2019 Bad Guys in Energy

Insight

Gray Reed partner Charles Sartain takes a look back at some of 2019's malefactors in the energy business in a post in the firm's Energy & the Law blog.

Wave Goodbye to Unenforceable Mineral Lien Waivers

Insight

A post on the Gray Reed website covers an opinion that will have profound impacts on mineral liens and contractual provisions purporting to waive mineral liens.

2020 Renewable Energy Outlook: Waning Incentives, Redevelopment Opportunities, and Community Opposition

Insight

Authors of the Schiff Hardin post discuss three key issues facing the industry for the coming year.

The Economics of Flaring

Insight

Author Gabriel Collins argues that instead of flaring gas, it should be liquefied and sold in the international market.

Legal Fight Over Flaring in the Eagle Ford

News

The dispute, between Williams MLP Operating and Exco Operating Co., has moved to district court in Travis County in Austin.

What is ‘Oil or Gas’ as Used in a Pipeline Easement?

News

The property owner contended that “oil and gas” referred to crude petroleum, but not refined products.

Fake Mineral Leases Thwarted by the Texas Legislature

Insight

The 2019 Texas legislature enacted a new Property Code Section 5.152 to protect mineral and royalty owners from a certain species of fraudulent transactions.

Louisiana Operator's Bad Faith Does Not Preclude Recovery

News

Charles Sartain summarizes the background of *Apache Deepwater, LLC v. W&T Offshore, Inc.*, a conflict between parties to a joint operating agreement for operations on offshore deepwater wells.

Rex Tillerson Back in Spotlight at Exxon Climate Trial

News

Tillerson is scheduled to make an appearance at the New York

Supreme Court Wednesday to answer questions about missing emails and varying carbon pricing schemes.

When is a Contract Provision a Liquidated Damages Clause?

News

A liquidated damages clause is a provision in a contract specifying a dollar amount to be paid by a party if the party breaches the contract.

Oil and Gas Bankruptcies Showing Increase in 2019

Insight

This increase in year-over-year filings indicates that the reverberations of the 2015 oil price crash continue to be heard in the industry, reports Haynes and Boone.

Trump’s Fast-Tracking of Oil

Pipelines Hits Legal Roadblocks

News

Successful legal challenges by environmental groups allege the administration failed to apply the regulatory scrutiny required under the law.

Spudding? Reworking? What are ‘Operations’ Under an Oil and Gas Lease?

Insight

Gray Reed’s Energy & the Law blog discusses an energy lease that featured some dueling provisions that resulted in a lawsuit in a Texas court.

Gas Well Operator’s Injunction Against Texas Town is Dissolved

News

Gray Reed’s Energy & the Law blog tells the story of *Town of Flower Mound v. Eagle Ridge Operating LLC*, in which an

operator’s injunction against enforcement of a local ordinance was dissolved.

Storage Order Fuels Legal Battle Over FERC Authority

News

A looming legal brawl over a new Federal Energy Regulatory Commission order will trigger a fresh round of judicial scrutiny, according to E&E News.

Rejecting Power-Purchase Agreements in Energy Cases: Do Bankruptcy Courts Have Exclusive Jurisdiction?

Insight

A bankruptcy court held that it not only has exclusive jurisdiction over the rejection of wholesale power-purchase agreements, but that the Federal Energy Regulatory Commission has no such jurisdiction, according to Holland & Hart.

LIBOR Phase-Out: Considerations for Oil & Gas Companies

Insight

Oil and gas companies are encouraged to consider the impact of the phase-out to their organization and take steps to assess existing agreements and carefully monitor the execution of new agreements.

Water: The Hot Commodity in the Permian and Elsewhere

Insight

Operators should be proactive in addressing water ownership issues, writes Charles Sartain of Gray Reed & McGraw. A simple contract negotiation at the front-end could save future headaches as disputes over groundwater escalate.

When is a Hydraulically Fractured Well ‘Complete?’

Insight

Typically, most leases contain savings provisions that extend the lease beyond the primary term when the lessee

‘continuously prosecutes’ drilling operations, exlains J. Mark Robinette.

‘Express Written Consent’ Means Express Written Consent—No More, No Less

Insight

When drafting contracts, you should say what you mean and mean what you say, and reliance on oral representations directly contrary to the terms of a written agreement between sophisticated parties is not justifiable.