

CONTACT

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PRACTICES

Electric
Renewable Energy

EDUCATION

American University, Washington
College of Law
George Mason University

BAR AND COURT ADMISSIONS

District of Columbia Bar
Virginia State Bar

JESSICA C. FRIEDMAN
PARTNER



Professional Background

Jessica Friedman represents renewable and conventional electric generation developers, power marketers, merchant transmission developers, and their owners and operators, including private equity funds and institutional investors. Jessica's practice is focused on federal energy regulatory matters related to project development and repowering, equity sales and asset transfers, debt transactions, and ISO/RTO market rules.

Jessica regularly provides counsel on complex generator interconnection issues, including shared facilities and co-tenancy structures, preservation of priority rights to proprietary capacity, and pseudo-tie and dynamic scheduling arrangements. Jessica advises clients on transmission service solutions such as joint ventures, and she negotiates related agreements. She also assists clients with obtaining all necessary Federal Energy Regulatory permits prior to commencing operations such as market-based rate authorization and exempt wholesale generator or qualifying facility status. In addition to ensuring that clients comply with the requirements of the Federal Power Act, Jessica has extensive experience advising clients with respect to "holding company" regulation and exemptions under the Public Utility Holding Company Act of 2005 and "qualifying facility" or QF status and related benefits and exemptions under the Public Utility Regulatory Policies Act of 1978. In addition, Jessica frequently counsels her clients on rules and obligations associated with participation in organized capacity and wholesale energy markets operated by ISOs/RTOs.

Jessica's practice includes conducting regulatory due diligence for transactions involving electric assets, advising clients on contractual agreements and structures for equity sales and asset transfers, and obtaining the necessary FERC approvals. She routinely serves as special regulatory counsel in energy project financing transactions.

In addition, Jessica represents clients in compliance audits and investigations before FERC. She also counsels merchant transmission developers on strategic development decisions related to equity ownership structures and capacity allocation arrangements as well as negotiated rate authority, incentive-based rate treatment, and FERC's open access tariff requirements.

Jessica previously served as an Assistant County Attorney in Fairfax County, a suburb of Washington DC, where she acquired significant civil litigation experience while handling child abuse and neglect cases.

Representative Experience

- Represents multiple major renewable energy developers in complex negotiations with transmission owners and ISOs/RTOs over generator interconnection service matters, including interconnection study process and timing issues, network upgrade cost allocation, transmission credits, capacity injection rights, development milestones, and phased development of shared interconnection queue positions.
- Represents a developer of offshore wind projects in generator interconnection and transmission service matters, power purchase negotiations, ISO/RTO membership and participation, and federal energy regulatory compliance matters.
- Provides special federal regulatory counsel in connection with numerous mergers, acquisitions, sales, and energy project financings: (i) represented an independent power producer in a \$1.4 billion sale of a portfolio of 20 renewable generation projects to a private equity fund; (ii) represented a global

investment firm in a \$2.6 billion divestiture of a major wind developer to a foreign utility company; (iii) represented an independent power producer with a portfolio of qualifying facilities, exempt wholesale generators, and a power marketer in an upstream acquisition by a global investment firm and a subsequent phased divestiture of its projects to a private equity fund; (iv) represented a private equity fund in its acquisition and subsequent disposition of a portfolio of 16 qualifying facilities and exempt wholesale generators with market-based rate authority; and (v) represented a major wind energy developer in multiple tax equity transactions, each involving the transfer of certain upstream ownership interests in operating wind projects.

- Counsels a merchant transmission developer of multiple high voltage direct current transmission lines designed to connect thousands of megawatts of renewable resources to load centers on negotiated rate authority, allocation of capacity pursuant to an open solicitation and bilateral agreements, and alternative tariff structures.

Government Service

Fairfax County, Virginia - Attorney's Office

Assistant County Attorney, 2001-2003

Fairfax County, Virginia - Department of Family Services

Family and Child Social Worker, 1992-1997

Awards and Honors

Legal 500

Energy - Regulatory 2014

Chambers USA

Energy: Electricity (Regulatory and Litigation), 2018-2019

Legal 500 - Recommended Attorney

Energy Regulation - Conventional Power, 2019-2020

Alerts

- FERC Revises PURPA Regulations to Increase State Flexibility, Modify the Mandatory Purchase Obligation, and Reform the "One-Mile Rule", 07/20/2020
- FERC Proposes Changes to PURPA Regulations to Increase State Flexibility, Modify the Mandatory Purchase Obligation, and Reform the "One-Mile Rule", 09/23/2019
- FERC Adopts New Data Collection Requirements for Market-Based Rate Sellers, Streamlines Market Power Analysis for Certain Organized Markets, 07/23/2019