

Bracewell Recoups Energy Pro From FERC

By **Morgan Conley**

Law360 (July 12, 2021, 6:51 PM EDT) -- The lead legal adviser for Commissioner Neil Chatterjee of the Federal Energy Regulatory Commission rejoined Bracewell LLP's energy regulatory practice Monday, less than a week after Chatterjee teased his upcoming departure from the agency.

The firm announced Rachael Marsh returned to its Washington office as a partner after having spent seven years in-house at FERC, most recently as Chatterjee's head legal adviser. Chatterjee, a Republican, said in a tweet Thursday that FERC's upcoming open meeting July 15 will likely be his last.



Rachael Novier Marsh

Marsh said she had a phenomenal experience at FERC and worked alongside "some of the brightest and the most dedicated public servants in government." She noted that it was a difficult decision to leave the agency but that Chatterjee's term ending presented a natural opportunity to consider her next move. She said she considered a range of opportunities but ultimately decided to return to Bracewell and rejoin one of the world's largest dedicated energy teams.

"There's just so much happening in the energy space right now, it seems like an exciting and opportune time to return to private practice," Marsh told Law360.

Marsh said she is especially excited to join her Bracewell colleagues in helping clients navigate complex and novel issues arising from state and federal policymakers' accelerated efforts to decarbonize the energy sector. Marsh will advise a variety of energy-sector stakeholders through legal, regulatory and policy matters, according to Bracewell.

Mark K. Lewis, the managing partner of Bracewell's D.C. office and co-chair of the firm's energy regulatory practice, said in a statement Monday that he is "excited to welcome Rachael back to the firm."

"Rachael was a tremendous asset to the firm and our clients before she went to FERC, and her extensive experience at the highest levels of FERC's decision-making will enhance her value and our service offering to our clients, adding to our ability to help clients navigate a complex and evolving regulatory environment," Lewis said.

After working as an associate in Bracewell's Austin, Texas, and D.C. offices, Marsh moved over to the

FERC's Office of Administrative Litigation in 2014, where she focused on utility and pipeline rate matters, the firm said. She later worked within FERC's Office of the General Counsel helping to prepare commission orders before joining Chatterjee's team in January 2019.

Marsh told Law360 that she is especially proud of her work advising Chatterjee during his time as chairman when she was not only able to weigh in on a range of legal matters, "but also help him push forward his ambitious agenda and accomplish his priorities."

She said she is particularly gratified to have worked on FERC orders 841 and 2222. The former removes barriers for energy storage providers to participate in regional wholesale electricity markets and the latter expanded market access for distributed energy resources.

In a tweet Monday, Chatterjee wished Marsh well, saying "congrats and good luck to my ace and closer!!! I know you will do great things."

Chatterjee's term expired on June 30, but commissioners may continue to serve as a successor is appointed and confirmed, up until the end of the current session of Congress.

Marsh earned her undergraduate degree from Texas Tech University and her law degree from the University of Texas School of Law. She also received a master's of public policy from Harvard University's Harvard Kennedy School.

--Editing by JoVona Taylor.