



Louis R. Monacell

Partner

Energy
Public Utility Regulation
Sustainability: Energy & Green Development
Water Regulation
Telecommunications
Cable Television

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For more than 25 years Louis Monacell has represented and advised clients in electricity, natural gas, water, telecommunications and other public utility law matters. He has served as lead counsel for industrial, commercial, and governmental users of electricity, natural gas, and water services in negotiations with public utilities and before public service commissions, such as FERC and state commissions in Virginia, Delaware and Maryland. He has represented foreign and domestic investors in acquiring utilities regulated by the Virginia State Corporation Commission, and he also has represented competitive retail electricity providers, retail natural gas marketers, independent power producers, qualifying facilities, industrial companies with onsite generation, as well as telecommunications and cable companies. He is a former chair of the firm's Energy and Telecommunications department.

Examples of such clients and matters handled by Mr. Monacell are:

Industrial, Commercial and Governmental Users

- Lead counsel for established associations of industrial users of electricity, natural gas, and water services, such as Virginia Committee for Fair Utility Rates, Virginia Industrial Gas Users Association, and Hopewell Committee for Fair Water Rates.
- Lead counsel for Virginia Energy Purchasing Governmental Association, a joint action agency of local governments that negotiate for purchase of approximately \$400 million of electricity annually.
- Representation of individual industrial, commercial, and governmental users of electricity, natural gas, and water services in disputes and negotiations with utilities.
- Lead counsel for many interventions in rate cases and other regulatory proceedings of electric, gas, and water utilities before public service commissions in Virginia, Delaware, and Maryland.
- Appeals of public service commission decisions in electric and natural gas cases to Virginia Supreme Court.
- Litigation of electric utility and natural gas pipeline cases before the Federal Energy Regulatory Commission.
- Negotiation of electric and natural gas service agreements with utilities and competitive service providers.
- Multiple negotiations on behalf of Virginia cities, counties and public authorities with electric investor-owned and cooperative utilities for rates and terms of service.

- Representation of industrial company seeking to locate in Virginia with regard to possible bypass of service territory of electric utility.
- Advisor to electricity users with load shedding or self-generation capabilities as to participation in PJM and other load response programs.
- Lead counsel to local governments in issuing requests for proposals, granting franchises to utilities to use rights of way, and contracting for purchases of competitive electricity, competitive natural gas purchases, and renewable energy credits (environmental attributes of renewable generation sources).
- Active participant and expert witness in development of legislative and regulatory rules for electric regulation, restructuring, and customer choice in Delaware, Maryland, and Virginia.

Utilities, Renewable and Independent Power Producers, Industrial Onsite Generating and Qualifying Facilities

- Representation of foreign investors and domestic entities in acquiring utilities regulated by the Virginia State Corporation Commission.
- Advice to a foreign utility holding company and to domestic entities in connection with their respective regulatory due diligence in connection with possible acquisition of Virginia utilities.
- Advice and obtaining multiple regulatory approvals from Virginia State Corporation Commission for independent power producers, and renewable power producers.
- Counsel for waste-to-energy, cogeneration, and industrial onsite generation facilities regarding renewable energy credits and to negotiate with electric utility for purchase of electrical output of facility, intervene in avoided cost proceeding before public service commission, and advise and negotiate with PJM Interconnection and local utility for purposes of interconnection with the grid and making sales into the wholesale market.

Telecommunications and Cable Companies

- Advise cable companies and other competitive entrants on providing telecommunications services and pole attachments in Virginia.
- Seek regulatory approvals from Virginia State Corporation Commission for competitive telephone service providers.
- Intervene in regulatory cases involving the incumbent local telephone company.
- Negotiated with local telephone company for interconnection.
- Advised firm's litigators representing a cable company in appeals to federal courts and Virginia Supreme Court of decisions of Virginia State Corporation Commission.

EDUCATION

University of Virginia School of Law, J.D., 1976

College of William & Mary, B.A., 1971

ADMISSIONS

Virginia

CLERKSHIP

- Hon. John A. MacKenzie, U.S. District Court Judge, Eastern District of Virginia

PRIOR EXPERIENCE

- Mr. Monacell was part of the prosecution team for several monopolization and antitrust cases while he was a trial attorney for the Federal Trade Commission. He also served in the Planning Office of that Commission's Bureau of Competition, where he authored a major paper on antitrust enforcement policy, a task for which he was commended by the FTC Chairman.
- While attending law school, Mr. Monacell completed all course work for a Master of Arts in Economics from the University of Virginia, with emphasis on antitrust and public utility regulation.

RECOGNITIONS

- ***The Best Lawyers in America***[®]
Energy Law, Communications Law, 2007-2020
- **Virginia Super Lawyers**
Energy & Natural Resources, 2007-2016

PROFESSIONAL AFFILIATIONS

- **Virginia State Bar**
Chair, Administrative Law Section, 2012-2013
Past Chair, Antitrust, Franchise, and Trade Regulation Section
- **Energy Bar Association**
Member, Southern Chapter
Past President, East Central Chapter

COMMUNITY INVOLVEMENT

- **Christian Counseling Training Center**
Certified Biblical Counselor
- **United States Army**
Former soldier, two years' service in South Korea and Texas
- **Kanawha Youth Football Association**
Former President
- **Douglas Freeman High School PTA**
Former President
- **West End Assembly of God Church**
Home Group Leader