

KING & SPALDING

# Energy Newsletter



February 2018

## PROJECT DEVELOPMENT AND FINANCE

### LNG-Global

#### **Developing an FSRU Project in New Markets: 10 Key Considerations**

*Richard Nelson, Merrick White, Kristian Whitaker and Zoë Bromage*

While the global FSRU market continues to develop, each FSRU project is unique. This article identifies ten key considerations that FSRU project developers, sponsors, lenders and investors must take into account to successfully implement FSRU projects. [More »](#)

### Oil & Gas-U.S./Canada

#### **Master Limited Partnerships: Fundamentals and Related Structuring and Formation Considerations**

*Jeffery K. Malonson*

Master Limited Partnerships are flexible and should be structured around the specific cash flow characteristics of their assets. This article discusses certain fundamental principles of MLPs and explains common structuring and formation considerations designed to support their underlying objectives. [More »](#)

## LITIGATION

### Mining & Natural Resources, Oil & Gas-Global

#### **Landmark UK Case Takes A Stand: Parent Companies May Be Liable For Their Subsidiaries' Alleged Human Rights Abuses**

*Viren Mascarenhas and Kayla Winarsky Green*

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Upcoming Events

Recently, a landmark United Kingdom case has made it clear that UK-based parent companies may be found liable for human rights violations committed by their foreign subsidiaries and decisions are pending on the same issue in the U.S. and Canada. These decisions may open the door to an increasing number of lawsuits against parent companies for alleged failure to comply with human rights standards at all levels of the corporate structure. [More »](#)

## **Oil & Gas-U.S.**

### **Court Issues New Test For Determining Whether An Offshore Oilfield Services Contract Constitutes A Maritime Contract**

*Andrew M. Stakelum*

The U.S. Fifth Circuit announces a new two-part test to determine when an offshore oilfield services contract is a maritime contract. This test has important implications for lawyers who draft these contracts and lawyers who litigate them—especially related state anti-indemnity statutes. [More »](#)

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## **FERC**

### **Oil & Gas-U.S./Canada**

#### **FERC Comes Under Pressure to Reduce Pipeline and Other Regulated Rates to Reflect Changes in the Corporate Income Tax Rate**

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

The Federal Energy Regulatory Commission is coming under mounting pressure to reduce interstate natural gas pipeline and other regulated rates to reflect the new, lower tax rates adopted as part of the Tax Cuts and Jobs Act of 2017. The Act reduced the maximum corporate income tax rate from 35% to 21% effective January 1, 2018. [More »](#)

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## **INTERNATIONAL TRADE**

### **U.S./Canada**

#### **Scrutiny of Foreign Investment in the United States**

*Jason Nasra*

This note briefly discusses the Committee on Foreign Investment in the United States (CFIUS) and its role in reviewing potential foreign investments into the United States, with notes from a panel discussion highlighting its application to the energy industry and recent developments signaling expanding national security reviews by CFIUS. [More »](#)

## **King & Spalding hosts Crisis Management Tokyo Roundtable: Global Insights from our Government Investigations and Crisis Management Leaders**

**When: February 20, 2018**

**Where: Tokyo**

[More Information »](#)

**Elizabeth Taber will moderate a panel called, “Protecting the Privilege and Ethics: When the Remediation Consultant Becomes Your Testifying Expert” at the King & Spalding sponsored DRI Toxic Tort Conference**

**When: March 1, 2018**

**Where: Nashville, Tennessee**

[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 »](#)

## Renewable/Alternative Energy-U.S./Canada

### Presidential Proclamation Imposes Safeguard Tariff on Solar Panel Components

*Neil L. Levy and Carolyn J. Lachman*

On January 23, 2018, President Donald Trump issued a presidential proclamation imposing a safeguard tariff on solar panel components. The tariff will not apply to the first 2.5 gigawatts of solar cells imported each year. However, the tariff will apply to countries that are currently exempt from certain tariffs—specifically, Canada, Mexico, and Korea. [More »](#)

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## GOVERNMENT RELATIONS

### Europe

#### Power Balance: Energy Companies Face UK Gender Pay Reporting

*Jules Quinn*

Energy companies will face unique challenges in complying with the UK's gender pay reporting requirements, which begin in April of this year, but should embrace the requirements as a chance to update and improve their wider work structures. [More »](#)

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## In The News

Law360 Names King & Spalding's International Arbitration Group a Practice Group of the Year [More »](#)

John McClenahan, Richard Nelson Spoke at LNG to Power in Vietnam Workshop [More »](#)

King & Spalding Represents MODEC on Brazilian FPSO Double [More »](#)

King & Spalding Represents Toyota Tsusho in Sale of Australian Gas Interests [More »](#)

Merrick White and Richard Nelson hosted Asia's Upstream Future: The Independent Oil Companies Forum [More »](#)

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