



Rachael Novier Marsh

Partner

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About Rachael

Rachael Marsh draws on her years of experience as an attorney at the Federal Energy Regulatory Commission (FERC) to advise stakeholders in the energy industry on matters with a nexus to FERC and other federal and state policymakers, including on issues related to the energy transition. She represents companies in controversies and rulemaking proceedings before FERC and helps clients anticipate and understand potential FERC actions. Rachael also is highly experienced in FERC settlement negotiations. Her clients include pipeline companies, independent power producers, utilities and renewable power companies.

Rachael served as a FERC attorney from 2014 through 2021. She was involved in nearly all aspects of the Commission's substantive work, including as a trial attorney in the Office of Administrative Litigation, an attorney-advisor in the Office of the General Counsel and most recently as lead legal advisor to former Chairman Neil Chatterjee. She was instrumental in shaping and advancing a suite of reforms supporting the energy transition, including landmark rulemakings on battery storage and distributed energy resources. Rachael also served as the Chairman's chief reviewer and advisor on a broad range of legal issues, including market design and other matters in the PJM footprint; natural gas pipeline rate matters in the western United States; utilities in the US Southeast; bankruptcies; and high-profile enforcement matters.

Recent Notable Matters

Major competitive power supplier — heavily litigated FERC proceeding on PJM's Minimum Offer Price Rule (MOPR) capacity market reforms

Natural gas pipeline company — strategic counsel regarding the development of FERC’s natural gas infrastructure certificate policies, including policies related to greenhouse gas emissions

Distribution utility — advice and counsel regarding legal and policy issues related to demand response and distributed energy resources

Bipartisan climate-focused council — support groundbreaking advocacy regarding decarbonization and electric sector reliability

Shell Energy North America (US), L.P. — heavily litigated Western energy markets cases before FERC involving long-term contracts

Major competitive power supplier — FERC proceeding addressing reactive power compensation policies

Major competitive power supplier — FERC proceeding addressing compensation for resources providing black start service in PJM

Publications and Speeches

“FERC Basics: Dos and Don’t’s,” LEPA 2022 Annual Business Conference, September 2022.

Education

The University of Texas School of Law, J.D.

2009 – *high honors*

Harvard Kennedy School, M.P.P.

2002

Texas Tech University, Honors College, B.A.

1999 – *summa cum laude*

Noteworthy

The Legal 500 United States, Energy Regulation: Conventional Power, 2022; Energy Regulation: Oil and Gas, 2022

Commission Merit Award

The University of Texas School of Law, UT Chancellor

Texas Law Review, Managing Editor

Bar Admissions

District of Columbia