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Practice Areas

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

Education

*J.D., University of Colorado, 1999*  
*B.S., cum laude, University of Utah,*  
*1995*

Bar and Court Admissions

*Colorado*  
*District of Columbia*  
*U.S. Supreme Court*  
*U.S. Court of Appeals for the 2nd*  
*Circuit*  
*U.S. Court of Appeals for the 9th*  
*Circuit*  
*U.S. Court of Appeals for the 11th*  
*Circuit*  
*U.S. Court of Appeals for the D.C.*  
*Circuit*

## Charles R. Sensiba

*Member*

Charles Sensiba represents public utility districts, state governmental entities, investor-owned utilities, water districts, independent power producers, and other entities on the full spectrum of licensing and environmental issues associated with hydroelectric power development. With broad experience in matters under the Federal Power Act (FPA), National Historic Preservation Act, National Environmental Policy Act, Endangered Species Act, Clean Water Act, and Coastal Zone Management Act, Mr. Sensiba represents clients before FERC and other administrative agencies, Congress, and the U.S. courts of appeal.

Mr. Sensiba's recent representative matters include:

- Representing a large coalition of hydroelectric licensees in administrative proceedings at FERC and subsequent appellate litigation concerning FERC's annual charges program, which yielded more than \$20 million in refunds and cost savings following the court's ruling in *City of Idaho Falls v. FERC*, 629 F.3d 222 (D.C. Cir. 2011).
- Providing legal and strategic counsel to project developers and licensees in several major FERC hydroelectric licensing and relicensing proceedings.
- Negotiating multi-party settlement agreements in licensing and relicensing proceedings.
- Counseling prospective hydroelectric project developers on jurisdictional requirements of the FPA.
- Advising hydroelectric licensees in compliance issues and successfully representing licensees in compliance matters before FERC.
- Representing licensees in a major hydroelectric rulemaking proceeding.

Mr. Sensiba is a regular speaker at hydroelectric industry conferences and has written extensively on legal and policy issues facing the hydroelectric industry. Recently, he was selected to author the chapter on hydroelectricity in the American Bar Association's book, *The Law of Clean Energy: Efficiency and Renewables* (2011). An active leader in the hydroelectric industry, Mr. Sensiba currently serves as Chair of the American Bar Association's Hydro Committee in the Section of Environment, Energy, and Resources, as well as Vice Chair of the National Hydropower Association's Regulatory Affairs Committee.

### *Professional and Civic Affiliations*

- American Bar Association
- Energy Bar Association
- National Hydropower Association

■ Ocean Renewable Energy Coalition

*Publications*

“Hydropower,” *The Law of Clean Energy: Efficiency and Renewables* (2011)

“US Department of Energy, the Interior, and the Army Assessing & Promoting Federal Hydropower Development,” *The Water Report* (2010)

“Hydropower: A Renewable We Can Believe In,” *Trends* (2010)

“Hydro Power,” *Environment, Energy, and Resources Law, The Year in Review 2009* (2010)

“Balancing Resource Protection & Economic Development: An Early Assessment of Emerging Water Policies in the Obama Administration,” *The Water Report* (2009)

“The FERC-MMS Memorandum of Understanding for Hydrokinetic and Renewable Energy Projects on the OCS: Unanswered Questions for the Future of Energy Development,” *Waterpower XVI* (2009)

“Eleventh Circuit Upholds EPA Interpretation of Clean Water Act as Exempting Water Transfers from NPDES Requirements,” *The Water Report* (2009)

“Hydroelectric Regulation,” *Energy Law and Transaction* (2009)

“Hydroelectric Regulation Under the Federal Power Act,” *Waters and Water Rights* (2009)

“Hydro Power,” *Environment, Energy, and Resources Law, The Year in Review 2008* (2009)

“Water Transfers & the CWA,” *The Water Report* (2009)