

## Andrea I. Sarmentero Garzón

Member



### Overview

Andrea Sarmentero represents clients in transactional, regulatory, and compliance matters in the electric and natural gas industries.

### Contact

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- Washington, D.C.

### Areas of Focus

- Energy and Utilities
- Regulatory
- Transactional
- Renewables

### Education

New York Law School, Foreign Lawyer Training Program (2009)

Diploma in International Nuclear Energy Law, University of Montpellier, Montpellier, France (2006)

Master in Business and International Trade, University Complutense, Madrid, Spain (2005)

LL.M., University of Dundee (CEPMLP), Energy Law & Policy, Dundee, UK, ( 2002)

J.D., University of Malaga, Málaga, Spain, (2000)

## **Biography**

Andrea Sarmentero represents clients in transactional, regulatory, and compliance matters in the electric and natural gas industries. Ms. Sarmentero advocates for her clients in litigation and settlement proceedings before the Federal Energy Regulatory Commission and in the courts of appeals. Ms. Sarmentero's regulatory practice includes advising clients on issues involving utility and pipeline revenue requirements, pipeline transportation rates, electric transmission rate incentives, transmission planning and cost allocation, pipeline certificate proceedings, participation in regional energy and capacity markets, FERC's jurisdictional boundaries, grid resilience, reactive power revenue requirements, and hydroelectric project licensing. Ms. Sarmentero works with lenders and developers in financing energy projects. She is experienced in drafting and negotiating agreements for energy transactions, including agreements addressing ownership and operation of transmission and generation facilities, investment participation, power purchases, engineering procurement and construction, dynamic transfers of energy, interconnection agreements, and water and power supply agreements. Ms. Sarmentero advises clients on matters concerning compliance with open access transmission tariffs, NERC electric reliability standards, and PHMSA safety standards for natural gas pipelines.

## **Admissions**

### **Admitted to Practice**

- New York
- Spain-Ilustre Colegio de Abogados de Madrid

### **Court Admission**

- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Fourth Circuit

## **Representative Experience**

Ms. Sarmentero has represented clients on various rate proceedings initiated pursuant to Section 4 and Section 5 of the Natural Gas Act. She successfully represented a client in litigation to reduce the

Return on Equity of transmission utilities in the MISO region resulting in multi-million dollar reductions in wholesale electric rates. Ms. Sarmentero also negotiated and prepared documentation to transfer operational control of transmission facilities to the CAISO and to PJM Interconnection.

Prior to joining JSS, Ms. Sarmentero worked at the New Jersey Board of Public Utilities' Counsel Office where she gained a good understanding of public utilities' businesses and regulatory compliance obligations at the state and federal levels. When at the New Jersey Board, Ms. Sarmentero was heavily involved in regulatory activities at NARUC and OPSI. As part of her work with NARUC International, she went to Kosovo to help energy regulators resolve electric market design issues while ensuring compliance with EU legislation. Ms. Sarmentero also worked with the World Bank in an electricity restructuring research project seeking to understand regulatory investment risks in Eastern Europe. Ms. Sarmentero has extensive energy regulatory and transactional experience in Europe where she worked at the Council of European Energy Regulators, COGEN Europe and at the Council of the European Union on matters concerning approval and implementation of EU energy legislation, including the Third Energy Package. Ms. Sarmentero also represented utility clients on energy regulatory and transactional matters in the Madrid office of a global law firm

## Media and Presentations

### Articles

- Co-author, "Developments in FERC Policy for Determining Return on Equity," *Energy Law Journal* (2017)
- Co-author, "[FERC to reform interconnection procedures for large generators](#)," *District Energy Magazine* (Second Quarter 2017)
- Co-author, "In the wake of *Hughes v. Talen Energy*, might states turn to CHP to help meet future energy demand?," *District Energy Magazine* (2016)
- Co-author, "[Grid Interconnection Rules for District Energy/CHP Systems](#)," *District Energy Magazine* (2016)
- Co-author, "[The Benefits of Project Finance for Renewable Energy Facilities](#)," *District Energy Magazine* (2015)
- Co-author, "[D.C. Circuit Decision Brings Uncertainty to CHP Participation in Demand Response Markets](#)," *District Energy Magazine* (2015)
- Co-author, "[New Laws Promote Development of Small Hydropower Projects](#)," *American Bar Association Energy and Natural Resources Litigation Committee Newsletter* (2014)

### Blogs

- "[FERC Initiates Review of Its Long-Standing Pipeline Certificate Policy Statement](#)," *Energy Law Times Blog* (April 23, 2018)
- "FERC Terminates Rulemaking Aimed at Increasing RTO/ISO Reliance On Merchant Coal and Nuclear Resources, Initiates New Proceeding To Explore RTO/ISO Resilience Issues," *Energy Law Times* (2018)
- "[The United States Court of Appeals for the Fifth Circuit Remands FERC Orders Addressing Participation by Non-Jurisdictional Utilities in the WestConnect Transmission Planning Region and Re-Opens Cost Allocation Issue](#)," *Energy Law Times* (2016)

- [“The United States Supreme Court Limited the Ability of States to Promote Generation Development,”](#) *Energy Law Times* (2016)
- [“The D.C. Circuit Rejects FERC’s Geographical Limitation of Municipal Preference in Hydro Licensing Proceedings,”](#) *Energy Law Times* (2015)
- [“D.C. Circuit Decision Brings Uncertainty to CHP Participation in Demand Response Markets,”](#) *Energy Law Times* (2015)
- [“FERC Accepts Pro Forma Agreement for Transmission Project Developers in the CAISO, Enabling New Opportunity to Join the CAISO Only as a Partial Participating Transmission Owner,”](#) *Energy Law Times* (2014)
- [“FERC Concerned About Impact of Fuel Assurance on generator Performance and Electric Markets Operations,”](#) *Energy Law Times* (2014)
- [“FERC Approved First Pilot Project to Test the Fast-Track Licensing Process Provided in the Hydropower Regulatory Efficiency Act of 2013,”](#) *Energy Law Times* (2014)
- [“FERC Changes ROE Methodology for Public Utilities,”](#) *Energy Law Times* (2014)
- [“EPA Publishes New Regulations on Greenhouse Gas Emissions,”](#) *Energy Law Times* (2014)
- [“FERC and the CFTC Reach Agreement on Jurisdiction and Information Sharing,”](#) *Energy Law Times* (2014)
- [“FERC Confirms That Non-Jurisdictional Contract Rates Are Not Pass-Through Rates Subject To FERC’s Jurisdiction,”](#) *Energy Law Times* (2013)
- [“FERC Schedules a Staff Technical Conference on California’s Reliability Issues,”](#) *Energy Law Times* (2013)
- [“FERC’s Ruling on PJM’s Minimum Offer Pricing Rule Exempts Self-Supply LSEs,”](#) *Energy Law Times* (2013)

## Videos

- [“What Is FERC Order No. 1000?”](#) (2014)

## Presentations

- “Subsidizing New and Existing Generation: Needed Investment from Consumers? Or Consumers’ Exploitation?” APPA Legal Seminar (2016)
- “The Latest Threat to Capacity Markets: Customers!,” APPA Legal Seminar (2013)

## Memberships

### New York State Bar Association

### American Bar Association

- Member, Environment, Energy and Resources Section
- Member, Antitrust Section

### Energy Bar Association

### Ilustre Colegio de Abogados de Madrid

**Hispanic Bar Association of the District of Columbia****Women's Energy Network****Honors and Awards**

- NEA-OCDE Fellowship (2005)

**Foreign Languages**

- Spanish (Native)
- French (Intermediate)