



KING & SPALDING

Energy Newsletter



March 2018

PROJECT DEVELOPMENT AND FINANCE

Renewable/Alternative Energy-Europe

Good news at last for the development of offshore wind projects in France

Ruxandra Lazar and Mehdi Haroun

France has implemented several new procedures to help facilitate the development of offshore wind farms and eliminate prior obstacles. [More »](#)

LITIGATION

Europe

English Court of Appeal Rejects UK Parent Company Duty of Care to Those Affected by Pipeline Operations of Nigerian Subsidiary

Thomas K. Sprange, Ben J. Williams, and Kabir R. M. Bhalla

Applying its recently-established test, the English Court of Appeal has confirmed that the mere issuance of group-wide policies by a parent company, without more, did not impose the requisite duty of care to render that parent corporation liable or anchor jurisdiction in a dispute involving the conduct of its foreign subsidiary in Nigeria. [More »](#)

FERC

Power-U.S./Canada

FERC Acts to Remove Barriers to Electric Storage Participation in

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Upcoming Events

Organized Transmission Markets

William E. Rice, David Tewksbury, Kenneth Culotta

On February 15, 2018, the Federal Energy Regulatory Commission issued a rulemaking Final Order intended to remove barriers to the participation of electric storage resources in organized electric transmission markets managed by Regional Transmission Organizations and Independent System Operators. [More »](#)

ENVIRONMENTAL

U.S./Canada

As Ninth Circuit Expands Clean Water Act Liability for Groundwater Discharges, EPA Seeks Comment on Clean Water Act Coverage

Adam G. Sowatzka, Lewis B. Jones, Ilana Saltzbar, John L. Fortuna

In a recent decision that will encourage and bolster citizen suits, the Ninth Circuit expanded Clean Water Act liability, holding that discharges to groundwater are actionable if there is a “fairly traceable” connection between the groundwater discharge and pollutants reaching other jurisdictional surface waters. Following the Ninth Circuit’s decision, EPA formally requested comment on whether the agency should clarify its position. [More »](#)

CONSTRUCTION

Middle East

Winning Construction Arbitration in the Gulf: Some Strategic Considerations

Adrian Cole

The construction industry regularly uses arbitration to resolve the technically and legally complex disputes that projects frequently generate. Working through key principles and having regard to the typical disputes that construction projects generate, this article offers insight into the numerous issues likely to arise in construction arbitrations and guidance on how to deal effectively with them in order to maximize one’s chances of success. This article was originally published in *BCDR International Arbitration Review* 4, no. 1 (2017): 113–134. [More »](#)

Editorial Contacts

King & Spalding to host Quarterly Energy Forum

When: April 12, 2018

Where: Houston, Texas

Adrian Cole to Speak at International UK Society of Construction Law Astra Event

When: April 22, 2018

Where: Dubai, UAE

[More Information »](#)

Adam Sowatzka to Speak at Georgia Wetlands Law and Compliance Conference

When: April 25, 2018

Where: Atlanta, Georgia

[More Information »](#)

Richard Nelson, Merrick White to Host Workshop at Platts LNG & Natural Gas Markets Asia Conference

When: May 30, 2018

Where: Singapore

[More Information »](#)

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In The News

K&S serves as legal counsel for Magnum in connection with NGL Energy Partners and Magnum's joint venture agreement for Sawtooth Natural Gas Liquids and Refined Products Storage Assets [New York Times](#)
[» LP Gas Magazine](#)
[» Financial Buzz »](#)

Tracie Renfroe served as a panelist at the 69th Annual Oil and Gas Law Conference on February 15, 2018 in Houston, Texas in a panel discussion on “Climate Change Litigation: How Has it Evolved and What Can Energy Companies Expect?” [More »](#)

Ashley Parrish, David Tewksbury, Paul Mezzina and Stephanie Lim obtain favorable ruling for New England Power Generators Association Inc. before the U.S. Court of Appeals for the D.C. circuit in a matter against the Federal Energy Regulatory Commission [More »](#)

King & Spalding Advises H-Energy on Landmark First-Term LNG Contract to India [More »](#)

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