Van Ness Feldman LLP
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CONTACT

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PRACTICES

Electric
Renewable Energy

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 and policy matters before the Federal Energy Regulatory Commission (FERC) and the Department of Energy (DOE). He also provides counsel on issues related to climate change, energy technology, and clean energy policy.

From 1997 to 2001, Doug served as General Counsel at the FERC, where he led regulatory policy initiatives on electricity, natural gas rates, pipeline certificates, and hydropower licensing reform. In his role as Deputy General Counsel for Energy Policy at the DOE, he played key roles in the Department's initiatives on electricity restructuring, the Climate Challenge Program, and energy efficiency standards.

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

Doug previously served as a Co-Chair of Van Ness Feldman.

Representative Experience

- Represents transmission developers on formula rates and other FERC regulatory matters.
- Represents clients on FERC review of mergers and acquisitions in the electricity sector.
- Advises and represents regulated companies on FERC rulemaking and policy matters.
- Assists clients with regulatory due diligence on energy projects and transactions.
- Represents regulated entities on FERC audits and investigations.
- Advises clients on regulatory compliance.
- Serves as General Counsel to public power trade group.
- 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 and public sector clients on pursuing 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

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Awards and Honors

"Best Lawyers in America" by *Best Lawyers*

Energy Law, 2013-2027

Chambers USA

Energy: Electricity (Regulatory and Litigation), 2005-2026

Super Lawyers

2010

Articles and Presentations

- LSI's Electric Power in the West, Law Seminars International, Seattle WA, 01/26/2023
- 2022 EEI Legal and Regulatory Conference, Edison Electric Institute, 10/12/2022
- Electric Power in the West , Law Seminars International, 04/14/2022
- VNF Live - 2020 Election Debrief: Outcomes and Their Impacts on Public Policy, 11/05/2020
- VNF Live - Clean Electricity Policies – What Do We Expect Congress to Take Up in 2021? , 10/15/2020
- The 25th Annual Conference on Buying & Selling Electric Power in the West, Law Seminars International, Seattle WA, 01/23/2020
- The 16th Annual Conference on Electric Power in the Southwest, Law Seminars International, Santa Fe New Mexico, 07/15/2019
- 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
- The Past, Present, and Future of U.S. Energy Policy, Washington DC, 10/19/2017
- 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
- 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
- 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
- 2nd Annual National Climate Change Regulation Conference, Law Seminars International, Arlington VA, 04/14/2008
- Electric Energy: Markets, Regulation and Investment, Law Seminars International, Washington DC, 03/03/2008
- Energy in the Northeast, Law Seminars International, Boston MA, 10/18/2007
- 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

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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

- House Democrats Introduce Revised CLEAN Future Act, Readying Chamber for Action on Climate Change and Infrastructure, 03/05/2021
- FERC Proposes Policy Statement on Incorporation of Carbon Prices in Wholesale Electricity Markets, 10/19/2020
- FERC Revises Policy for Evaluating Public Utility Return on Equity, 11/25/2019
- 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