Russell Kooistra

Partner

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Russell counsels an array of electricity and natural gas companies on various energy regulatory issues. Russell uses his in-depth knowledge of FERC policy and regulations to advise clients on complex regulatory matters.

OVERVIEW

Russell focuses his primary practice on federal regulation of gas and electricity markets, including the representation of independent power producers, electric utilities, investment firms, transmission companies, and gas pipelines and local distribution companies in proceedings before the Federal Energy Regulatory Commission (FERC) and in transactions in the energy sector. His practice includes counseling clients on federal regulatory issues in administrative complaints and litigation, energy transactions, FERC approvals for transactions, market-based rates, and rate and gas pipeline certificate proceedings, and compliance with FERC's Anti-Manipulation Rule. Russell has deep experience in FERC's regulations implementing the Federal Power Act and Public Utility Holding Company Act and in the requirements of regional transmission and market operators. Russell regularly advises clients in connection with energy-related transactions, including M&A, tax equity, and financing transactions, as well as gas pipeline precedent agreements and asset management agreements.

While attending law school, Russell interned at the U.S. Commodity Futures Trading Commission in the Division of Enforcement.

REPRESENTATIVE MATTERS

- Represented an independent power producer in FERC proceeding regarding PJM's assessment of more than $1.8 billion in capacity performance penalties during Winter Storm Elliott.
- Represented a utility holding company in the sale of upstream ownership interests in its utility company to a private investment firm for $2.15 billion.
- Represented utilities in numerous contested rate filings at FERC.
- Represented a merchant transmission owner in negotiated rate proceedings at FERC.
- Represented a private equity firm in connection with the negotiation of transaction documents and regulatory approvals for its acquisition of a 300MW portfolio of New York thermal power plants.
- Advised an interstate gas pipeline company regarding its request for a certificate of public convenience and necessity from FERC for a greenfield gas pipeline.
- Represented an independent power producer in connection with FERC approvals for its acquisition of a portfolio

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of natural gas-fired generation facilities in PJM and MISO.

- Represented a transmission owner in the filing of formula rate template and protocols at FERC.
- Represented an investment firm in connection with FERC approval for its sale of a thermal power plant in Montana.
- Represented a private equity firm in the negotiation of transaction documents and FERC approvals and energy regulatory matters for its acquisition of over 840 MW of gas-fired generation in California.
- Represented various gas distribution companies in gas pipeline rate proceedings at FERC and in FERC Operating Statement filings.
- Counseled an investment firm on federal energy regulatory issues associated with a strategic investment in a company that develops, constructs, finances, owns, and operates distributed solar projects.
- Advised an investment firm on federal energy regulatory issues associated with the acquisition of 855 MW of gas-fired generation facilities in Texas.
- Represented a private equity firm in connection with FERC approvals to acquire a dual-fueled power generation facility in Connecticut.
- Counseled a national financial institution regarding FERC approvals for a sale-leaseback transaction involving a 140 MW solar generating facility in Oregon.
- Advised an investment firm regarding federal energy regulatory issues in connection with its tax equity investment in a solar and storage facility in Texas.
- Represented an interstate gas pipeline company regarding its request for a certificate of public convenience and necessity from FERC for an expansion project to increase capacity on its pipeline.
- Counseled utilities and independent power producers on numerous market-based rate and Public Utility Holding Company Act issues.
- Provided federal energy regulatory experience in numerous M&A, tax equity, and financing transactions.

AWARDS

- *Chambers Global USA*, Energy: Oil & Gas (Regulatory & Litigation), Nationwide, Up & Coming (2025-2026)
- *Chambers USA Nationwide*, Energy: Oil & Gas (Regulatory & Litigation) (2024-2026)
- *Legal 500 United States*: Energy: Energy Litigation: Electric Power (2026); Energy: Energy Regulation: Electric Power (2026); Energy: Energy Regulation: Oil and Gas (2024-2026)
- *Best Lawyers in America®: Ones to Watch*: Energy Law (2025-2027)

TOP AREAS OF FOCUS

- Energy
- FERC
- Oil + Gas

ALL AREAS OF FOCUS

- Energy
- FERC
- Litigation + Trial
- Oil + Gas

PROFESSIONAL EXPERIENCE

- Legal intern, Whistleblower Office, Division of Enforcement, U.S. Commodity Futures Trading Commission, 2014-2015

EDUCATION AND CERTIFICATIONS

EDUCATION

- The George Washington University Law School, J.D., *cum laude, George Washington Scholar*, 2015
- Massachusetts Institute of Technology, B.S., 2012

BAR ADMISSIONS

- New York
- District of Columbia

SPEAKING ENGAGEMENTS

- Speaker, "Renewable Natural Gas and the Promise of a Cleaner Future," *Energy Law Insights*, September 11, 2023.

PUBLICATIONS

- Co-author, "High-Level Summary of FERC Order No. 1920 on Transmission Planning and Cost Allocation," *Troutman Pepper*, May 21, 2024.
- Co-author, "Troutman Pepper Summary of FERC Order No. 2023-A on Generator Interconnections," *Troutman Pepper*, March 28, 2024.
- Co-author, "Troutman Pepper Summary of FERC Order No. 2023 on Generator Interconnection Reform," *Troutman Pepper*, August 2, 2023.
- Co-author, "What Energy Storage Developers Need to Know About FERC Requirements," *Voltility*, June 6, 2022.
- Co-author, "FERC Overhauls Existing Pipeline Project Analysis, Creates Separate Interim GHG Policy for Gas Infrastructure Projects," *Troutman Pepper*, February 18, 2022.