

**CONTACT**

ekb@vnf.com  
202.298.1812

**PRACTICE AREAS**

Air  
Electric  
Litigation & Administrative  
Proceedings  
Native Affairs  
Water Quality, Wetlands, &  
Floodplains  
Water Resources

**EDUCATION**

George Mason University School  
of Law  
University of South Carolina

**BAR AND COURT ADMISSIONS**

District of Columbia Bar  
Virginia State Bar

**ERIN K. BARTLETT**

**ASSOCIATE**



**Professional Background**

Erin Bartlett provides strategic counsel to a variety of clients with respect to Federal Energy Regulatory matters, including renewable and conventional generation developers, independent power producers, private equity funds and institutional investors. Erin counsels clients on matters involving the Federal Energy Regulatory Commission and various federal statutes, including the Federal Power Act (FPA), Public Utilities Holding Company Act of 2005 (PUHCA) and Public Utilities Regulatory Policies Act of 1978 (PURPA). Erin assists clients obtain and maintain market-based rate authorizations, exempt wholesale generator status, and qualifying facility status.

Erin also provides federal energy regulatory counsel to clients engaged in mergers, acquisitions, sales and energy project financing by reviewing financing and corporate documents and performing due diligence of such transactions. Erin assists clients obtain prior FERC authorization for the disposition or sale of FERC-jurisdictional assets under FPA Section 203 and comply with all post-closing FERC filings and reporting requirements.

Erin's practice includes advising clients on contractual agreements for the purchase and sale of electric energy and related products, complex generator interconnection issues, transmission service matters, and participation in organized capacity and wholesale energy markets operated by regional transmission organizations. Erin also has experience representing clients in large, complex arbitration proceedings.

Prior to attending law school, Erin worked for the State of South Carolina's Department of Health and Environmental Control as a Hydrologist in the Bureau of Water and as an Emissions Inventory Specialist in the Bureau of Air Quality. Her work in the Bureau of Water involved implementing the state's Source Water Assessment and Protection Program Plan under the Safe Drinking Water Act. In the Bureau of Air, she worked to develop quality assurance reports to identify the quantity and verify validity, of air pollution emission data for regulated industrial facilities under the Clean Air Act.

Erin serves as the firm's Associate General Counsel. Erin enjoys hiking, cooking, traveling and spending time with her husband, two sons, and Frenchie.

**Representative Experience**

- Providing federal energy regulatory counsel in connection with acquisitions, sales, mergers, and with tax equity and financing transactions, including obtaining all necessary FERC permits to commence operation and make wholesale power sales.
- Serving as regulatory counsel for a major offshore wind and solar project developer with several active projects in development off the East Coast, including assisting with negotiating and obtaining agreements and federal permits necessary to operate such projects and assisting local counsel represent the projects before various state public utility commissions.
- Serving as regulatory counsel to a large utility-scale wind and solar developer in connection with the ownership and operation of over 4 GW of renewable generation projects in the U.S., including on-going compliance with all FERC regulatory requirements associated with the projects.
- Providing FERC counsel to one of the leading renewable energy investors in the U.S. on significant generation portfolio acquisitions, including a joint venture with another investor to purchase 4 power

plants for approximately \$2.1 billion; and the acquisition of hydroelectric assets located in New England, resulting in the largest conventional hydro system in New England.

- Assisting with the purchase of a 1,767 MW generation portfolio, from a global infrastructure fund for an undisclosed amount. The facilities, located throughout the Mid-Atlantic and New England, included natural gas-fired, petroleum-fired and hydroelectric generating units.
- Providing counsel during Reactive Power tariff proceedings before FERC.
- Challenging actions taken by Regional Transmission Operators/Independent System Operators in contravention of FERC's Open Access Transmission Tariff principles.
- Successfully represented clients in multi-million dollar arbitration involving the conveyance of a FERC licensed hydroelectric dam under the American Arbitration Association rules of practice and procedure.
- Provides on-going counsel to clients involved Administrative Proceedings before FERC and any subsequent appeals to the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit).
- Assisting clients with due diligence analyses to ascertain risks associated with federal energy regulatory requirements under a variety of energy law statutes.
- Representing pro bono client in an uncontested divorce before the Circuit Court of Fairfax County.

## Government Service

### U.S. Court of Federal Claims

Judicial Intern for The Honorable Robert H. Hodges, Jr., 2011

### U.S. Environmental Protection Agency

Law Clerk, Office of Civil Enforcement, Waste and Chemical Enforcement Division, 2010

### AmeriCorps National Civilian Community Corp Member, 1998-1999

## Articles and Presentations

- Panelist, "Understanding WOTUS" - 2015 Western Water Seminar, National Water Resources Association, Monterey CA, 08/04/2015
- [Hydro Power - Environment, Energy, and Resources Law: The Year in Review 2015](#), American Bar Association, 05/02/2015

## Alerts

- Army Corps of Engineers Releases 2017 Nationwide Permits, 01/19/2017
- EPA Expands Tribal Authority to Administer Clean Water Act Programs on Reservations  
  
Part of a Host of New Administration Initiatives Addressing Tribal Issues , 09/29/2016
- Army Corps Proposes Renewal of Nationwide Permits for Work in Waters of the U.S., 05/26/2016
- Federal Agencies Release Final "Waters of the United States" Rulemaking, Sending Ripples Through the Regulated Community, 06/08/2015
- Proposed Rule Redefining Jurisdictional "Waters of the United States" Under the Clean Water Act – Comment Period Closes, but Questions Remain Open, 11/17/2014
- EPA Releases Final Standards for Cooling Water Intake Structures at Power Plants and Other Facilities, 05/22/2014
- White House Releases Climate Action Plan to Reduce Methane Emissions, 03/31/2014
- Federal Agencies Issue Long-Awaited "Waters of the United States" Notice of Proposed Rulemaking for Clean Water Act Jurisdiction, 03/27/2014
- Clearer Picture Emerging on Proposed Rule Redefining Jurisdictional Waters of the United States,

12/23/2013

- EPA Proposes New Standards to Regulate Carbon Dioxide Emissions from New Power Plants, 09/24/2013
- Draft Rulemaking Likely to Expand Clean Water Act Jurisdiction, 09/19/2013
- EPA Proposes New Standards to Regulate Water Discharges from Power Plants, 04/26/2013