



Case Study

When the CEO of a FORTUNE 500 multinational energy company decided to commit the company to a proactive position on strategy on global climate change, the company retained Van Ness Feldman to assist in devising and implementing its new approach.

The firm researched policy options, helped draft the company's position, and communicated the position to internal and external stakeholders (including members of Congress and executive agencies).

Climate Change, Clean Technology, & Renewable Energy

STRATEGIC ADVICE & POLICY DEVELOPMENT

Companies in every sector of the economy and throughout the world face increasing pressures to address global climate change. Regulatory programs are emerging and evolving at the state, federal, and international levels. Shareholders, local governments, key stakeholders, and the general public are demanding and, in many cases, taking action. Responding to climate change has become a new metric for measuring environmental performance and social responsibility. The global warming issue is controversial, complicated, and sweeping in its reach.

While evolving climate change policies create new risks and costs for many companies, they also can create opportunities. By taking a strategic approach to the climate change issue, major emitters can gain an advantage over the competition in a carbon-constrained world.

Van Ness Feldman's Climate Change and Emissions Trading practice is uniquely well-situated to advise companies in navigating this complicated and fast-moving area. First, the firm's practice team has a thorough understanding of existing and emerging climate change policies – from the Regional Greenhouse Gas Initiative to U.S. federal initiatives to the Kyoto Protocol. With this knowledge, our lawyers and professionals help clients evaluate and scale the potential risks and rewards associated with such policies as they relate to the client's business plans. In addition, it enables us to craft creative solutions and new approaches to minimize risks and demonstrate environmental leadership during this period of uncertainty.

The firm also helps clients develop strategies for responding to compliance obligations and external pressures for voluntary sustainability initiatives. In either case, our emphasis is not just on helping clients "look green" but on assisting with strategies that make sense for their bottom line.

We also advise and represent clients on how to gain the most value from participation in evolving markets for renewable energy credits and greenhouse gas emission trading.

Van Ness Feldman's Climate Change Practice advises clients that are leaders in a range of sectors, including: electric power; automobile manufacturing; financial and trading; oil and gas; chemicals; and minerals and metals.

In addition, because of the firm's in-depth expertise in this area, members of the practice frequently are invited to write papers and give presentations on climate change issues, including by research organizations such as the Electric Power Research Institute, the Pew Center on Global Climate Change, the National Commission on Energy Policy, and the Energy Future Coalition. Please see Publications List.

Some examples of how the firm assists clients in developing and implementing corporate climate change strategies include:

Development of Emissions Inventories and Reports

With a mechanical engineer on staff and a knowledge of existing and emerging reporting protocols, the firm assists in the development of emissions inventories and reports.

Strategic Business Planning

- We analyze scenarios for potential future state, federal, and international climate change policies and resulting impacts on clients.
- Van Ness Feldman identifies facilities and operations that could be subject to emission reduction obligations and facilities and operations that could generate emissions trading opportunities.
- The firm helps clients build their own capacity in this area by designing and providing training on climate policies and emissions trading for company employees, boards of directors, and others.

Identification and Implementation of Options for Reducing Emissions

- The firm works with a range of clients on the development of renewable energy projects, biofuels projects, and energy efficiency initiatives. Furthermore, we help clients identify potential greenhouse gas emissions trading opportunities that can result from such projects.
- We help clients obtain federal incentives and other assistance for development and deployment of innovative clean energy technologies.

Development of a Strategy for Public Outreach

- Van Ness Feldman has assisted a U.S. electric power company in developing a report for its shareholders analyzing the company's risks and opportunities under potential future greenhouse gas regulations.
- The firm works with clients on developing new corporate position statements on climate change policy.

Development of a Public Advocacy Strategy

- The firm works with clients on the development of strategies for public advocacy on the climate change issue, including reaching out to key non-governmental organizations, policy-makers, and other stakeholders.
- We assist clients in engaging in the policy process, developing testimony, drafting submissions, and analyzing legislative proposals.

Emissions Trading Transactions

- Van Ness Feldman has an active global practice in emissions trading, assisting clients in gaining value out of transactions under the Kyoto Protocol and in U.S. voluntary trading markets. For more information on the firm's emissions trading expertise and experience, please see our Greenhouse Gas Emissions Trading practice description.