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Practice Areas

*Energy Regulation & Compliance
Environment, Natural Resources, &
Public Lands
Litigation*

Education

*J.D., University of Wisconsin, 1976
M.S. (Environmental Engineering),
California Institute of Technology,
1973
B.S., University of Wisconsin, 1972*

Bar and Court Admissions

*District of Columbia
United States Court of Federal Claims
U.S. Supreme Court
other federal courts*

Michael F. McBride

Member

Mike McBride focuses his practice on litigation involving transportation and environmental issues, as well as nuclear regulatory matters.

A former President of the Association of Transportation Law Professionals and Program Committee Chairman of the Transportation Law Institute, Mr. McBride represents the Edison Electric Institute, various electric utilities, and other entities in transportation-related litigation and regulatory matters before the Surface Transportation Board, as well as in negotiation of and dispute resolution involving transportation contracts.

Mr. McBride also maintains a substantial environmental practice, including counseling on nuclear regulatory issues and litigating civil and criminal cases under the National Environmental Policy Act, the "Superfund" statute, the Resource Conservation and Recovery Act, and Clean Air Act. In environmental matters, his clients have included electric utilities (both in nuclear and non-nuclear capacities), the American Petroleum Institute, National Petrochemical & Refiners Association, a paper company, a chemical recycling company, and individuals.

Representative matters include:

- Serving as lead counsel to petroleum industry associations in their challenge to EPA's renewable oxygenate standard for Reformulated Gasoline (RFG), and with respect to other RFG issues.
- Representing most of the control room operators and supervisors at Three Mile Island-Unit 2, from 1980-88, before the US Congress, the Nuclear Regulatory Commission, and the courts.
- Representation of the nuclear industry in *Silkwood v. Kerr-McGee Corporation*.
- Representing BP Amoco Chemical Company in the first formal small-shipment rate challenge before the Surface Transportation Board.
- Representing Viacom Inc. (now CBS Corporation) in nuclear decommissioning disputes in arbitration and before the Nuclear Regulatory Commission.
- Representing Trunkline LNG Company in litigation involving the importation and sale of liquefied natural gas.

Professional and Civic Affiliations

- Member, Advisory Committee on Procedures, U.S. Court of Appeals for the D.C. Circuit (term expires June 2011)
- Chairman, Program Committee, Transportation Law Institute, 1990 and 1992

- President, Association of Transportation Law Professionals, 1994–1995 and 2004–2005, and Member, ATLP Executive Committee, 1992–present
- Member, District of Columbia Bar Association
- Lecturer, American University, International Law and Environmental Policy, 1991

Honors & Distinctions

- Presidential Achievement Award, Association of Transportation Law Professionals, 1990, 1991, 1993, 1996, 1999, 2003, 2005, 2006, and 2007
- *Chambers USA*; Transportation; 2005–2011
- *Legal 500 USA*; Energy Litigation; 2010–2011; Energy: Transaction & Regulatory; 2011

Publications

"Is The Price-Anderson Act An Appropriate Model For The Railroads?" 76 *J. Transp. L. Logist. & Pol'y* 93 (First Qtr. 2009).

"Railroad Transportation of Radioactive Waste and Other Hazardous Materials," *The Electricity Journal*, [Vol21,Issue3] (April 2008).

"After *Otter Tail*, Most Rate Regulation Is Kaput," 74 *J. Transp. L. Logist. & Pol'y* 128 (First Qtr. 2007).

"A New Twist to Amtrak's Annual Kabuki Dance," 72 *J. Transp. L. Logist. & Pol'y* 371 (Third Qtr. 2005).

"Railroads May Not Refuse to Carry Dangerous Commodities," 69 *J. Transp. L. Logist. & Pol'y* 391 (Summer 2002).

"The Future of Rail Mergers in North America - The View of the Shippers," 68 *J. Transp. L. Logist. & Pol'y* 129 (Winter 2001).

Co-author with Samuel Behrends, Andrea Chambers, "Federal Energy Regulatory Commission Merger Procedures." *Railroad Mergers: History, Analysis, Insight*, edited by Frank N. Wilner (1997).

"Solicitation of Information from Ex-Employees in ICC Proceedings." *Transportation Practitioners Journal* (1994).

"Railroad Rate Guidelines for Commodities Other Than Coal." *Transportation Practitioners Journal* (1992).

"Valuation of Railroad Property Consistency Is a Virtue." *Transportation Practitioners Journal* (1992).

"Interstate Commerce Commission Certification of State Regulatory Bodies and Review of Intrastate Rate Decisions: The Need for Reform." *I.C.C. Practitioners Journal* (1984).

Past editor, quarterly column, "Federal Energy Regulatory Commission." *Journal of Transportation Law, Logistics and Policy*.