

Matthew J. Binette

Managing Shareholder

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Immersed in energy law since the beginning of his legal career, Matt focuses primarily on the regulation of energy companies. Specifically, he represents regional transmission organizations (RTOs), RTO members and electric public utilities in regulatory proceedings before the Federal Energy Regulatory Commission (FERC) and federal courts. Advising and representing RTO clients in a myriad of FERC rulemaking proceedings, energy market design and implementation, transmission planning and open access transmission tariff development and administration, Matt also represents RTO members and other transmission-owning public utilities in litigated rate proceedings, applications for FERC ratemaking incentives, regulatory compliance and regional cost allocation proceedings. Matt counsels clients on self-reporting of regulatory violations and compliance with regulatory requirements, and represents clients facing regulatory audits and enforcement proceedings. He also represents clients in electric and natural gas pipeline rate cases, rulemakings, litigation, licensing proceedings, regulatory review of transactions and other matters before federal and state agencies, including the Commodity Futures Trading Commission, Department of Energy and federal and state courts.

Outside of the energy industry, Matt has represented the interests of various trade associations in legislative matters before state legislatures and the United States Congress. Prior to joining Wright & Talisman, he was an associate in the energy and environmental practice at another Washington, D.C. law firm.

SERVICES

Electric Energy Regulation

Natural Gas Pipelines

EXPERIENCE

Lead counsel advising and representing an RTO in all aspects of design, development, regulatory approvals, implementation, ongoing review, and further refinement of “Day 2” day-ahead and real-time energy, reserves, and congestion rights markets.

Lead counsel representing a public utility client in a regulatory audit of its operations and accounting.

Counseling and representing a group of RTO members through a successful prosecution before FERC, federal appellate courts and the U.S. Supreme Court of a major redesign of regional transmission cost allocation.

Advising and representing various RTO and RTO member clients on developing and implementing compliance with a major FERC rulemaking related to regional and interregional transmission planning and cost allocation, including representation in various appeals of the FERC rulemaking and subsequent FERC orders on compliance.

Representing a group of public utility RTO members in a successful effort to secure incentive return on equity adders for RTO participation.

Advising and representing an RTO in proceedings to reform regional transmission planning processes and cost allocation methodologies.

Successfully defending an RTO against complaints challenging its regional cost allocation methods.

Counseling and successfully prosecuting before FERC several public utility applications for FERC approval of transmission rate incentives and forward-looking transmission formula rates.

Counseling and representing RTO and RTO-member clients on compliance with various FERC rulemakings related to energy market reforms, market monitoring, demand response accommodation and compensation, credit policy reforms, frequency regulation compensation and transmission planning and open access.

Defending a group of public utility clients in litigated proceedings challenging their transmission rates.

Advising a client on exemption from Commodity Futures Trading Commission regulation under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Representing an RTO and other public utilities in obtaining energy export authorizations from the Department of Energy.

Defending an RTO against numerous complaints challenging its revenue crediting processes and implementation.

ADMISSIONS

Maryland

District of Columbia

U.S. Court of Appeals, Fourth Circuit

U.S. Court of Appeals, Fifth Circuit

U.S. Court of Appeals, Sixth Circuit

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Tenth Circuit

U.S. Court of Appeals, Eleventh Circuit

U.S. Court of Appeals, District of Columbia Circuit

Supreme Court of the United States

EDUCATION

University of North Carolina School of Law, J.D., *with honors* (2003) (Comments Editor, North Carolina Law Review)

The American University, B.A., *magna cum laude* (1996)

PROFESSIONAL ACTIVITIES

Energy Bar Association

HONORS/DISTINCTIONS

Lawdragon, 500 Leading U.S. Energy Lawyers: Energy Regulation (2023-2024)