
Natural Gas

Cullen and Dykman has a national reputation in the natural gas industry, having represented natural gas companies since well before the beginning of the twentieth century. Today, our attorneys maintain a continuing awareness of statutory, judicial and regulatory pronouncements and policies affecting businesses engaged in the production, gathering, transportation, storage and distribution of natural gas. The firm's natural gas clients include public utilities, energy marketers and brokers, interstate pipelines, storage operators, large end-users and independent gas producers.

Our services to natural gas clients include: general corporate, commercial and contract matters; financing of natural gas-related capital projects; and rate, certificate, siting and other regulatory matters before federal and state administrative agencies, including the United States Department of Energy, the Federal Energy Regulatory Commission ('FERC'), the New York State Public Service Commission, the New Jersey Board of Public Utilities and related appellate work before federal and state courts

The firm assists clients on a myriad of transactions relating to natural gas and other energy and utility commodities and services. We have gained this experience over many years of service to numerous clients engaged in innovative and pioneering transactions and projects. For example, in the mid-1980s our attorneys drafted and negotiated some of the industry's first long-term gas supply contracts directly between producers and local distributors. At about the same time, we represented our first of many large power generation clients in securing long-term gas supplies. Since then, we have worked on countless gas purchase, storage, transportation and distribution transactions, representing clients involved in all facets of the gas industry.

At the state regulatory level, we represent natural gas distribution companies in complex rate proceedings and pipeline siting cases. Beyond traditional rate proceedings, our attorneys have participated in a wide range of both adjudicatory and rulemaking proceedings involving financing activities, audits, prudence reviews, penalty actions, energy efficiency programs, commodity procurement, fuel cost recovery, accelerated infrastructure investment surcharges, certificates of public convenience and necessity, transfers of ownership and control (including mergers, corporate restructurings and securities transfers), pipeline safety, service quality, industry-restructuring, franchise issues, generic dockets, customer complaints, rate and billing disputes and other cases

Our federal regulatory practice is as extensive as our state regulatory practice. We have practiced regularly before FERC since the introduction of natural gas by interstate pipelines to the Northeast US in the early 1950s. Our base of experience on federal gas regulatory matters includes representation of local gas distribution companies and other clients in rate, certificate and complaint proceedings involving the clients' FERC-regulated service providers (e.g., interstate pipelines and storage providers), in generic rulemaking proceedings, and in proceedings involving the clients' activities implicating FERC regulation and/or FERC's Office of Enforcement.

Our representation of our natural gas clients often involves litigation in the state and federal courts involving both trial and appellate matters. Lawyers in our firm have been instrumental in obtaining important decisions for our natural gas clients including defending their right to commercial free speech, establishing a more realistic standard for determining prudent action by a utility, stopping local interference with the expansion of necessary pipeline capacity and preserving the FERC's exclusive jurisdiction over the siting of new gas pipelines in the face of state claims to the contrary.

Our varied experience and our long association with the industry - we assisted with the incorporation of The Brooklyn Union Gas Company (currently owned by National Grid) in 1895 and, more than a century later, assisted in the formation of KeySpan Corporation and its business combination with the Long Island Lighting Company - provides us with unique insight into the field of public utility regulation. Our attorneys possess exceptional perspective, many of them having served, at various points in their careers, on the staffs of regulatory commissions, consumer agencies, public utility in-house law departments and an electricity reliability council. With offices in Albany, Newark and Washington, DC, as well as our other locations, we are well-situated to provide high-level legal services to our natural gas industry clients.