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(Nov 14, 2016 CLE Available)
State Electricity Regulation in the Shadow of Hughes and EPSA

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State Electricity Regulation in the Shadow of Hughes and EPSA

Last year, the Supreme Court handed down two major opinions – *Electric Power Supply Association v. FERC*, and *Hughes v. Talen Energy Marketing* – that provided new guidance on the contours of Federal Power Act and the boundaries of state versus federal authority over the electricity sector. On November 14th, the Guarini Center will hold a discussion with leading experts to examine the implications of these decisions for innovative state electricity policies such as New York's Clean Energy Standard and REV.

Monday, November 14, 6:30-8:00pm

NYU School of Law
Vanderbilt Hall, Greenberg Lounge
40 Washington Square South
New York, NY 10012

1.5 CLE credits in the Areas of Professional Practice category. The credit is both transitional and non-transitional.

Speakers:

- Clarke Bruno ('92), Senior Vice President and General Counsel, Anbaric Transmission
- Michael Gergen ('92), Partner, Latham & Watkins LLP
- Kim Harriman, Senior Vice President for Corporate and Public Affairs, New York Power Authority
- Richard B. Miller ('87), Assistant General Counsel in the Regulatory Services Department, Con Edison
- David L. Schwartz, Partner, Latham & Watkins LLP
- Abraham Silverman, Assistant General Counsel, Regulatory, NRG Energy, Inc

This event is being produced in collaboration with Latham & Watkins LLP

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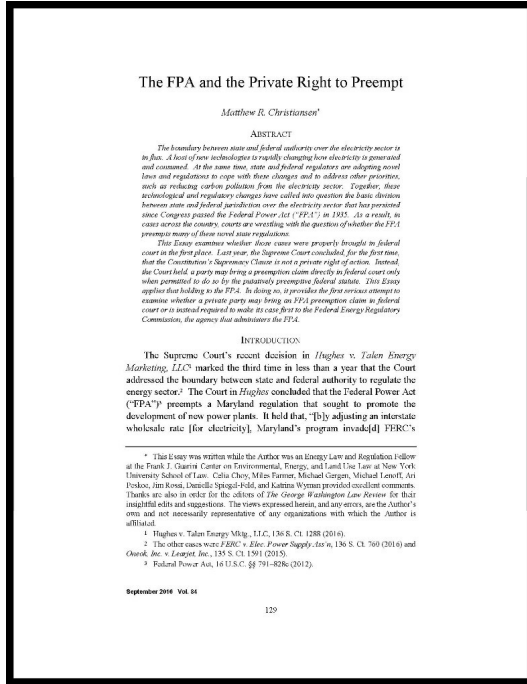
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The FPA and the Private Right to Preempt

Matthew Christiansen



The boundary between state and federal authority over the electricity sector is in flux. A host of new technologies is rapidly changing how electricity is generated and consumed. At the same time, state and federal regulators are adopting novel laws and regulations to cope with these changes and to address other priorities, such as reducing carbon pollution from the electricity sector. Together, these technological and regulatory changes have called into question the basic division between state and federal jurisdiction over the electricity sector that has persisted since Congress passed the Federal Power Act ("FPA") in 1935. As a result, in cases across the country, courts are wrestling with the question of whether the FPA preempts many of these novel state regulations. [Continue reading.](#)

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The Frank J. Guarini Center on Environmental, Energy and Land Use Law advances market-oriented energy and environmental policies for an efficient and sustainable economy. Drawing upon our faculty and fellows' diverse areas of expertise, we tackle issues at the municipal, state, national, and global level.

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