

Energy Newsletter



June 2012

DISPUTE RESOLUTION

International Arbitration

Tips for Arbitration Agreements in International Energy Contracts

Jennifer L. Price

Having arbitration language in one's contract does little good if the arbitration provisions are not effective. This note sets out the basics for an effective, enforceable, and workable arbitration agreement. [More »](#)

REGULATORY

D.C. Regulatory

Courts Reject Post-Deepwater Horizon Environmental Challenges

Charles J. (Tim) Engel

Soon after the Deepwater Horizon oil spill in the Gulf of Mexico, environmental groups launched wide-ranging challenges to all phases of offshore oil and gas exploration and development. In *Defenders of Wildlife v. Bureau of Ocean Energy Management, Regulation and Enforcement*, the court held that environmental reviews of the specific impacts of the Deepwater Horizon spill were not required before BOEM issued new leases in the Gulf. In *Gulf Restoration Network, Inc. v. Salazar*, the Fifth Circuit dismissed a number of consolidated challenges under NEPA on grounds that the environmental groups had failed to participate in the underlying administrative proceedings as required by OCSLA. [More »](#)

Environmental

NGLs, TSCA, and CDR: Increased Shale Gas Development Likely Means More Gas Processing Sites Subject to June 30 Deadline

Cynthia A.M. Stroman, Elizabeth P. King

The U.S. Environmental Protection Agency requires certain companies to provide periodic updates to the national inventory of chemical substances. The new reporting requirements for 2012 suggest that more gas processing sites will be subject to reporting than in previous cycles. [More »](#)

EU Competition Law

EU Internal Energy Market Legislation Not Fully in Force

Suzanne Rab

In our August 2011 newsletter, we reported on the status of efforts to implement a regulatory framework for promoting integration of, and increased competition in, EU natural gas and electricity markets. Now, the European Commission has sent eight "reasoned opinions" to five Member States following their failure to implement the new rules. [More »](#)

Upcoming Events

King & Spalding Energy Forum: Political Risk in the Energy Industry: Planning for Expropriation, Forced Contract Renegotiation, and Unilateral Changes in the Fiscal Regime

Date:
Tuesday,
June 19, 2012

Where:
Houston, Texas

[More Info/Register »](#)

King & Spalding Hosts Panel Discussion on Changes in Global Gas Markets

Date:
Tuesday,
June 19, 2012

Where:

TRANSACTIONAL

Corporate / London

An Overview of Political Risk Mitigation for Energy Projects in Emerging Markets

Nina Howell

Political and economic stability are essential in high-cost, long-term energy projects. This article provides an overview of political risk mitigation instruments to support investment in emerging and pre-emerging markets. [More »](#)

Corporate / London

Withdrawal from the Euro: the effect on existing contracts

Hywel Jones

Most commentators are of the view that the more likely outcome is that one or more States will withdraw from the Eurozone, abandon the euro and create a new domestic currency. If you are a party to a contract with a company in the Eurozone, where payments under the contract are to be made in euro, this article should be of interest. [More »](#)

Corporate / London

UK Energy Bill designed to reform the UK electricity market is a "train wreck" says renewables industry

Susanna Marshall

In a joint letter, six major renewable energy developers expressed their concern that the proposed electricity market reforms will not be capable of supporting major renewable energy financing. [More »](#)

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In The News

Senate Hearing on Legislation to Promote Clean Energy - Could Preempt the EPA from Regulating Greenhouse Gases

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King & Spalding Earns Significant Arbitration Win for The Dow Chemical Company

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Partner James F. Bowe, Jr., and Counsel William E. Rice Join King & Spalding's Global Energy Practice [More »](#)

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