wright& talisman

OIL PIPELINES

WE KNOW THE CHALLENGES. WE FIND THE SOLUTIONS.

The oil pipeline industry is in a period of significant transformation as a result of the dramatic increase in United States oil production.

Wright & Talisman's oil pipeline practice has a distinguished history before the Federal Energy Regulatory Commission (FERC) and the courts, representing oil and products pipelines, shippers, producers, refiners, marketing companies and others with interests in the services and rates of pipelines regulated under the Interstate Commerce Act (ICA).

PIPELINE RATES

Decades of experience in FERC oil pipeline ratemaking has enabled us to assertively counsel clients in the areas of:

- cost of service, cost allocations and rate design
- rate of return on equity
- depreciation and negative salvage
- levelized rates, revenue-sharing and cost trackers
- litigation of rate proceedings and prudence reviews
- negotiation of rate settlements
- market-based rates, including definitions of relevant product and geographic markets and developing market analysis

TARIFFS

We have extensive experience drafting and reviewing proposed FERC tariffs and tariff amendments, combined with litigating issues associated with tariff services.

JURISDICTIONAL ISSUES

We advise clients on a broad range of jurisdictional issues under the ICA, including regulatory issues in the context of due diligence investigations associated with proposed asset acquisitions.

QUALITY BANKS

Our experience includes representing clients in the long-running series of cases involving the quality bank on the Trans Alaska Pipeline System, as well as experience with quality banks on other pipelines.

COMPLIANCE AND ENFORCEMENT

Our involvement in the oil pipeline industry requires that we routinely advise and assist clients regarding compliance and enforcement matters, including:

- developing compliance programs, cultures and management structures
- FERC and internal audits
- FERC enforcement investigations, inquiries and self-reporting
- no-action letters, general counsel opinions and declaratory orders
- contacts with FERC enforcement Hot Line and other inquiries to FERC staff

RULEMAKINGS

We often are called upon to evaluate newly proposed federal regulations and policy statements on behalf of our clients. Having a clear understanding of their businesses and the industries in which they work is vital in analyzing the potential effects of regulatory initiatives and in preparing comments and pleadings to help shape the outcome of agency rulemaking processes.

JUDICIAL REVIEW

Our attorneys are regularly engaged to evaluate the merit of pursuing judicial review of adverse regulations and rulings, and are experienced in all aspects of appellate litigation in the United States Circuit Courts of Appeals and the Supreme Court of the United States. Our experience translates well into a deep understanding of recurring issues in such appeals, including jurisdiction, standing, ripeness, exhaustion of remedies, and others.