions.
- Assisted major investor-owned public utilities with negotiating precedent agreements for interstate pipeline capacity and capacity release agreements.
- Represented the subsidiary of a major investor-owned public utility in gas cost recovery proceedings in North Carolina, South Carolina, and Tennessee.
- Represented subsidiaries of a major investor-owned public utility and several diverse client customer groups in FERC rate case proceedings under Sections 4 and 5 of the Natural Gas Act. Representation involved counseling on all legal issues regarding both the settlement and litigation phases, including discovery, expert testimony, pre-trial hearings, and settlement negotiations.
- Represented subsidiaries of a major investor-owned public utility with negotiating asset management agreements and gas purchase and sale agreements.
- Advised local distribution companies and interstate natural gas pipelines in matters pertaining to FERC regulation, including interstate pipeline, storage, and RNG investments; Section 7(f) of the Natural Gas Act; limited-jurisdiction blanket certificates; FERC complaint proceedings; rulemaking and other policy change proceedings; and transfer of jurisdictional assets.

## AWARDS

- *Legal 500 United States* for Energy Regulation: Oil and Gas, Next Generation Partner (2023-2025); Energy: Renewable/Alternative Power (2023)
- *Chambers Global USA*, Energy: Oil & Gas (Regulatory & Litigation), Nationwide (2025-2026)
- *Chambers USA: Energy & Natural Resources*, North Carolina (2022-2025); Energy: Oil & Gas (Regulatory & Litigation) USA Nationwide (2024-2025)
- *Best Lawyers in America*®: Energy Law (2026), Energy Regulatory Law (2026)
- Recipient, Sally & Bill Van Allen Public Service Award for commitment to public service (2017)
- Named to “50 Most Influential Women,” *Mecklenburg Times* (2017)
- Recipient, Safe Alliance Commitment to Justice Award (2012-2016)
- Named to “North Carolina Rising Stars,” *Super Lawyers, Thomson Reuters*; Energy & Natural Resources (2013); Business Litigation (2014-2016)
- Named to “40 Under 40,” *Charlotte Business Journal* (2015)
- Nominee, Charlotte ATHENA Young Professional Leadership Award (2013)

## TOP AREAS OF FOCUS

- Energy
- Energy Policy + Legislation
- FERC
- Oil + Gas
- Renewable Energy
- State Energy Regulation

## ALL AREAS OF FOCUS

- [Electric Vehicle Technology + Sustainable Infrastructure](#)
- [Energy](#)
- [Energy Policy + Legislation](#)
- [FERC](#)
- [Oil + Gas](#)
- [Renewable Energy](#)
- [State Energy Regulation](#)

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, American Bar Association
- Member, Energy Bar Association
- Member, North Carolina Bar Association

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- University of North Carolina School of Law, J.D., 2006
- University of Colorado Boulder, B.A., 2002, *Phi Beta Kappa*

### BAR ADMISSIONS

- North Carolina

### COURT ADMISSIONS

- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Western District of North Carolina
- U.S. Court of Appeals, District of Columbia Circuit

## SPEAKING ENGAGEMENTS

- Speaker, "[Navigating Clean Hydrogen Tax Credits: Insights and Implications](#)," *Energy Law Insights*, October 2, 2024.

## PUBLICATIONS

- Co-author, "[Charging Ahead: Legal, Regulatory, and Operational Considerations for EV Infrastructure Development](#)," *Troutman Pepper*, October 1, 2024.
- Author, "[Unlocking America's Clean Hydrogen Potential: Navigating Policy, Challenges, and Market Opportunities](#)," *POWER*, September 21, 2024.

- Co-author, “[Fueling Up: How to Make U.S. Clean Hydrogen Projects Happen](#),” *Troutman Pepper*, June 25, 2024.
- Co-author, “[The Clean Energy Transition Is Here — and So Are Greenwashing Claims](#),” *Utility Dive*, December 15, 2023.
- Co-author, “[Hydrogen Sector Needs More Regulatory Certainty](#),” *Law360*, September 14, 2022.
- Author, “Domestic Violence Awareness Month – A Time for More than Just Awareness,” *North Carolina Lawyers Weekly*, October 27, 2014.
- Co-author, “The Typical Data Breach Lawsuit and How to Protect Your Company,” *InsideCounsel*, October 2014.
- Co-author, “Work with Your State Attorney General to Avoid Enforcement Actions,” *American Banker*, September 24, 2012.

## **MEDIA COMMENTARY**

- Quoted, “[Gas Project, EJ Concerns Collide in the Florida Panhandle](#),” *E&E News/Energywire*, November 28, 2022.
- Featured and quoted, “[Troutman Pepper Nabs Energy Partner From McGuireWoods](#),” *Law360*, March 8, 2022.