



R. Michael Sweeney, Jr.

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R. Michael Sweeney, Jr.

Practice focuses on representing traditional public utilities, independent power producers and energy marketers on energy regulatory matters pending before the Federal Energy Regulatory Commission, the U.S. Securities and Exchange Commission and the Commodity Futures Trading Commission. Provides strategic, regulatory and transactional advice on mergers/acquisitions, corporate reorganizations, and asset divestitures transactions in the electric industry. Significant experience addressing issues relating to FERC's regional transmission organization ("RTOs") and transmission pricing policies, independent transmission companies, competitive wholesale energy markets, affiliate dealings, market and cost-based rate filings, market power issues and interconnection filings.

Actively counsels clients on compliance with FERC's Standards of Conduct, Code of Conduct and Market Behavior Rules and on risk management matters involving the physical and financial trading of energy and energy-linked commodities, as well as related credit support and fuel procurement issues.

Relevant Experience

Energy Regulatory Representations

- Represents electric industry clients in the development, implementation and enforcement of program designed to comply with FERC's Standards of Conduct, Code of Conduct and Market Behavior Rules.
- Represents Midwest public utility in Standards of Conduct compliance audit brought by FERC's Office of Market Oversight and Investigation.
- Represents energy marketer in FERC complaint proceedings addressing the proper application of Midwest ISO open access transmission tariff.
- Represent clients participating in competitive energy markets on regulatory issues including market design, preparation and filing of market-based rate applications, and interconnection arrangements.
- Represented generating subsidiaries of multi-national power developer on Order No. 2004 - Standards of Conduct and Market Behavior Rules rulemakings.
- Represented public utility and transmission-only clients on Midwest RTO development and implementation issues, including: inter-RTO transmission pricing, lost revenue recovery and distribution, and seams issues.
- Represented stand-alone, transmission company in obtaining initial FERC approval of an ITC operating construct under Appendix I of the Midwest ISO Agreement.
- Represented Midwestern generation and distribution company in cost-based rate proceedings involving the filing of an ancillary services tariff.

Additional Experience

Transaction-Support and Transactional Representations

- Obtained expedited FERC regulatory approval for multinational power developer in \$260 million divestiture of national wholesale and retail energy marketing subsidiary to a large public utility holding company.
- Represented public utility holding company on strategic, regulatory and transactional issues regarding the formation and divestiture of first independent transmission company operating in the Midwest ISO, including drafting and negotiation of multiple operating agreements between ITC and former public utility affiliate.
- Represented large affiliated power developer on FERC regulatory and transactional issues involving the acquisition of approximately 11,000 MW of generating assets in the California, New England and the Mid-Atlantic region.
- Obtained required FERC regulatory approvals for clients involved in merger and acquisition transactions in the electric industry with an aggregate value in excess of \$7 billion.
- Obtained FERC approvals required for the spin-out vertically integrated generating business by public utility holding company to a genco subsidiary and FERC approval of market-based affiliate power sales arrangement.
- Obtained FERC approvals required for the divestiture of a large Midwest nuclear power facility.
- Represented affiliated power developer on FERC regulatory and transactional issues involving formation of energy marketing joint venture with oil and gas producer/marketer.

Energy Trading and Risk Management-Related Representations

- Represent public utility, independent power producer and energy marketer clients on strategic business and regulatory matters involving the trading and marketing of energy and energy-linked commodities.
- Represent clients in connection with drafting and negotiating of master agreements for the physical and financial marketing and trading of energy and energy-linked commodities and related credit support documentation, including ISDA, EEI and NAESB Master Agreements.
- Represent generating subsidiaries of multinational power developer on the drafting and negotiation of fuel supply, fuel management, and management service agreements.

Background

- Partner, Troutman Sanders LLP, January 2003-April 2005
- Associate, Troutman Sanders LLP, July 1997-December 2002
- Associate, Duncan, Weinberg, Genzer & Pembroke, P.C., (April 1996-July 1997)
- Senior Research Fellow, Institute for Scrap Recycling Industries, Inc., January 1995-April 1996
- Associate, Devorsetz, Stinziano, Gilberti, Heintz & Smith,

Membership

- ➔ Member, District of Columbia, New York Bar, and Massachusetts Bars
- ➔ Member, Energy Bar Association, American Bar Association, New York State Bar Association, Massachusetts Bar Association
- ➔ Member; Lawyers Committee, Washington Performing Arts Society

Education

- ➔ LL.M., George Washington University, Executive LL.M Editor, *The Environmental Lawyer*, 1996
- ➔ J.D., Capital University Law Center, Member, *Capital University Law Review*, 1992
- ➔ B.A., St. Lawrence University, 1988

Hunton & Williams News

- 06/14/05 [Client Alert June 2005: FERC Standards of Conduct and Code of Conduct Compliance Audits: Guilty Until Proven Innocent?](#)
 - 05/10/05 [News Release May 2005: R. Michael Sweeney Joins Hunton & Williams](#)
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Speeches

- May 2005 Speaker, Best Practices for Compliance with Market Behavior Rules, FERC Technical Conference on Standards of Conduct (Invited)
 - March 2005 Speaker, Overview of Energy Marketing and Trading Business, Law Seminars Institute, Inc., Energy 101 Conference
 - March 2005 Speaker, SEC Regulation of Energy Trading: First FERC, Then the CFTC and Now the SEC?, Law Seminars Institute, Inc., Conference on The Future of Energy Trading
 - Oct. 2004 Panel Moderator, New Regulatory Initiatives Facing Risk Management Professionals, International Energy Credit Association, Fall Conference
 - Jan. 2004 Panel Moderator, Overcoming the Hurdles to Grid Investment, 4th Annual Transmission Summit Seminar, Infocast, Inc.
 - Oct. 2003 Price Formation: Converging Jurisdiction over Index Price Reporting between the CFTC and FERC, International Energy Credit Association, Fall Conference
 - May 2003 Is There Strategic Value in Retaining Transmission Assets: Financial, Regulatory and Structural Issues to be Considered When Making the Decision to Sell, Recapitalize, or Retain Transmission Assets, Infocast, Inc. -- Seminar on Transmission Investment
 - Jan. 2003 Impacts of SMD on Transmission Investment in New England, Association of Energy Engineers, New England Chapter, Winter Meeting
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