

**CONTACT**

dws@vnf.com  
202.298.1902

**PRACTICE AREAS**

Climate Change  
Efficiency  
Electric  
Renewables

**EDUCATION**

Yale Law School  
Massachusetts Institute of  
Technology

**BAR AND COURT ADMISSIONS**

District of Columbia Bar  
Massachusetts State Bar

**DOUGLAS W. SMITH**  
**PARTNER**



**Professional Background**

Doug Smith represents clients on regulatory matters before the Federal Energy Regulatory Commission (FERC) and the Department of Energy (DOE). He also provides counsel on climate change, energy technology, and renewable energy policy.

As General Counsel of the FERC from 1997 to 2001, Doug played a lead role in Commission policy initiatives on electricity, natural gas rates, pipeline certificates, and hydropower licensing reform. As Deputy General Counsel for Energy Policy at DOE, he played significant roles in Departmental initiatives on electricity restructuring, the Climate Challenge program, and new energy efficiency standards.

Doug speaks frequently at conferences on energy regulatory issues. Doug has also been on the adjunct faculty at the George Washington University Law School, where he most recently taught a class on Energy and the Environment.

Doug is the coordinator of Van Ness Feldman's electric practice and serves as a member of the firm's Executive Committee.

**Representative Experience**

- Advises regulated companies on FERC rulemaking and policy matters.
- Represents electricity clients in FERC rate matters.
- Represents clients on FERC review of mergers and acquisitions in the electricity sector.
- Assists clients with regulatory due diligence on energy projects and transactions.
- Represents regulated entities on FERC audits and investigations.
- Assists clients with regulatory compliance and training programs.
- Represents equipment manufacturers on energy efficiency regulation before DOE.
- Provides strategic advice on clean energy and climate change policy for energy companies, manufacturers, and other clients.
- Works with think tanks to pursue innovative energy and environmental policies.

**Government Service**

**Federal Energy Regulatory Commission**

General Counsel, 1997-2001

**U.S. Department of Energy**

Deputy General Counsel for Energy Policy, 1995-1997

Associate General Counsel for Energy Policy, 1995

Assistant General Counsel for Legal Policy and Analysis, 1994-1995

**U.S. Court of Appeals for the Third Circuit**

Judicial Law Clerk to the Honorable Judge Walter K. Stapleton, 1986-1987

**Awards and Honors**

**"Best Lawyers in America" by *Best Lawyers***

Energy Law, 2013-2018

**Chambers Global**

Electricity, 2009-2018

**Chambers USA**

Energy: Electricity (Regulatory and Litigation), 2005-2018

**Articles and Presentations**

- Instructor, "FERC Transmission Ratemaking" - FERC Transmission Ratemaking, EUCI, Chicago IL, 04/08/2019
- Transmission and Clean Energy in the Northeast, Law Seminar's International, Boston MA, 03/21/2019
- Panelist, "Electricity in Transition" - The Past, Present, and Future of U.S. Energy Policy, Washington DC, 10/19/2017
- Speaker, "Federal Energy Policy: Developments with Potential Impact on Northeast Energy Markets" - Energy in the Northeast, Law Seminars International, Boston MA, 09/28/2015
- Early Clean Power Planning - A Hedging Strategy for Sec. 111(d), Public Utilities Fortnightly, pp. 34-40, 02/01/2015
- "Reading the Tea Leaves: The Likely Direction of FERC Policy in the Post-Wellinghoff Era" - 3rd Annual Electric Transmission in the West, Law Seminars International, Seattle WA, 05/19/2014
- [Regulatory Federalism & Development of Electric Transmission: A Brewing Storm?](#), Energy Law Journal, Vol. 35 Issue 1 pp. 71-99, 05/13/2014
- "Federal Regulatory and Legislative Developments in the Upcoming Election" - Energy in California: New Policy Drivers, Opportunities and Challenges, Law Seminars International, San Francisco CA, 11/12/2012
- Upcoming EPA Regulations and Potential Impacts on Electric Reliability, The Electricity Journal, Vol. 24 Issue 3 pp. 7-21, 04/09/2011
- U.S. Energy and Climate Change Policy: What to Expect in 2009, Bloomberg Law Reports: Sustainable Energy, Vol. 2 Issue 1 pp. 1, 01/09/2009
- Panelist, "Developing Your Strategy for the Future" - 2nd Annual National Climate Change Regulation Conference, Law Seminars International, Arlington VA, 04/14/2008
- Conference Co-Chair; Presenter, "Electricity Utility Regulation: Current Regulatory Challenges" - Electric Energy: Markets, Regulation and Investment, Law Seminars International, Washington DC, 03/03/2008
- "Update on U.S. Energy Policies for 2007" - Energy in the Northeast, Law Seminars International, Boston MA, 10/18/2007
- "Climate Change and Energy Policy" - AGA Legal Forum & Golf Tournament 2007, American Gas Association, Vail CO, 07/15/2007
- An Inconvenient State?, Environmental Finance, 10/01/2006
- Climate Change: The Heat Is On, Public Utilities Fortnightly, pp. 54, 01/01/2004
- Buying and Selling Electric Power in the West: A Review of Key Elements of FERC's Standard Market Design Proposal, 01/16/2003
- Designing a Climate-Friendly Energy Policy: Options for the Near Term, Pew Center on Global Climate Change, 07/01/2002
- Electricity regulation: How is federal policy changing?, Trends, Vol. 33 Issue 6 pp. 4, 07/01/2002

## Alerts

- FERC Revisiting its ROE Policy for Public Utilities , 03/22/2019
- FERC Proposes Rule Requiring Transmission Providers to Revise Rates Following Tax Rate Change, 11/16/2018
- FERC Announces New Framework for Determining Public Utility ROE, 10/17/2018
- Ninth Circuit Creates Uncertainty Concerning Transmission ROE Adder for RTO Participation, 01/09/2018
- FERC Rejects DOE Proposal, Initiates Fact-Finding on Grid Resilience, 01/09/2018
- FERC Proposes Fast-Start Pricing Reforms in Three Markets, 12/28/2017
- DOE Sends Market-Reshaping Grid Resiliency Proposal to FERC, 10/03/2017
- D.C. Circuit Decision Creates Significant Uncertainty Concerning PJM Capacity Auction Results, 07/12/2017
- DC Circuit's *Emera Maine* Decision Creates Questions for Electric Utility ROE Policy, 04/18/2017
- Presidential Transition and Potential Executive Actions, 11/16/2016
- Supreme Court Addresses Limits on State Authority to Promote New Generation Development, 04/21/2016
- Supreme Court Upholds FERC Rule on Pricing of Demand Response in Organized Electricity Markets, 01/27/2016
- Transportation Infrastructure Law Includes Provisions on Energy Security, 12/22/2015
- FERC's Clean Power Plan Technical Conferences: Investigating Reliability, Market Structure, and Infrastructure Impacts of EPA's 111(d) Proposal, 02/13/2015
- Seventh Circuit Again Rejects FERC's Approval of "Postage Stamp" Cost Allocation for High Voltage PJM Transmission Projects, 07/01/2014
- President Reaffirms Support for "All-of-the-Above" Energy Policy, Announces Initiative to Streamline Energy Infrastructure Permitting, 01/30/2014
- OUTLOOK 2014: KEY POLICY DEVELOPMENTS, 01/23/2014
- New and Emerging Developments in California's Cap-and-Trade Program Will Have Significant Impacts on Western Power Markets, 01/14/2014
- EPA Regulation of Greenhouse Gas Emissions from Existing Power Plants: Issues and Options, 06/27/2013
- Circuit Court Upholds Broad Transmission Project Cost Allocation in MISO, 06/17/2013
- EPA Proposes Greenhouse Gas Emission Limits for New Electric Generating Units, 03/29/2012