



Sally W. Bloomfield

Partner



For more than 40 years, Sally Bloomfield has practiced in the areas of public utility and administrative law, emphasizing state public utility regulatory proceedings. Recently, Sally has practiced exclusively before the Ohio Power Siting Board (OPSB) in more than 15 major electric generation projects involving development costs of more than \$7 billion. She has also represented wind developers before the OPSB.

Sally is a former Commissioner and Chairman of the Public Utilities Commission of Ohio. Since completing her term on the commission, she has served as a member and officer of numerous community boards and committees, including as President of the Columbus Bar Association, the Columbus Bar Foundation and the Ohio State Bar Foundation.

Sally has served on the Franklin County Convention Facilities Authority (FCCFA), initially as its first Chair, then as Vice Chair and, since April 2014, as Chair again. During her tenure, the FCCFA built a \$96 million convention center that was completed in 1993; significantly expanded the center and built a parking garage at a cost of \$75 million that was completed in 2001; converted a 35-year-old auditorium attached to the center into the largest ballroom in the city (a \$40 million project that was completed at the end of 2009); and constructed a \$140 million convention hotel across the street from the center that was opened in 2012. In 2019, the FCCFA significantly expanded the convention center once again, and constructed three additional parking garages at a combined cost of \$351 million. The FCCFA is also adding a second tower to the existing convention center hotel, a \$425 million project. The tower is expected to open in 2022.

Sally has also participated in the Bricker & Eckler's nonprofit group with an emphasis on the federal filings required for nonprofit organizations.

CONTACT INFORMATION

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INDUSTRIES & PRACTICES

Energy

Bar Admissions & Activities

- Member, Columbus Bar Association; Ohio Bar Association; American Bar Association
- Admitted, State of New York

Education

- The Ohio State University College of Law (J.D., 1969)
- Ohio Wesleyan University; St. Louis University (B.A., 1965)

Awards & Recognition

- Listed, *Best Lawyers in America* (Energy Law; Water Law), 1995–2023



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- Recipient, AARP Andrus Award for Community Service in Ohio, 2020
- Columbus Lawyer of the Year, *Best Lawyers in America* (Energy Law), 2015
- Recipient, Public Interest Law Foundation's Excellence in Public Service, 2015
- Recipient, The Legal Aid Society of Columbus Outstanding Pro Bono Service Award, 2014
- Super Lawyer, Ohio Super Lawyers, 2004–2014
- Ranked as AV Preeminent by Martindale-Hubbell
- Recipient, Columbus Bar Association/Columbus Bar Foundation Award for Pro Bono Service, 2013
- Recipient, The Ohio State Bar Foundation Ritter Award, 2007
- Recipient, The Columbus Bar Association Bar Service Medal, 2002
- Recipient, Ohio State Bar Association Section on Women in the Profession Nettie Cronise Luttes Award, 2001
- Recipient, Columbus Bar Foundation Distinguished Service Award, 1999
- Recipient, The Ohio State University Alumni Association Citizenship Award, 1996
- Recipient, Lucinda Nieman Madden Award for Law/Government, 1990 YWCA Women of Achievement
- Recipient, Columbus Bar Association Community Service Award to persons over 36 years, 1989
- Recipient, Buckeye Boys Ranch Community Award, 1988
- Recipient, Columbus Bar Association Community Service Award to persons under 36 years, 1979
- Youngest recipient of the Pilot Club of Columbus Woman of the Year Award (professional women's service organization), 1976
- Recipient, Columbus Junior Chamber of Commerce and Jaycee Women Ten Outstanding Young Citizens of Columbus Award, 1975

Presentations & Published Works

- Presenter on the revamp of IRS Form 990, 2009 to 2013
- Co-author, "Property Assessed Clean Energy (PACE) Financing: The Ohio Story," published by *Electricity Journal*, December 2010
- Author, "Equal Opportunities in the Profession/Gender Bias" chapter of the *Handbook on Legal Ethics and Professionalism* published by the Ohio Continuing Legal Education Institute and the Ethics Institute of Capital University in 1995
- Co-author (with Mary R. Brandt), "*When/How Should Commissions Keep (Trade) Secrets*," *Proceedings of the Seventh NARUC Biennial Regulatory Information Conference*, September 12-14, 1990
- Co-author (with Mary R. Brandt), "Negotiating Cellular Interconnection Agreements: Preview of Deregulation," *Proceedings of the Sixth NARUC Biennial Regulatory Information Conference*, September 14-16, 1988, Vol. III, pp. 643-660
- Participant, Ohio Legal Center Institute: "Energy and the General Practitioner," 1978



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- Author, *Ohio State Law Journal*, "Emergency Rate Case for Ohio Utilities," (Vol. 37, No. 1, 1976)

Professional & Community Activities

- Chair, Ohio State Bar Association Access to Justice Committee 2020 to present
- Member and Vice Chair, Ohio Legal Help, 2019 to present
- Member, Women's Energy Network
- Ohio Co-chair, American Bar Foundation, 2014 to 2020
- Chair, Franklin County Convention Facilities Authority, 1996 to present; member, 1988 to present
- Member, Board of Trustees, Ohio Legal Assistance Foundation, 2007 to present
- Member, Franklin County Law Library Resources Board 2009-present
- Member, Columbus Law Library Association, 2004 to present
- Past Chair, Board of Directors, the American Red Cross Columbus Advisory Board, 2004 to 2007; member, 1998 to present
- Member, Pro Bono program, Lawyers for Justice of the Columbus Bar Association 1995 to present
- Member, American Bar Foundation, 1994 to present
- Member, Rotary Club of Columbus, 1989 to present
- Member, Council of Delegates, Ohio State Bar Association 1980 to present
- Member, Ohio Commodores, 1988 to present
- National Council, OSU Moritz College of Law, 2004 to present; member, 1973 to present; Past Chair 2004 to 2006
- Chair, YWCA Endowment Trust, 2006 to 2019; Secretary, 2004 to 2006; Trustee, 2002 to 2019
- Columbus Bar Association, American Bar Association, Delegate to House of Delegates 2008-2010
- Member, Alumni Advisory Council of The Ohio State University Alumni Association, 2004-2010, and its Steering Committee, 2005-2007
- YWCA Housing Corporation Board, member, 1995 to 2009; Chair, 2001 to 2006
- Past President, Board of Governors, Columbus Bar Association, 2005 to 2006; member 2002 to 2007
- Member, Public Utilities Commission Nominating Council, 2003 and 2004
- Member, Board of Directors, Community Housing Network, 1990 to 2000; President, 1994
- President, Ohio State Bar Foundation, 1999; Trustee, 1993-2000; member since 1991; Life Fellow
- Member, YWCA Board of Trustees, 1992 to 1998; Vice President, 1996 and 1997; Recording Secretary, 1995; Assistant Treasurer, 1994
- Member, Board of Directors, Thurber House, 1991 to 1997



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- Member, Mayor's Council on Ethics & Values, 1991 to 1995
- Member, Columbus Bar Foundation, 1992 to 1995; President, 1994
- Member, Riverfront Commons Corporation, 1994 to 1999
- Member, Salvation Army Advisory Council, 1990 to 1994
- Member, Telecommunications Advisory Council, Office of the Governor, 1989 to 1991
- Member, Columbus Bar Association Ethics Committee, 1988 to 1991
- Member, Board of Directors, The Ohio State University Alumni Association, 1986 to 1991
- Member, Public Utilities Committee, Ohio State Bar Association, 1977 to present; Chairman, 1988 to 1991
- Chairman, Columbus Bar Association Citizens Justice Center Task Force, 1985 to 1986; Co-chairman, 1988
- Member, CALL, Inc. 1977 to 1988; President, 1981; and Trustee, 1982
- Member, Franklin County Mental Health Board, 1983 to 1988; Chairman, 1984 to 1986
- Member, Mayor's Economic and Development Council, 1982 to 1984
- Member, Board of Governors, Columbus Bar Association, 1981 to 1985
- Member, Board of Trustees, United Way of Franklin County, 1981 to 1985
- Commissioner, Ohio Public Defender Commission, 1981 to 1985
- Member, Board of Governors, Friends of WOSU, 1980 to 1983; Vice President, 1983
- Trustee, Ohio Association of Attorneys General, 1979 to 1982; President, 1981
- Founder-Trustee, Columbus Metropolitan Club, 1976 to 1982; President, 1979
- Trustee, Columbus Area Leadership Program, 1975 to 1979
- Member, Governor's Task Force on the Implementation of the Equal Rights Amendment, 1974 to 1975

Experience

Energy generation facility counsel

Represent Apex Power Group before the Ohio Power Siting Board (OPSB) for the proposed Guernsey Power Station, a 1650-megawatt, natural gas-fired energy generation facility. In 2017, the project received approval to construct and operate the facility. Our team continues to provide substantial regulatory, legislative, tax, permitting and real estate counsel. In addition, we resolved issues involving interconnection with the local transmission company and the Ohio Department of Natural Resources.



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\$860 million Oregon Clean Energy Center

Successfully assisted Oregon Clean Energy LLC in the acquisition of a certificate from the Ohio Power Siting Board in May 2013 to begin construction on the 799-megawatt Oregon Clean Energy Center, a natural gas-fired combined-cycle generating facility located in Oregon, Ohio. Our firm continues to provide significant tax, real estate and construction counsel on the project. Additionally, we are representing the project before the OPSB to amend its certificate to reflect changes in facility design.

Construction and operation of an 800 MW natural gas-fired combined-cycle

Provided comprehensive legal counsel to Clean Energy Future regarding the construction and operation of an 800 MW natural gas-fired combined-cycle power plant in northeast Ohio (Lordstown, Mahoning County, Ohio). We successfully represented the client through all phases of the Ohio Power Siting Board, including public hearings, OPSB staff investigations and an adjudicatory hearing, which resulted in the issuance of a certificate from the OPSB. In addition to the regulatory work, the firm served as Ohio counsel responsible for assisting with a closing in excess of \$890 million of debt and equity financing for the construction of the project. This transaction involved extensive counsel on real estate, environmental and tax issues, including: real estate due diligence; title curative work; property acquisition and easement negotiations; document preparation; and work with lenders, equity investors, oil and gas companies, and the title insurer on title commitment and title insurance policy matters. Bricker continues to serve as Ohio counsel on the project, providing advice on all state regulatory, environmental and real estate matters.

Wind energy certification and project modification

Represent Hog Creek Wind Farm before the Ohio Power Siting Board. The project successfully received a certificate to construct and operate a wind farm of up to 66 megawatts. We recently assisted in amending the OPSB certificate to incorporate new turbine technology and advised the project in due diligence to support its sale to a major U.S. energy company.

OPSB certificate for Ohio wind project

Represented 6011 Greenwich Windpark before the Ohio Power Siting Board. In August 2014, the OPSB granted the project a certificate to construct and operate a 60-megawatt wind project in Huron County, Ohio. The firm continued to represent the project against a landowner opposition group, culminating in a successful dismissal of the challenge at the Ohio Supreme Court.

Electric generation plant

Assisted in closing in excess of \$500 million of debt and equity financing for the construction of an Ohio-based 800 MW electric generation plant on behalf of an energy company. This transaction involved dozens of parties including lenders, equity investors, land sellers, railroads, gas pipeline companies, governmental entities, a title insurer and others.



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Restricted covenants litigation for a large energy company

Monitored a case involving Bricker attorneys and successfully represented one of the nation's largest energy producers and transporters, Dominion East Ohio. In a case that involved a natural gas supplier that placed restricted covenants on property deeds, forcing all owners and lessees to buy gas from it. The supplier sued Dominion when a commercial customer tried to enter into a new retail supply agreement with them. Courts struck down the covenant for lack of consideration and ruled the restriction as a violation of Ohio public policy.

Landmark court decision ends "eviction by affidavit" practice

Assisted Bricker lawyers with successfully filing an amicus curiae brief to highlight and end the dehumanizing and negative ramifications of a decades-old "eviction by affidavit" practice on behalf of a number of organizations that serve vulnerable and underserved populations. For more details, please view Bricker's recap of the case.