



## David T. Metcalfe

### Partner

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David T. Metcalfe is a partner in the firm's Energy, Renewables and Utilities department. He oversees the firm's Siting and Permitting group which represents clients in the development and construction of energy transmission and generation assets. This group has extensive experience with Public Service Law Articles VII and 10, New York's statutory frameworks for siting major transmission and generation facilities. The Siting and Permitting group focuses on the environmental impacts of and needs for such facilities and the complex permitting process and requirements to site them.

David's representation of clients developing important public service facilities frequently involves assisting in the acquisition of real property rights, including through the exercise of eminent domain. More generally, he advises and represents clients involved in electric, gas, independent power, and related businesses. His and the firm's services to these clients include representation in electric power and natural gas regulatory matters and transactions; issues and proceedings involving federal and state regulatory authorities; and the formulation, negotiation, and administration of complex contractual arrangements involving energy and utility businesses.

David also represents clients in general corporate and commercial matters. He participates actively in the formulation and evaluation of clients' business strategies, and this part of his practice emphasizes transactional work dealing with the formation and operation of large and small businesses, often in the energy and utility fields. His experience includes corporate and partnership matters relating to public and closely-held corporations and other entities, as well as the creation, restructuring, and dissolution of corporations, partnerships, and other forms of joint ownership.

## Practices

- Energy, Renewables and Utilities
- Eminent Domain

- Siting and Permitting
- Project Development
- Environmental
- Environmental Evaluations Review
- Environmental Assessment
- Environmental Permitting and Regulatory Compliance
- Natural Gas
- Renewable Energy
- Right-Of-Way (ROW)/ Easement
- Municipal, Zoning, Land Use and Permitting

## Industries

- Energy and Utilities
- Real Estate

## Bar Admissions

- New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

## Education

- J.D., Boston University School of Law, 1983
- B.A., Cornell University, 1980

## Representative Experience

- PSC Case 09-T-0870 (Lockport - Mortimer 115 kV overhead electric transmission)
- PSC Case 10-T-0080 (Spier Falls - Rotterdam 115 kV overhead electric transmission)
- PSC Case 11-T-0462 (GlobalFoundries Gas Pipeline)
- PSC Case 11-T-0068 (Mohican - Battenkill 115 kV overhead electric transmission)
- PSC Case 15-T-0305 (Clay DeWitt - Clay Teall 115 kV overhead electric transmission)
- PSC Case 13-T-0077 (Five Mile Road Substation)
- PSC Case 12-T-0248 (Columbia County Transmission Project 115 kV overhead electric transmission)
- PSC Case 13-T-0235 (Auburn Transmission Project 115 kV overhead electric transmission)
- PSC Case 10-T-0080 (Lasher Road Substation)
- PSC Case 10-T-0080 (Sodeman Road Substation)

- PSC Case 17-T-0752 (Western Nassau Transmission Project 138 kV underground electric transmission)
- Served as co-counsel in multiple electric transmission projects involved in the PSC's AC Upgrade proceeding

## Professional and Community Activities

- Member, New York State Bar Association, Business Law Section, Public Utility Law Committee, 1984—Present
- Member, American Bar Association, Public Utility, Communications, and Transportation Law Section, 1984—Present