



Energy Regulation & Compliance

OIL & PRODUCTS PIPELINES

For over 30 years, Van Ness Feldman has guided our clients through the complex regulation of the U.S. energy industry. Building on prior involvement in the development of many of the nation's most significant energy policies - as well as experience as senior officials in key federal agencies and departments - the firm's attorneys and professionals have the skills and knowledge necessary to navigate the regulatory and policy questions associated with all aspects of planning, building, and using oil, refined products, and industrial liquids pipelines.

Regulatory Compliance and Strategic Counseling

The market conditions and regulatory policies involved in the oil pipeline industry are constantly changing. Van Ness Feldman helps clients to anticipate and respond to these changes and offers the expertise of former officials of the Department of Transportation's Pipeline & Hazardous Materials Safety Administration (PHMSA), the Federal Energy Regulatory Commission (FERC), and regulated companies for assistance with critical litigation, regulatory compliance, and policy needs. Firm professionals assist in "day-to-day" regulatory matters such as:

- Preparing and filing tariff changes and adoption notices
- Preparing indexed rate change filings and market-based rate filings
- Counseling on dispute resolution at FERC concerning tariff and other issues
- Drafting written comments and participating in staff conferences for Notices of Proposed Rulemaking
- Providing general regulatory advice

Rights-of-Way and Permitting

Van Ness Feldman has extensive experience in all issues related to public right-of-way grants. While serving as counsel to congressional committees and as senior officials in federal agencies, many of the firm's professionals played key roles in developing and administering the federal policies and regulations that govern the use of - among others - oil and gas gathering operations, distribution pipelines and related facilities, oil and natural gas transmission pipelines, and other facilities or systems which are in the public interest.

Influencing Federal Policy

Van Ness Feldman understands how decisions are made in a dynamic and evolving government environment. The firm crafts strategies to obtain a desired result through careful identification of opportunities and obstacles, cultivation of key sources of support and isolation of the opposition, and development of cogent and

compelling arguments to be delivered by the right people to the right people.

Members of Van Ness Feldman's oil pipeline practice have honed their understanding of public policy by participating directly in the legislative, regulatory, and political processes at all levels. It is this combination of experience, substantive knowledge, and the ability to manage the political process in several forums simultaneously that distinguishes Van Ness Feldman as one of the country's leading energy and public policy law firms.

Pipeline Safety and Compliance

As an outgrowth of Van Ness Feldman's long-standing representation of gas and oil pipelines the firm advises natural gas, oil, and hazardous liquid pipeline owners and operators on pipeline safety matters including compliance with regulatory requirements, enforcement, and litigation issues, the effectiveness of pipeline safety compliance, risk management, and obtaining Special Permits authorizing use of new materials and technologies. [Click here to learn more about our Pipeline Safety Practice.](#)

Representative Matters

- Representing several oil and industrial products pipelines (including ammonia and CO₂ pipelines) in ongoing FERC and Surface Transportation Board (STB) regulatory matters.
- Securing dismissal by FERC of a complaint against an oil pipeline operator.
- Filing a market-based rate application on behalf of a pipeline company and litigating the application through FERC, resulting in our client receiving desired rates. In addition, we represented the client before the STB during a litigation and rate case.
- Advising pipeline operators on a range of tariff filing issues, including cost-of-service filings and appropriate accounting treatment for costs associated with pipeline safety compliance programs.
- Counseling pipeline operators with respect to the requirements of the federal Pipeline Safety Act and the regulations of the Department of Transportation's OPS that establish design, construction, operating, maintenance, and inspection requirements for owners and operators of oil and hazardous liquids pipeline facilities.
- Assisting an Australian company that was interested in buying a minority interest in pipelines by providing an analytical overview of the entire industry and performing regulatory due diligence for what became a successful bid.