



KING & SPALDING

Energy Newsletter



October 2018

FERC

Oil & Gas - U.S./Canada

Court Faults FERC in its Handling of ANR Storage Company's Six Year Quest for Authorization to Charge Market-Based Rates for Natural Gas Storage Services

James F. Bowe, Jr., William E. Rice

The U.S. Court of Appeals for the District of Columbia Circuit recently issued a decision setting aside Federal Energy Regulatory Commission (FERC) orders denying ANR Storage Company's request for authorization to charge market-based rates and remanding the matter to FERC for further proceedings. The Court took FERC to task for treating similar market participants inconsistently and reaching an internally inconsistent conclusion, and rejected FERC's oft-used justification that whether an application for market-based rate authorization should be granted may turn on whether the application is opposed. [More »](#)

PROJECT DEVELOPMENT & FINANCE, TRANSACTIONS

Oil & Gas, LNG - Middle East

Lebanon's First Steps In The Oil And Gas Industry

Mehdi Haroun

This article discusses Lebanon's recent attempts to develop an energy exploration and production industry and the corresponding legal and regulatory framework. [More »](#)

LITIGATION

Global

Visit King & Spalding's
Energy Blog at
energylawexchange.com



Upcoming Events

**King & Spalding Energy
Forum: Trends in
Midstream and
Infrastructure Projects
in U.S. Oil and Gas**

National Contact Points: A New Frontier for Human Rights Based Complaints Against Energy Companies

Viren Mascarenhas, Doug Cassel, Kayla Winarsky Green

While energy companies around the world are becoming aware of the possibility of being sued in domestic courts for human rights offenses, National Contact Points are hearing more and more complaints related to energy companies, giving a voice to those opposing their actions, and putting these grievances at the forefront of the public's attention.

[More »](#)

Oil & Gas - U.S.

U.S. Fifth Circuit Broadly Defines Vessel "Operator" Under the Oil Pollution Act

Andrew M. Stakelum

In defining a vessel operator to include one that "directs, manages or conducts the affairs of the vessel," the Nature's Way Marine decision may have increased the risk that time and voyage charterers qualify as Responsible Parties under the OPA. [More »](#)

ENVIRONMENTAL

U.S./Canada

New Proposition 65 Warning Requirements Take Effect in California

Cynthia Stroman, Joseph Akrotirianakis, Amber Trincado

On August 30, 2018, significant updates to California's Proposition 65 regulations went in to effect, potentially impacting any business that manufactures or sells a product that could reach California and any business that owns or operates a facility in California, including businesses in the energy sector. The law requires businesses offering products or services in California that expose any person to a listed chemical above a threshold level to provide a "clear and reasonable" warning prior to exposure, and the new regulations make the warning requirements more onerous. [More »](#)

Editorial Contacts

Andrew M. Stakelum

+ 1 713 276 7341
astakelum@kslaw.com

[View Profile »](#)

Erich J. Almonte

+ 1 713 276 7378
ealmonte@kslaw.com

Development

When: November 1, 2018 from 1:30-6:00 pm

Where: Four Seasons, 1300 Lamar Street, Houston, TX 77010

[More Information »](#)

In The News

Tribunal Rules That \$9.5B Judgment Against Chevron Was Fraudulent [More »](#)

Legal 500 Latin America 2018 Recognizes King & Spalding Among the Region's Top International Firms [More »](#)

King & Spalding Advised Starwood in Its Purchase of Two Power Plants from Dominion [More »](#)

K&S secures a \$2.2B award for Unión Fenosa Gas in its dispute with Egypt for cutting off the gas supply to liquefaction facilities the company operated in Damietta [More »](#)

K&S advises Transocean on \$2.7B acquisition of Ocean Rig UDW Inc. [More »](#)

Vera de Gyafas spoke at Mexico Energy Strategy

[View Profile »](#)

[Forum on October 3 in
Mexico City **More »**](#)

The content of this publication and any attachments are not intended to be and should not be relied upon as legal advice. In some jurisdictions, this may be considered "Attorney Advertising."

© 2018 King & Spalding LLP | 1180 Peachtree Street NE | Atlanta, GA 30309 | www.kslaw.com