

## William L. Roberts

### Of Counsel

William Roberts practices as Of Counsel from the firm's Boston office. His practice has a national range and its scope involves FERC and NERC compliance, mergers and acquisitions, wholesale power market design, energy project development, appearance before state and federal regulatory commissions, legislative initiatives and energy transactional and contractual work.

He has advised CEOs, executives, board members and business units on deal execution, suitability, compliance, and development issues in the energy field. He has 14+ years of experience working on development, operations, trading, compliance and legal matters for a Fortune 500 company in its Independent Power Producer Division as in-house counsel.

William has coordinated and advised on M&A, project development, compliance, strategy and policy with senior management and business units handling renewable energy, FERC regulation, transmission, operations, public affairs, environmental, and markets. He is able to translate legal requirements into succinct and meaningful business operating principles and procedures.

He has extensive experience with the Federal Energy Regulatory Commission ("FERC") and the North American Electric Reliability Corporation ("NERC") regulations, compliance and enforcement. His experience includes and dates back to and before Order 2000 created open access transmission for generator interconnection and enactment by FERC of the Energy Policy Act of 2005.

He was a founding member of the Members' Committees at the New York Independent System Operator (NYISO) and New England Independent System Operator (ISO-NE) where he helped develop governance and stakeholder policy and assisted in the policy development and design of regional electric wholesale market rules and regulations.

Prior to joining Preti Flaherty, William served as Associate General Counsel at First Wind Energy in their Boston Office, where he oversaw the regulatory and compliance matters for the development and operations of their utility scale wind facilities. Prior to that William was Director Senior Counsel with Edison Mission Energy. At Edison Mission he was responsible for FERC and NERC compliance, trading and transactional legal matters.

He is a native of St. Louis and currently lives near Boston, MA. His hobby is fine woodworking. He builds furniture and keepsake boxes for friends and family.



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### Practice Areas

- Data Security & Privacy
- Energy & Telecommunications

- Wind Power

## Education

- Suffolk University Law School (J.D., cum laude)
- Suffolk University (M.B.A.)
- New Jersey Institute of Technology (B.S., cum laude)
  - Electrical Engineering

## Admissions

- Massachusetts

## Representative Matters

### Experience in the Commercialization and Regulation of Wind Energy Projects:

- Chief Regulatory counsel at two major wind energy companies and member of project development team. Worked on 28 wind energy projects currently in operation or under construction in Maine, New York, Iowa, Minnesota, New Mexico, Oklahoma, Pennsylvania, Texas and Wyoming totaling over 1,800 MW. Through joint development agreements worked with partners to advance wind farm development with transmission projects in 10 additional states, with a 5,000+ MW pipeline of development stage projects.
- SUPPLY – INTERCONNECTION – COMMERCIAL AGREEMENTS. Analyzed, structured, drafted, negotiated and filed complex Power Purchase Agreements (PPAs), interconnection agreements and tariffs, bilateral contracts, guarantees, credit support documents, confidentiality agreements, off-take and supply agreements for wind energy projects.
- FEDERAL LICENSES. Performed legal analyses and made filings at FERC to obtain federal licenses for wind energy projects to connect to the power grid and sell power at wholesale. Obtained licenses for Market Based Rates ("MBR"), Qualifying Facility ("QF") and Exempt Wholesale Generator ("EWG") status for projects totaling 300+ MW.
- FEDERAL LEGISLATION and REGULATION. In depth working knowledge with legal and business experience in the following laws and regulations relating to wind energy development, commercialization, and operation.
  - Federal Power Act ("FPA")
  - Public Utility Holding Company Act of 2005 ("PUHCA")
  - Public Utility Regulatory Policies Act of 1978 ("PURPA")
  - Energy Policy Act of 2005 ("EPACT 2005")
  - Open Access Transmission Tariff ("OATT") Orders 888, 890 et al.
- STATE LICENSES. In depth working knowledge with legal and business experience in State laws and regulations relating to wind energy development, commercialization, and operation. Foreign Corporation - Do Business in State, PGC - Power Generation Company Registration, REC - Renewable Energy Certification, Reporting Wholesale Sales, Emergency Plans, Public Utility Commission Requirements, etc.
- RENEWABLE ENERGY CREDITS. Performed legal and business analyses and registered over 300 MW of wind energy projects for Renewable Energy Credits ("RECs"). Registered several dozen facilities and corporations with leading REC certification and tracking organizations including M-RETS, WREGIS, and GATS.

- REGIONAL TRANSMISSION ORGANIZATIONS ("RTO"). (ISO-NE, PJM, NYISO) Represented wind energy companies, advocated, negotiated, defended and made filings with RTOs for renewable energy projects for Interconnection Agreements, General (Governance) Membership Agreement, Market Membership Agreement, and Generator Data Capabilities/Status/Performance.
- TRANSMISSION UTILITIES. Represented wind energy companies with transmission Utility companies, advocated, negotiated, defended, drafted and made filings for renewable energy projects for Interconnection Agreements, Power Purchase Agreements ("PPA") and Qualifying Facility status.
- NORTH AMERICAN RELIABILITY CORPORATION ("NERC"). Pursuant to Federal legislation under EPACT 2005, implementation of reliability rules for power grid owners, operators, and users, (including wind energy generators) became mandatory. Represented wind energy companies at NERC and its regional entities. Advocated, analyzed laws and regulations put in place compliance programs and processes and procedures, registered facilities, conducted six self-certifications, and successfully completed full tabletop audits by NERC of three wind energy facilities.

## NERC Compliance

In addition to his general energy practice, William has extensive experience with North American Electric Reliability Corporation ("NERC") and compliance with NERC reliability standards and their enforcement by NERC and FERC. William's NERC experience dates back to and before the certification of NERC as the Electric Reliability Organization ("ERO") by FERC pursuant to the Energy Policy Act of 2005.

William was nominated and selected by NERC and served on the Post Legislation Steering Committee, Members Task Group and the Compliance Penalties and Sanctions Task Group. These Task Groups were tasked with developing the FERC filing to have NERC certified as the ERO.

After the certification of NERC, William has served on several NERC Regional committees in seven of the eight NERC Regions. Of note, he served on the Critical Infrastructure Protection ("CIP") committee in ReliabilityFirst. There he helped develop CIP procedures, guidelines and standards for protecting transmission and generator infrastructure.

William has also implemented NERC compliance programs for both large and small companies. He also initiated and managed appeals of registration by NERC. He has appealed before WECC, NERC and FERC; and obtained successful outcomes.

## Publications

January 19, 2016

**U.S. Federal Regulation of Cyber Security for Electricity Infrastructure**

*TerraLex*

June 16, 2015

**Best Practices on Cybersecurity: Guidance for Energy Organizations from the Department of Justice**

June 16, 2015

**Department of Justice Best Practices on Cybersecurity: Guidance for Smaller Organizations**

March 19, 2013

**Stay Ahead of the Game: The Impact of NERC Critical Infrastructure Standards on Power Generators**

*Energy Alert*

January 22, 2013

**Preparing for Your NERC Audit – Three Important Legal Considerations**

*Energy Alert*