Molly McIntosh Jagannathan

Partner

Charlotte

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Molly helps electric utilities, water utilities, and other clients navigate a wide variety of issues under state regulatory law. She develops effective legal strategies for her clients and offers practical counsel for disputes as well as routine regulatory matters.

OVERVIEW

Molly focuses her practice on the state regulation of utilities. She represents clients in rate cases, transfer and merger proceedings, CPCN applications, and other matters before state utilities commissions. Molly also advises on the state regulatory implications of transactional matters.

A former litigator, Molly has significant experience in both state and federal courts, including corporate and commercial disputes related to contracts, construction litigation, eminent domain, and employment matters. Her litigation background has given her valuable experience identifying strengths and weaknesses in a case, developing persuasive arguments, managing the discovery process and preparing witnesses to testify, which has made her a strong advocate in the regulatory context.

Molly is a board certified specialist in utilities law by the North Carolina State Bar Board of Legal Specialization.

As part of a full range of services, Molly:

- Represents clients before state utilities commissions.
- Represents clients in appeals of state utilities commission decisions.
- Assists clients in the regulatory approval process for renewable energy facilities.
- Conducts the legal review of energy efficiency programs and related marketing and corporate communications.
- Provides advice on compliance with state utilities commission rules and regulatory conditions.

REPRESENTATIVE MATTERS

- Represented a major investor-owned public utility in multiple rate cases before the state utilities regulatory commission and on appeal to the North Carolina Supreme Court.
- Represented a major investor-owned public utility in annual cost recovery proceedings for energy efficiency and demand-side management programs.

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- Represented a renewable energy company in proceedings before the state utilities commission to obtain a certificate of public convenience and necessity for multiple solar projects.
- Represented a water utility in multiple transfer and CPCN proceedings before the state utilities commission.
- Advised a seller of solar facilities on the state regulatory aspects of the transaction.
- Defended an energy company in a nuclear whistleblower retaliation case, including appeal to the U.S. Court of Appeals for the Fourth Circuit.
- Represented a public utility in multiple matters involving enforcement of guidelines for licensed hydroelectric projects.
- Represented a purchaser of an apartment complex in connection with obtaining state utilities commission approval for resale of electric and water/sewer service to tenants.
- Represented a public utility in multiple suits arising from a dam removal controversy.
- Defended a utility in a nuisance suit brought by neighboring property owners relating to operation of the utility's cogeneration power plant.

AWARDS

- *Best Lawyers in America*®: Energy Law (2024-2027), Energy Regulatory Law (2024-2027)
- *Legal 500 United States* for Energy Litigation: Electric Power (2023)
- *Chambers USA*: Energy & Natural Resources, North Carolina (2021-2026)
- *Business North Carolin*a: Legal Elite (2016, 2018)
- *Super Lawyers*: "Rising Star" North Carolina (2014-2020)
- 40 Under 40, *Charlotte Business Journal* (2015)

TOP AREAS OF FOCUS

- Energy
- Energy Policy + Legislation
- Hydropower
- State Energy Regulation

ALL AREAS OF FOCUS

- Business Litigation
- Energy
- Energy Policy + Legislation
- Hydropower
- Litigation + Trial
- State Energy Regulation

PROFESSIONAL/COMMUNITY INVOLVEMENT

- President, Women's Energy Network Carolinas (2023)
- Vice President, Women's Energy Network Carolinas (2022)
- Member, Nominating Committee, Mecklenburg County Bar (2021)
- Member, Class of 2015, Mecklenburg County Bar Leadership Institute

- Participant, Access to Justice Campaign, Legal Services of Southern Piedmont & Legal Aid of North Carolina (2014-2015)
- Emerging leader, E4 Carolinas (2014)
- Member, CLE Committee, Mecklenburg County Bar (2011-2013)
- Vice President, Duke Law Club of Charlotte (2012-2013)
- Secretary, Duke Law Club of Charlotte (2011-2012)
- Member, Law & Society Committee, Mecklenburg County Bar (2008-2012)
- Member, Bar Candidate Committee, North Carolina State Bar Board of Law Examiners (2010)

EDUCATION AND CERTIFICATIONS

EDUCATION

- Duke University School of Law, J.D., *cum laude*, 2007, managing editor, *Duke Journal of Comparative and International Law*; Duke-Geneva Institute in Transnational Law
- Dartmouth College, A.B., 2003

CERTIFICATIONS AND MEMBERSHIPS

Certifications

- North Carolina State Bar Board Certified Specialist: Utilities Law

BAR ADMISSIONS

- North Carolina

COURT ADMISSIONS

- 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, Fourth Circuit
- U.S. Court of Appeals, Eleventh Circuit

SPEAKING ENGAGEMENTS

- Speaker, “Recreation and Shoreline Management,” National Hydropower Association Southeast Regional Meeting, February 2020.
- Speaker, “Hot Topics in Class Actions,” Troutman Sanders Business Litigation Webinar, April 2017.
- Moderator, “Business Litigation for In-House Counsel: Perspectives From the Bench,” North Carolina Bar Association Business Litigation Forum, May 2016.
- Speaker, “Independent Power Producers and the Business Climate in the Carolinas,” E4 Carolinas Power Breakfast, December 2014.
- Speaker, “The Current State of Affairs of Unfair and Deceptive Trade Practice Claims,” Mecklenburg County Bar Civil Litigation Forum 2008, February 2008.

PUBLICATIONS

- Author, “A Positive Outlook for Investors Stuck in ‘Food Court,’” *Law360,* February 16, 2016.
- Author, “*McCrory v. Berger*: NC Supreme Court Decision Could Result in Continuing Litigation Over Validity of Key Boards & Commissions,” Troutman Sanders *News & Knowledge*, February 3, 2016.
- Author, Chapter relating to North Carolina, *The Law of Lawyers’ Liability: Fifty-State Survey of Legal Malpractice*, 2012.
- Author, “Exploring Machu Picchu: An Analysis of the Legal and Ethical Issues Surrounding the Repatriation of Cultural Property,” *Duke Journal of Comparative and International Law*, Fall 2006.