

## Energy and Public Utilities

Moss & Barnett provides regulatory advocacy and transactional services to investor-owned and cooperative electric and other utility clients across the country.

### Regulatory Advocacy

We regularly advise and represent investor-owned and cooperative utility service providers in regulatory proceedings before local, state, and federal regulatory bodies, including contested case matters, written presentations, and in-person advocacy. Moss & Barnett assists its utility and cooperative clients with rate cases, other rate proceedings (such as riders), service disputes, PURPA cases, transaction approvals, facilities cases, and resource planning. We work with senior management as well as internal and outside experts to achieve strategic objectives.

### Transactional Services

We regularly provide transactional services, representing buyers, sellers, borrowers, and lenders in transactions involving regulated utility services. Our representation extends to commercial contracting, project financing and mergers, acquisitions, sales, and joint ventures.

### Experience

We have successfully represented utility clients in numerous regulatory proceedings before public utilities commissions in Minnesota, North Dakota, South Dakota, Wisconsin, Iowa, Montana, and New Mexico as well as in district court and appellate court proceedings.

- **Rate cases.** We have represented utilities in over 30 rate cases, with participation ranging from overall primary responsibility to presentation of selected issues. Our representation typically begins with identification of case strategy and continues through development of positions and supporting testimony, conducting evidentiary hearings, briefing, oral argument before regulators, and – when necessary – judicial appeals. We provide advice and representation on both revenue and non-revenue issues, including rate design and cost allocation. We have extensive experience in the cost of service issues, including rate of return, income taxation, jurisdictional allocation, pension, and compensation issues.
- **Other rate proceedings.** Our team advises electric and other utilities regarding rider and other alternative rate filings, along with written and oral advocacy. We have helped utilities in addressing time-of-day and block rates, three-part rates, and other alternative rate design proposals as well as in implementing revenue decoupling mechanisms.
- **Service disputes.** We advise and provide regulatory advocacy to utilities on service area disputes, customer complaints, and service quality issues.

- **PURPA.** We advise utilities on PURPA matters, including negotiations and formal regulatory proceedings. We provide advice on case strategy, assist in developing written testimony, conduct evidentiary hearings, write briefs, and present oral arguments.
- **Transaction approvals.** We assist utilities in developing strategy and conducting negotiations to position a transaction for a demonstration of public interest and regulatory approval. We also represent buyers and sellers before regulators to secure regulatory approval.
- **Facilities proceedings.** We represent project developers before regulatory bodies in certificate of need, advance determination of prudence, and other regulatory approval proceedings, including siting and routing proceedings.
- **Resource planning.** We assist utilities in the development and presentation of resource plans, including analysis of regulatory requirements and development of positions to support preferred resource alternatives.
- **Commercial contracts.** We regularly draft, review, and negotiate procurement, acquisition, and other contracts for public utilities. Our industry knowledge enables us to develop solutions that meet the unique demands of the public utility industry.
- **Project finance.** We represent both borrowers and lenders in the financing of energy and other public utility infrastructure projects.
- **Sales, acquisitions, and joint ventures.** We help clients grow or sell their business through acquisitions, mergers, joint ventures, and other commercial transactions. Our lawyers can assist with all phases of the transaction, from initial structure and negotiation through documentation and implementation.

## Professionals

Ryan P. Barlow

Kevin M. Busch

Kelly C. Engebretson

Brian T. Grogan

Terri L. Hammer

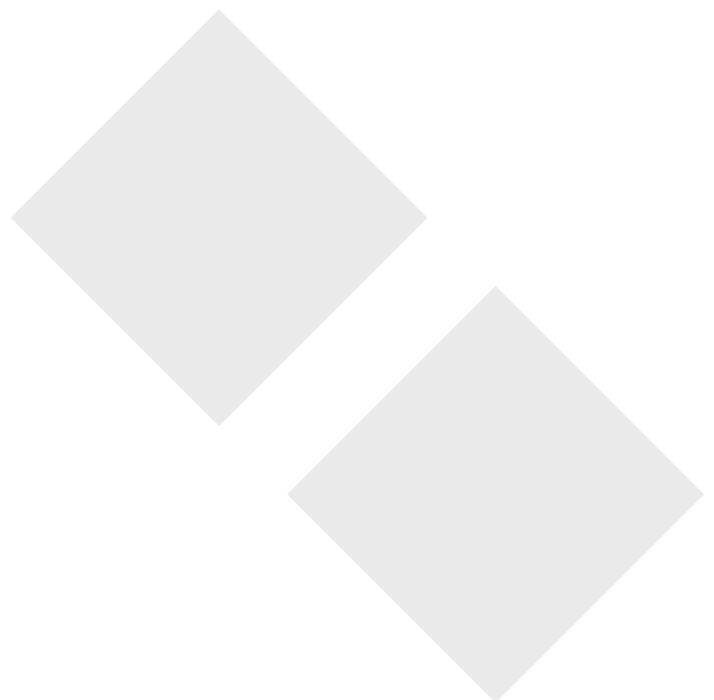
Richard J. Johnson

Katherine J. Marshall

Michael R. Nixt

Erik L. Romsaas

Patrick T. Zomer



## News

Attorney Ryan P. Barlow Joins Moss & Barnett  
05.21.2024

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in *The Best Lawyers in America* and *Best Lawyers: Ones to Watch* for 2024  
08.17.2023

Moss & Barnett Congratulates Our 2023 Minnesota *Super Lawyers* and *Rising Stars*  
07.17.2023

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in *The Best Lawyers in America*, *Best Lawyers: Ones to Watch*, and *Best Lawyers "Lawyers of the Year"* for 2023  
*The Best Lawyers in America*, 08.18.2022

Moss & Barnett Congratulates Our 2022 Minnesota *Super Lawyers* and *Rising Stars*  
07.18.2022

Attorneys Sara E. Filo and Katherine J. Marshall Join Moss & Barnett  
03.15.2022

Moss & Barnett Announces New Shareholders: Bradley R. Armstrong, Lindsay L. Case, Maggie H. Garborg, Peter J. Kaiser, John P. Kennedy, and Erik L. Romsaas  
03.02.2022

Moss & Barnett Congratulates Our 2021 Minnesota *Super Lawyers* and *Rising Stars*  
07.20.2021

Moss & Barnett Announces New Shareholders: Kathy Y. Allen, Kelly C. Engebretson, Brittney M. Miller, John M. Schmid, and Alex R. Schoephoerster  
01.20.2021

Fifteen Moss & Barnett Lawyers Named to 2021 *Best Lawyers*® List  
*The Best Lawyers in America*, 08.20.2020

Kevin M. Busch and Timothy L. Gustin Re-elected to Moss & Barnett Board of Directors  
02.17.2020

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in "The Best Lawyers in America" for 2020  
*The Best Lawyers in America*®, 08.15.2019

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America" for 2019  
08.15.2018

Brian Grogan and Jim Vedder Elected to Board of Directors  
03.27.2018

Nicholas J. Kaster and Patrick T. Zomer Elected Shareholders of Moss & Barnett  
03.23.2018

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®"  
for 2018  
08.15.2017

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®"  
for 2017  
08.15.2016

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®"  
for 2015  
08.18.2014

## Events

Moss & Barnett is Silver Sponsor of the 2018 MTA Annual Convention  
2018 Minnesota Telecom Alliance Annual Convention and Trade Show, Hyatt Regency Minneapolis,  
1300 Nicollet Mall, Minneapolis, MN, 03.26.2018

## Publications

To Rural Minnesota and Beyond: Expanding Internet Access With Federal Aid  
*Moss & Barnett Advocate (Fall 2022 edition)*, 12.15.2022

Handy at Bandy – Kelly Engebretson Keeps it Cool on the Ice  
*Minnesota Super Lawyers Magazine 2021*, 07.22.2021

Practicing With Purpose in the Commercial World  
*Spring 2015 Firm Newsletter\**, 03.20.2015