

McCaffrey, Reiter Examine Right of First Refusal Rulings, Outlook for Transmission Companies in *Law360*

In the News
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Stinson LLP Partners [John McCaffrey](#) and [Harvey Reiter](#) authored an article for *Law360*, “3 Power Rulings Change Outlook For Transmission Cos.,” providing insight on recent court decisions expected to increase competition between independent transmission providers and their public utility counterparts.

“For quite some time, independent transmission developers have complained that the playing field is tilted against them and in favor of franchised public utilities,” the attorneys write. “Three December court decisions, issued only days apart, could change that.”

The attorneys examine the potential impact of the three “limited in scope and direct effect” December decisions – *LS Power Midcontinent LLC v. Iowa*, *Transource Pennsylvania LLC v. Defrank* and *Lake v. NextEra Energy Capital Holdings Inc.* – and assess that their cumulative effect is likely to have implications beyond the borders of the states where the cases were decided. “Independent transmission developers, state utility regulators and incumbent utilities would be well advised to take notice,” they write.

McCaffrey has a broad range of experience representing clients on energy-related issues before the Federal Energy Regulatory Commission (FERC), state public utility commissions, and federal and state courts, with a particular focus on representing municipal electric utilities in FERC electric and natural gas matters. An accomplished administrative litigator, McCaffrey’s experience also includes appellate matters before federal and state courts. In addition to his work at the firm, McCaffrey serves on the Energy Bar Association board of directors.

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Reiter focuses his practice on competition in the electric and natural gas industries, representing clients in proceedings before FERC, the Federal Communications Commission and federal courts. He brings a wealth of knowledge to his legal counsel in litigation, appellate, transactional and other legal services, and offers regulatory and trial insights with a strong focus on antitrust and competition issues. In addition to his work at the firm, Reiter is an adjunct professor of law at George Washington University Law School and editor-in-chief of the *Energy Law Journal*.

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