



R. Benjamin Borowski

Partner

rborowski@preti.com

207.791.3000

Benji Borowski is a member of the firm's Energy & Telecommunications, Cleantech and Renewable Energy Law, and Climate Strategy groups working from the Portland office. He provides clients with effective solutions to complex energy problems and strategies to maximize energy opportunities. He blends sophisticated legal abilities with a comprehensive understanding of economics, engineering, and politics to help clients manage both the outsized energy implications of business and government decisions and business and environmental implications of energy decisions.

Benji has worked in the energy and climate sectors since 2011, providing guidance across a wide range markets, regulatory frameworks, energy sources, and technologies. Drawing on his experience with natural gas, hydro, and biomass at grid-scale power plants, as well as with AC and DC transmission, he has recently advised clients regarding conventional or distributed generation using onshore and offshore wind, solar, battery storage, renewable natural gas, and hydrogen electrolysis.

At the state level, Benji provides advice on legal and policy issues before regulatory bodies and legislatures in New England and beyond, including on beneficial electrification, net metering, long-term contracting and procurements, renewable energy certification, generator interconnection, cost allocation, certificates of public convenience and need, public utility regulation, and permitting. Benji also advises clients on energy issues during the development, purchase, sale, and financing of energy infrastructure, as well as drafting and negotiating commercial documents.

At the regional level, Benji regularly navigates the tariffs, market rules, and studies of RTOs, like ISO New England, to assist both consumers and generators on interconnection, market participation, and market re-formation. At the federal level, he advises generators and large manufacturers on aspects of FERC regulation, including interconnection, market-based rates, transmission, and rulemakings.

Benji often presents on energy topics and moderates expert panels. In 2020, he travelled to Denmark as part of foreign trade delegation led by Clean Energy New Hampshire to learn about the country's successful offshore wind industry and promote New Hampshire as a site for offshore wind supply chain development.

Benji enjoys being outdoors, playing sports and games, and DIY projects with power tools.

Services

- [Energy & Telecommunications](#)
- [Cleantech & Renewable Energy](#)
- [Climate Strategy](#)
- [Offshore & Onshore Wind Power](#)

He lives in Cumberland with his wife, Megan; their daughter, Adelaide; and their German Shepherd, Cleo.

Admissions

- Maine
- Massachusetts

Education

- Hamilton College (B.A., 2007)
- Vermont Law School (M.S., *magna cum laude*)
- Vermont Law School (J.D., *magna cum laude*, 2011)
 - Vermont Law Review, articles editor
 - Energy Certificate

Professional Activities

- Environmental & Energy Technology Council of Maine (E2Tech) - Board Member

Honors & Recognition

- Listed as a *Super Lawyers* "New England Rising Star" for seven consecutive years in the areas of Energy & Natural Resources, Utilities, Mergers & Acquisitions
- Listed in *Chambers USA, America's Leading Business Lawyers for Business* in the area of Energy & Natural Resources in 2017-2020

Civic and Charitable Activities

- Leadership Maine, Upsilon Class, Maine Development Foundation
- Susan L. Curtis Foundation, pro bono legal services and Trustee, Board Development Committee

Representative Matters

- Advised a private equity firm on energy market and regulatory structure reforms during the potential acquisition and re-development of several large power plants in the Northeast.
- Guided ski resorts through RFP processes to obtain grants from the Efficiency Maine Trust for the development of efficiency projects that reduce electricity use and/or reduce greenhouse gas emissions.
- Obtained renewable power certifications at proceedings before the Maine PUC under the state's Renewable Portfolio Standard.
- Successfully combined legal, political and media strategies to defeat a proposed utility rate design, including a standby charge, that would have harmed a coalition of industrial, commercial, and residential electricity consumers that also produce electricity using renewable and efficient energy sources.
- Lobbied for the landmark 2013 Omnibus Energy Bill provided testimony to the Maine Legislature's Joint Standing Committee on Energy, Utilities and Technology Committee on technical issues related to life-cycle greenhouse gas emissions associated with natural gas.
- Advised a joint venture of two private equity firms on the acquisition of a pulp,

paper, and lumber mill, including due diligence regarding environmental and energy permitting and compliance and negotiation and drafting of the purchase and sale agreement.

- Defended developers, who intended to rehabilitate a historic small dam and mill property and generate electricity using micro hydro, from the imposition of a water level by the Maine Department of Environmental Protection which would have threatened the dam and mill.
- Participated in the successful appeal of a PUC decision to the Maine Law Court, preventing the virtual "re-integration" of utilities with generation in Maine.
- Assisted in the representation of an offshore wind project in obtaining a long-term contract before the Maine PUC and in the related application for funding from the U.S. Department of Energy.
- Assisted various clients with compliance requirements of the Federal Energy Regulatory Commission related to obtaining Market Based Rate Authorization and making wholesale sales of power.
- Performed extensive due diligence in the acquisition of thousands of megawatts of hydropower in the Northeast related to FERC hydropower licensing.