

CONTACT

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PRACTICES

Electric
Litigation & Investigations
Renewable Energy

EDUCATION

Georgetown University Law
Center
Johns Hopkins University, School
of Advanced International Studies
Duke University

BAR AND COURT ADMISSIONS

District of Columbia Bar
Virginia State Bar

VAN F. SMITH
ASSOCIATE



Professional Background

Van Smith advises clients including electric utilities, consumer and industrial products manufacturers, and trade associations on a broad range of federal energy and environmental regulatory matters. He provides counsel on electric rate, tariff, contract, and reliability matters under the Federal Power Act, energy derivatives regulations under the Dodd-Frank Act, Environmental Protection Agency (EPA) regulations under the Clean Air Act, and the Department of Energy's (DOE) mandatory energy efficiency standards. He practices before the Federal Energy Regulatory Commission (FERC), the Commodity Futures Trading Commission (CFTC), EPA, and DOE, and represents clients in agency rulemakings, administrative and appellate litigation, enforcement proceedings, and other regulatory compliance matters.

Representative Experience

- Represents investor-owned and municipal electric transmission utilities in cost-of-service rate and complaint proceedings under Sections 205 and 206 of the Federal Power Act
- Advises electric utilities and independent power producers on tariff issues, interconnection and transmission service agreements, and wholesale energy markets operated by regional transmission organizations.
- Advises electric utilities, natural gas pipelines, and other energy market participants on CFTC energy derivatives regulations under the Dodd-Frank Act
- Prepares and negotiates master commodity trading agreements including ISDA and NAESB agreements.
- Drafts client comments for EPA rulemakings including new source performance standards, Clean Power Plan, GHG Reporting Rules, and Regional Haze requirements.
- Advises clients on petitions for reconsideration of and appellate challenges to EPA regulations.
- Represents consumer products manufacturers and trade associations in rulemaking proceedings involving DOE's mandatory energy efficiency standards and related appellate challenges.
- Represents appliance manufacturers and importers in DOE enforcement actions concerning DOE's mandatory energy efficiency standards.

Government Service

U.S. Senate

Law Clerk, Committee on the Judiciary, 2011

U.S. International Trade Commission

Law Clerk, Office of General Counsel, 2009

Executive Office of the President

Trade Policy Advisor, Office of the U.S. Trade Representative, 2008-2009

U.S. Peace Corps

Water and Sanitation Engineer, Dominican Republic, 2004-2006

Articles and Presentations

- FERC and NERC Speed Processing of Electric Reliability Violations, Natural Gas & Electricity, Vol. 28 Issue 11 pp. 13, 06/01/2012
- FERC and NERC Speed Processing of Electric Reliability Violations, Natural Gas & Electricity, Vol. 28 Issue 11 pp. 13, 06/01/2012
- Enabling Environments or Enabling Discord: Intellectual Property Rights, Public-Private Partnerships, and the Quest for Green Technology Transfer, Georgetown Journal of International Law, Vol. 42 Issue 3 pp. 817, 09/01/2011

Alerts

- FERC Requires Public Utilities to Address Excess ADIT in Transmission Rates, 11/26/2019
- Supreme Court Addresses Limits on State Authority to Promote New Generation Development, 04/21/2016
- EPA Issues Regulations to Control Carbon Dioxide Emissions from the Power Sector, 08/05/2015
- OUTLOOK 2014: KEY POLICY DEVELOPMENTS, 01/23/2014
- CFTC Proposes Position Limits and Aggregation Rules for Energy and Other Commodity Derivatives, 11/13/2013
- FERC Proposes to Expand Reliability Standards for Certain Generator Interconnection Facilities, 04/19/2013
- CFTC Issues Final Dodd Frank RTO/ISO and 201(f) Exemptions, 04/01/2013
- FERC Finalizes Policy for Advising EPA on Power Plant Mercury and Air Toxics Standards Compliance Extensions, 05/21/2012