

Steptoe Bolsters Energy Group with Arrivals of Donna Byrne, John Perkins

Steptoe & Johnson LLP is pleased to announce its continuing investment in its premier energy practice with the arrivals of Donna Byrne and John Perkins. Byrne, who brings extensive experience in Federal Energy Regulatory Commission (FERC) enforcement and compliance matters as well as federal litigation, joins as a partner. Perkins, who previously served as acting branch chief in FERC's Office of Administrative Litigation, joins as of counsel. Both will be based in Steptoe's Washington office.

In welcoming Byrne and Perkins to the firm, Steptoe Chair Phil West commented: "Steptoe has a 40-year history of having one of the best energy practices in the country and we are committed to remaining preeminent in this space. Donna has built a reputation as a go-to lawyer for FERC enforcement investigations and litigation, and John brings vast experience in FERC litigation for power, gas, and oil. Together, their arrivals – along with the arrivals of seven other partners and counsel in the past five years – will further cement Steptoe as the destination firm for high-value enforcement defense and FERC litigation, as well as the very best regulatory counselling available."

Byrne's practice focuses on representing electric power and natural gas market participants in proceedings before FERC. She has represented clients in numerous FERC enforcement investigations, both public and non-public, involving alleged market manipulation, as well as alleged violations of reliability standards. She has represented clients in complex contract litigation and other commercial disputes, including litigation arising out of the California energy crisis and

issues related to Regional Transmission Organization withdrawal.

Byrne's representations have included one of the first, and several of the most prominent, FERC enforcement cases since the Energy Policy Act of 2005 (EPAct 2005) triggered the start of the modern FERC enforcement era. A number of these cases have proceeded to federal court litigation, including appeals. She represented clients in two of the eight Federal Power Act civil penalty actions that FERC has filed since the passage of EPAct 2005. As a result, Byrne has been at the forefront of litigating a number of significant and precedential legal issues these cases have presented.

Byrne was recognized in Chambers USA 2019 in the electricity regulatory and litigation category where clients described her as "an excellent critical thinker and good strategist...she is very meticulous, hard-working and fights hard for her clients."

Byrne remarked: "I am excited about the opportunity to work with the talented members of the firm's highly distinguished Energy Group. I'm confident that Steptoe will provide an excellent platform to grow and expand my practice in the coming years."

Perkins is a trial lawyer and former acting branch chief in FERC's Office of Administrative Litigation. He represents electric utilities, pipelines, and other energy clients in FERC rate proceedings, and supports transactional lawyers on federal regulatory matters related to mergers and acquisitions. Perkins has experience advising companies seeking market-based rates, stated rates, and formula rates; filings to maintain market-based rates; and filing complaints and comments with respect to Regional Transmission Organizations.

Perkins' representations have included novel and complex rate

proceedings. They include a first-of-its kind fuel security cost of service agreement in ISO New England where he served as co-lead trial attorney in an expedited hearing proceeding to determine a generation units' and connected LNG import facility's cost of service rates. Perkins also served as lead trial attorney in a hearing at FERC to determine the cost of service rates for a unique, critical path transmission investment in CAISO.

Steptoe has one of the most respected energy practices in the United States. For nearly a decade, the practice and its lawyers have received the highest rankings in the legal directories Chambers and The Legal 500. In 2019, Steptoe was the only firm to receive top-tier rankings from Chambers USA in both the nationwide electric and pipeline categories, and the only firm to receive top-tier rankings in electric by both Chambers and The Legal 500.

Byrne received her B.A. from Boston College and her J.D. from George Washington University. She served as a law clerk to the Honorable Daniel T. K. Hurley of the US District Court for the Southern District of Florida. Byrne currently serves on the board of directors of the Energy Bar Association.

Perkins received his LL.M., with highest honors, from George Washington University and his J.D., magna cum laude, from the University of Arkansas. He earned his B.A. from Rhodes College.