

Natural Gas & Oil

CERTIFICATES & PROJECT DEVELOPMENT

Unique Experience in All Regulatory and Commercial Stages of Project Development

Van Ness Feldman represents clients in all phases of the development of interstate natural gas pipeline and storage projects. Our attorneys have broad experience negotiating complex projects before the Federal Energy Regulatory Commission (FERC) and other federal permitting agencies. The firm assists new and existing interstate natural gas pipeline and storage companies in obtaining regulatory permits required to develop infrastructure.

Certificate Proceedings before FERC under the Natural Gas Act

- Providing counsel in FERC Pre-Filing proceedings
- Preparing applications to construct and operate interstate pipeline and storage projects
- Meeting the requirements of FERC's Certificates Policy Statement
- Assisting in the preparation of Environmental Resource Reports
- Working with public and private stakeholders
- Drafting tariffs
- Developing initial rates
- Responding to protests
- Answering FERC staff data requests
- Post-Certificate compliance
- Preparing applications for rehearing of FERC certificate orders

Environmental Review and Permitting of Proposed Facilities

- Obtaining permits from federal, state, and local governments including permits under the Clean Water Act, Clean Air Act and Coastal Zone Management Act
- Counseling on compliance with the Endangered Species Act and National Historic Preservation Act
- Evaluating Department of Transportation safety requirements

Underlying Commercial Documents

- Drafting open season announcements required by FERC for new projects

- Drafting precedent agreements and transportation service and storage agreements

Selected Certificates and Project Development Experience

- The firm currently counsels interstate and midstream pipeline companies with the development of assets to gather and transport natural gas supplies from shale gas plays in the Marcellus, Fayetteville, Barnett and Haynesville production regions.
- The firm provided counsel in the largest pipeline construction project proposed outside of Alaska, designed to transport up to 1.8 Bcf per day of gas from supply basins in the Rocky Mountains to markets in the upper Midwest and eastern United States.
- The firm assisted with a major “header” pipeline designed to transport 3,395,000 Dth per day of gas away from an LNG import terminal to numerous connecting downstream pipelines for delivery to markets throughout the United States.
- The firm counseled on an expansion that doubled the size of a southwest pipeline. It now delivers up to 1.7 Bcf per day of gas from developing supply basins in Texas to interconnects with other interstate pipelines for delivery to markets in the midwest, northeast, and southeast portions of the United States.
- The firm provided counsel in the construction of a new pipeline to access 1.5 Bcf per day of gas produced in MidContinent supply basins of Oklahoma and Texas.
- The firm assisted with the expansions of several gas storage facilities under FERC jurisdiction.
- The firm provided counsel on the acquisition of a large pipeline system that was incorporated into the assets of one of the nation’s largest gathering systems.