



Dane Stinson

Partner



Dane has over 30 years of broad energy and telecommunications law experience. He has served in several public offices before entering private practice, including as the Ohio Supreme Court's Master Commissioner for Public Utility Law and Deputy Legal Director for the Public Utilities Commission of Ohio ("PUCO"). Dane focuses his practice on regulatory proceedings before the PUCO and the Ohio Power Siting Board (OPSB). Dane represents local governments and other large scale aggregators, in aggregating their constituents' energy loads, litigation before the PUCO, and various energy procurement transactions.

Dane also represents developers of new generation facilities and electric/natural gas transmission lines before the OPSB, including combined cycle power plants, wind farms, natural gas pipelines and electric transmission lines. A significant portion of his practice has been assisting competitive retail electric and natural gas suppliers in regulatory proceedings before the PUCO and in procurement/contracting issues.

CONTACT INFORMATION

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Bar Admissions & Activities

- Chair, Ohio State Bar Association (Public Utilities Committee)
- Member, Columbus Bar Association (Public Utilities Committee; Admissions Committee)
- Member, Federal Communications Bar Association

Education

- The Ohio State University Moritz College of Law (J.D., 1981)
- The Ohio State University (B.A., *cum laude*, 1978)

Awards & Recognition

- Listed, *Best Lawyers in America* (Energy Law; Oil and Gas Law), 2019–2021

Presentations & Published Works

- Presenter, *Appellate and Original Jurisdiction*, Stay of Execution, Ohio Supreme Court Public Utilities Seminar, January 2017

INDUSTRIES & PRACTICES

Energy



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- Author, "Electric and Natural Gas Aggregations For Townships; A Win-Win for Townships and Their Residents" Ohio Township News, May 2015
- Presenter, *Steps to Become a Municipal Aggregator in Ohio*, Ohio Municipal Attorneys' Association, December 2014

Experience

Negotiation of a \$1 billion electricity supply contract

The Northeast Ohio Public Energy Council (NOPEC) is the largest public retail energy aggregation in Ohio, serving about 900,000 electric and gas customers across 14 counties. NOPEC's electric supplier abruptly notified NOPEC that it was terminating its contract, thus leaving NOPEC's nearly half-million electric customers to return to utility service at higher rates. Bricker attorneys sprang into action to prevent NOPEC's customers from paying these increased rates. The team negotiated a new complex electricity supply contract with NOPEC's replacement supplier (worth approximately \$1 billion); and, within 10 days, our client had signed a new three-year contract. With our assistance, NOPEC obtained two waivers from the PUCO to meet the expedited enrollment timeline. Meanwhile, within two weeks, our litigation team settled a TRO and injunction case involving the original supplier, which resulted in a multi-million-dollar settlement payment to NOPEC. In addition, our energy litigation team dissolved an ex parte TRO issued against NOPEC to a competitor regarding the NOPEC customer enrollment process. We also obtained a complete dismissal of the competitor's lawsuit on the basis that the PUCO had exclusive jurisdiction over the matter.

Electric procurement and contract for 800 MW supply

Negotiated affinity agreement and electricity procurement for an affinity group of commercial customers totaling up to approximately 800 MW.

Generation supply siting of approximately 4000 MW

Assisted four developers of combined cycle power plants in successfully siting generation facilities in Ohio totaling approximately 2400 MW. Assisted three wind farm developers in siting approximately 1600 MW of electric generation in Ohio.

Natural Gas Pipeline Siting

Assisted three entities in siting natural gas pipeline in Ohio.

Litigation and successful appeal of an electric security plan to the Ohio

Represented the Northeast Ohio Public Energy Council (NOPEC) in multi-year regulatory litigation opposing an energy company's proposed affiliate power purchase agreement and subsequent distribution modernization rider in an electric security plan valued at over \$1 billion. Successfully appealed the PUCO's approval of the distribution modernization rider to the Ohio Supreme Court, which order the rider immediately removed from the energy company's electric security plan.



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Power purchase agreement litigation

Represented the largest governmental retail energy aggregator in the country in a utility regulatory litigation matter valued at over \$1 billion opposing an energy company's electric security plan, which involved a novel regulatory proposal permitting affiliate power purchase agreements.