

**JULIA ELIZABETH SULLIVAN, JD, LLM, FCIARB**

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## **EXPERTISE**

Julia E. Sullivan is an attorney in the United States, a solicitor in England and Wales, and an international arbitrator. She has more than 30 years of experience in the energy industry.

Prior to founding her own firm, Ms. Sullivan chaired the Energy Regulation, Markets and Enforcement practice at Akin Gump Strauss Hauer & Feld, LLP, where she also served as a member of the Steering Committee of the Global Energy & Transactions practice.

Ms. Sullivan is a fellow in the Chartered Institute of Arbitrators, a Senior Lawyer at the Center for International Legal Studies (Salzburg, Austria), and a member of the roster of arbitrators of various arbitral institutions, including the American Arbitration Association, the International Centre for Dispute Resolution, and the Center for Conflict Resolution. She is a dual citizen of the United States and Ireland.

Ms. Sullivan holds a JD from American University; an LLM in International Business from Boston University; and an LLM in Trans-National Commercial Transactions from Lazarsky University in Warsaw, Poland. She is currently an LLM candidate in International Law at London School of Economics.

## **ARBITRATOR EXPERIENCE**

Ms. Sullivan has been appointed to serve as an arbitrator in commercial disputes seated in London, New York, Delaware, Maryland. Approximately 30% of her appointments have involved cross-border disputes and 70% have involved domestic U.S. disputes. Approximately 60% of her cases have ended in settlements. Ms. Sullivan does not charge a cancellation fee for settled cases.

## **PARTY REPRESENTATIVE EXPERIENCE**

### ***Commercial Litigation***

- American company in breach of contract action against Russian company in arbitration under the rules of the Stockholm Chamber of Commerce
- utilities and generation owners in connection with disputes arising from engineering, procurement, and construction agreements and power purchase and sale agreements

- market participants in connection with multi-year investigations by the Federal Energy Regulatory Commission involving alleged market manipulation
- qualifying facilities, independent power producers, and electric utilities in connection with various claims of breach of contract
- electric and gas utilities in proceedings before state regulatory commissions regarding allegations of imprudence involving generation construction projects and risk management practices
- market participants in regulatory proceedings involving the construction of new interstate natural gas pipelines
- government of Puerto Rico in litigation involving the constitutionality of gasoline price regulations
- health care companies in litigation involving allegedly fraudulent kick-back schemes
- education company in litigation involving alleged violations of the federal antitrust laws

### ***Criminal Litigation***

- Chief Financial Officer of publicly traded company in criminal and civil litigation involving alleged securities fraud
- county commissioner in criminal litigation involving alleged bribery scheme
- criminal defendants in post-conviction proceedings before state and federal courts

### ***Cross-Border Transactions***

- state-owned electric and water utility in Abu Dhabi regarding power supply contracts, fuel supply agreements, and load dispatch center ownership models
- South Korea's third largest conglomerate regarding strategies for acquiring physical gas, gas hedges, gas transportation, and gas liquefaction capacity in Texas
- Largest state-owned natural gas processing and distribution utility in India regarding an investment in natural gas liquefaction capacity in Virginia
- Abu Dhabi company purchasing wind farm in Minnesota
- Omani power procurement authority in connection with the procurement of wholesale power
- state-owned power and water utility in Abu Dhabi in connection with power and water supply contracts

- U.S. Trade Development Agency regarding the development of natural gas resources in China

### ***Project Development***

- private investors in connection with the development of utility scale solar, wind, biofuel, and/or conventional power projects
- market participants in connection with engineering, procurement and construction contracts, interconnection contracts, and power purchase agreements
- end users regarding self-supply strategies including solar, wind, cogeneration, and conventional power projects
- gas and electric utilities in connection the development of gas transportation assets to supply existing generation facilities
- electric utility in connection with the development of a high voltage transmission line to interconnect the two utilities and facilitate the development of renewable energy resources

### ***Mergers and Acquisitions***

- private equity funds in connection with various electric utility mergers
- vertically integrated utilities in connection with purchases and sales of generation assets, including coal-fired generation, natural gas fired generation, and renewable energy projects
- bidder in connection with the proposed purchase and sale of an LNG import and export terminal
- industry participants regarding the purchase and sale of environmental products (renewable energy credits)
- industry participants regarding the purchase and sale of energy efficiency and demand response products
- hedge fund regarding trading in financial derivatives, including transmission congestion products
- state-owned electric and water utility in Abu Dhabi regarding power supply contracts, fuel supply agreements, and load dispatch center ownership models
- South Korea's third largest conglomerate regarding strategies for acquiring physical gas, gas hedges, gas transportation, and gas liquefaction capacity in the U.S.

- intervenor in connection with a PJM member's proposed corporate reorganization (including the proposed transfer of generation assets from utility affiliates to a marketing affiliate, proposed affiliate contracts for the purchase and sale of energy, and proposed termination of a power pool agreement)

### ***Energy Resource Planning***

- gas and electric utilities in connection with the development and approval of power procurement strategies, fuel procurement strategies, and risk management strategies involving fixed price contracts, tolling contracts, call options, put options, and the use of indices and swaps
- electric utilities in connection with the development of long-term integrated resource plans which addressed, among other issues, generation acquisitions and retirements, transmission congestion, energy efficiency programs, demand-side management plans, smart meter deployment, subsidization of low income customers, and resource optimization strategies

### ***Cost-of-Service Rates***

- private equity fund in connection with the abandonment of a nuclear power project
- shippers in numerous matters involving natural gas pipeline transportation rates
- electric utility in connection with an application for a \$245.5 million increase in annual revenue requirements
- electric utility in connection with an application for a \$34.8 million increase in annual revenue requirements
- gas utility in connection with an application for a \$4.8 million increase in annual revenue requirements
- electric utility in connection with an application to recover \$588 million in fuel costs, \$662.3 million purchased power costs, \$11 million in renewable energy costs and \$11 million in demand response costs, and for deviations from applicable regulations to levelize rates
- electric utility in connection with an application to recover \$294 million in fuel costs, \$130.5 million in purchased power costs, \$10.7 million in renewable energy costs and \$10.7 million in demand response costs
- gas utility in connection with an application to recover \$137 million in fuel costs
- electric utility in connection with an application to recover \$756 million in fuel costs, \$672 million in purchased power costs, \$4.2 million in renewable energy costs and \$1 million in demand response costs
- electric utility in connection with an application to recover \$283 million in fuel costs, \$291 million in purchased power costs and \$6 million in renewable energy costs
- gas utility in connection with an application to recover \$149 million in fuel costs

- competitive retail electric service supplier in connection with an electric utility's application under Section 205 of the Federal Power Act to increase generation capacity rates
- transmission owner in connection with the cost of its departure from an organized electric market (MISO)

### ***Market-Based Rates***

- electric utilities in applications to the Federal Energy Regulatory Commission for market-based rate authority
- market participants in connection with a multi-year investigation by the Federal Energy Regulatory Commission, ultimately resolved by the U.S. Supreme Court, involving manipulative power procurement practices
- vertically-integrated utilities in connection with affiliate transactions

### ***Terms and Conditions of Gas Pipeline Service***

- electric utility in connection with an interstate natural gas pipeline's non-compliance with FERC policies regarding reservation charge credits
- electric utility in connection with an interstate natural gas pipeline's request for approval of revised tariff sheets governing scheduling priorities and curtailment policies
- electric utility in connection with an interstate natural gas pipeline's request to revise its form of service agreements
- electric utility in connection with an interstate natural gas pipeline's request to revise the credit provisions in its tariff
- electric utility in connection with an interstate natural gas pipeline's request to file an entirely new FERC gas tariff
- electric utility in connection with an interstate natural gas pipeline's request to revise the capacity release provisions of its tariff
- electric utility in connection with an interstate natural gas pipeline's request for approval of 107 nonconforming service agreements

### ***Terms and Conditions of Electric Transmission Service***

- private investor regarding the development of an offshore transmission project
- electric utility regarding the development of a transmission project to interconnect two utilities and promote the development of new renewable energy projects
- solar, wind, and conventional project developers in connection with interconnection studies and procedures and terms and conditions of interconnection service

- electric utility regarding FERC Order 1000, a landmark order which concerns transmission planning and cost allocation by transmission owning and operating electric utilities
- wind generation developer in connection with a dispute under a small generator interconnection agreement

### ***Rulemakings***

- affiliated gas and electric utilities in connection with an investigation regarding natural gas hedging practices
- affiliated electric utilities in connection with resource planning regulations and the analysis of low-carbon alternatives
- affiliated electric utilities in connection with an investigation of their resource optimization and trading strategies

### **TEACHING EXPERIENCE**

- Adjunct Professor, Center for International Legal Studies, Salzburg, Austria (Spring 2021) (International Project Finance) (online)
- Visiting Professor, Jagiellonian University, Krakow, Poland (Fall 2019) (International Energy Policy)
- Visiting Professor, International Black Sea University, Tbilisi, Republic of Georgia (Fall 2018) (International Arbitration)
- Visiting Professor, Berdyansk State Pedagogical University, Ukraine (Fall 2016) (International Energy Policy)
- Visiting Professor, Lublin School of Technology, Lublin, Poland (Fall 2015) (Energy & Environmental Law)
- Adjunct Professor, Georgetown Law Center (2001-2007) (Death Penalty Law)

### **EMPLOYMENT**

**Law Office of Julia E. Sullivan, LLC**  
2015-Present

**Akin Gump Strauss Hauer & Feld LLP**  
Equity Partner, 2011-2014  
Chair, Energy Regulation, Markets & Enforcement Practice (2012 to 2014)  
Steering Committee of the Global Energy & Transactions Practice (2013 to 2014)

**Law Office of Julia E. Sullivan, LLC**  
2003-2011

**Sidley Austin Brown & Wood**

1994-2003

Partner, Economic Litigation Department (1996-2003)

Associate, Economic Litigation Department (1994-1996)

**McKenna & Cuneo**

1992-1994

Associate, Antitrust Department

**Skadden Arps Slate Meagher & Flom, LLP**

1988-1992

Associate, Energy Department

**EDUCATION**

LLM, International Law, London School of Economics, 2021

LLM, International Business, Boston University, 2020

LLM, Transnational Commercial Transactions, Lazarsky University (Poland), 2017

J.D., American University, Washington College of Law, *summa cum laude*, 1988

B.A., Political Science & English, Texas A&M University, *cum laude*, 1985

**CERTIFICATES**

Certificate of Leader Development, National Security and Strategy, U.S. Army War College (2019)

**SPEAKING ENGAGEMENTS**

- “Geopolitical Implications of the Nord Stream Pipelines,” Berdyansk State Pedagogical Institution (12/8/21)
- “DC As a Place of Arbitration,” Washington Arbitration Week (11-29-21)
- “Naftogaz v Gazprom: Russia’s Weaponization of Energy,” Center for Energy, Petroleum and Mineral Law, University of Dundee, Scotland (4/4/18)
- “Cyber Attacks in Ukraine Show Vulnerability of Traditional Power Grids,” Third World Climate Conference, Rome, Italy (10/19/17)
- “Energy Security,” Zaporizhya National University, Zaporizhya, Ukraine (10/28/16)
- “Energy Security,” Berdyansk State Pedagogical University, Berdyansk, Ukraine (10/21/16)

- “U.S. Response to Climate Change,” Lublin School of Technology, Lublin, Poland (10/12/15)
- “A Discussion on Federal Electric Transmission Policy & Practices – Changes Expected, Implications Going Forward,” sponsored by Goldman Sachs (12/12/14)
- “The Utility of the Future,” a panel discussion sponsored by the New York City Bar Association, Energy Section (5/1/14)
- “Energy Enforcement: Outlook for 2014,” a round table discussion sponsored by the Energy Bar Association (1/30/14)
- “Reliability and Reliability-Related Enforcement Actions,” a panel discussion sponsored by the Energy Bar Association (1/30/14)
- “Navigating the Complexities of Dodd-Frank: A Second Look at What Energy Companies Face in 2012,” a panel hosted by Akin Gump (06/21/2012)
- “Navigating the Complexities of Dodd-Frank: A Look at What Energy Companies Face in 2012,” a panel hosted by Akin Gump, The Brattle Group and PwC (02/09/2012)
- “Gas Pipeline ‘Overearnings’ Investigations,” at the NARUC Gas Subcommittee (07/08/2011)
- “Credit Impact of FERC Policies Regarding Creditworthiness,” a panel hosted by the North American Power Credit Organization (01/21/2010)

## **PUBLICATIONS**

<b>December 2018</b>	<b>"Gas Wars in Ukraine Illustrate Europe's Vulnerability to Russian Energy Dominance"</b>  <b>Joint Publication by International Oil, Gas &amp; Energy Dispute Management (OGEL 5) and Transnational Dispute Management (TDM 7)</b>
<b>April 2018</b>	<b>"Naftogaz v Gazprom: Russia's Weaponization of Energy"</b>  <b>Berdyansk State Pedagogical University, International Research Conference</b>
<b>April 2017</b>	<b>"How Cyber-Attacks in Ukraine Show the Vulnerability of the US Power Grid"</b>  <b>Electricity Journal</b>
<b>Spring 2015</b>	<b>"The Intersection of Federally Regulated Power Markets and State Energy and Environmental Goals"</b>  <b>26 Fordham Environmental Law Review 474</b>



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<b>October 6, 2014</b>	<b>“DOE Approval Process for LNG Exports Creates Risks for Project Developers”</b> <b>Oil &amp; Gas Journal</b>
<b>June 11, 2014</b>	<b>“FERC Seeks <i>en banc</i> Review of D.C. Circuit’s Demand Response Decision”</b> <b>Speaking Energy</b>
<b>August 2014</b>	<b>“NERC’s Reliability Assurance Initiative: What Registered Entities Can Do”</b> <b>Natural Gas &amp; Electricity Journal</b>
<b>June 20, 2014</b>	<b>“FERC Announces New Approach for Determining the Return on Equity for Electric Utilities”</b> <b>Speaking Energy</b>
<b>June 4, 2014</b>	<b>“EPA Proposal Sets Ambitious Carbon Reduction Goals for Power Sector; Creates Challenges and Opportunities for Industry”</b> <b>Speaking Energy</b>
<b>May 23, 2014</b>	<b>“D.C. Circuit Vacates FERC’s Controversial Demand Response Rule”</b> <b>Speaking Energy</b>
<b>May 16, 2014</b>	<b>“FERC Sets Enforcement Case Against BP for Hearing, Takes Expansive View of Jurisdiction to Enforce Anti-Manipulation Rule”</b> <b>Speaking Energy</b>
<b>May 8, 2014</b>	<b>“Mexico Energy Reform – Secondary Legislation Submitted to Congress”</b> <b>Speaking Energy</b>
<b>March 2014</b>	<b>“Why End Users Are Investing (Big) in Distributed Generation”</b> <b>Electricity Journal</b>
<b>January 2014</b>	<b>““Navigating the FERC Enforcement Process” from Inside the Minds: Complying with Energy and Natural Resources Regulations”</b> <b>Thomson Reuters</b>

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<b>November 4, 2013</b>	<b>"Regulatory Uncertainty Remains in Energy Markets"</b> <b>New York Law Journal</b>
<b>June 14, 2013</b>	<b>"Seventh Circuit Approves Regional Allocation of Transmission Costs for Delivering Remote Wind Energy"</b> <b>Speaking Energy</b>
<b>May 21, 2013</b>	<b>"DOE Breaks the Logjam on LNG Export Applications"</b> <b>Speaking Energy</b>
<b>April 4, 2013</b>	<b>"CFTC Mostly Exempts ISO Markets from Dodd-Frank Regulation"</b> <b>Speaking Energy</b>
<b>March 19, 2013</b>	<b>"Congress Considering Amendments to Dodd-Frank to Soften the Impact on Utility Companies"</b> <b>Speaking Energy</b>
<b>March 15, 2013</b>	<b>"Federal Court Rules FERC has no Authority to Police Natural Gas Futures Trading"</b> <b>Speaking Energy</b>
<b>March 1, 2013</b>	<b>"FERC Convenes Technical Conference on Coordination Between Natural Gas and Electricity Markets"</b> <b>Speaking Energy</b>
<b>February 27, 2013</b>	<b>"FERC Extends Order No. 1000 Interregional Compliance Filings Deadline to July 2013"</b> <b>Speaking Energy</b>
<b>February 15, 2013</b>	<b>"FERC's U-Turn on Transmission Rate Incentives"</b> <b>Speaking Energy</b>
<b>January 18, 2013</b>	<b>"FERC Proposes Reforms to Small Generator Interconnection Procedures and Agreement"</b> <b>Speaking Energy</b>

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<b>September 25, 2012</b>	<b>"FERC Issues New Oil Pipeline Rules Designed to Make It Easier to Track Jurisdictional Oil Pipeline Earnings"</b> <b>Speaking Energy</b>
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<b>August 1, 2012</b>	<b>"FERC Conditionally Accepts CAISO Generator Interconnection and Deliverability Allocation Procedures Proposal"</b> <b>Speaking Energy</b>
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<b>July 17, 2012</b>	<b>"CFTC Rule Provides Dodd-Frank Exclusions for Energy Companies"</b> <b>Speaking Energy</b>
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<b>March 8, 2012</b>	<b>"FERC Workshop on Capacity Allocation for New Merchant Transmission Projects and New Cost-Based, Participant-Funded Transmission Projects"</b> <b>Speaking Energy</b>
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<b>February 9, 2012</b>	<b>"FERC Conditionally Accepts Revisions to CAISO Generator Interconnection Process"</b> <b>Speaking Energy</b>
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<b>February 6, 2012</b>	<b>"Dodd Frank Compliance for Oil and Gas Companies"</b> <b>Oil &amp; Gas Monitor</b>
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<b>April 2011</b>	<b>"Recovery of Executive Compensation Expenses in Utility Rate Cases"</b> <b>The Electricity Journal</b>
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<b>April 2006</b>	<b>"Ex Ante or Ex Post? Risk, Hedging and Prudence in the Restructured Power Business"</b> <b>The Electricity Journal</b>

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**BAR ADMISSIONS**

England & Wales  
 Maryland  
 District of Columbia  
 Nevada

**COURT ADMISSIONS**

U.S. Supreme Court  
 U.S.C.A. 4<sup>th</sup> Circuit  
 U.S.C.A. 5<sup>th</sup> Circuit  
 U.S.C.A. 10<sup>th</sup> Circuit  
 U.S.C.A. D.C. Circuit

## **AWARDS**

Finance Monthly Global Award, 2019

Top Rated Lawyer for Ethical Standards and Legal Ability, Martindale Hubbell, 2014

Top Utility Lawyer, Public Utilities Fortnightly, 2011

## **COMMUNITY ACTIVITIES**

- Election Judge, Anne Arundel County, Maryland (2020, 2021)
- Fellow, Chartered Institute of Arbitrators (London, England) (2017 to present)
- Member, International Arbitration Institute (Paris, France) (2020 to present)
- Member, ICC USA Arbitration Committee of the United States Council for International Business (2018 to present)
- Member, International Bar Association (2018 to present)
- Representative Member, Federation of Integrated Conflict Management (2021 to present)
- Senior Lawyer, Center for International Legal Studies (Salzburg, Austria) (2014 to present)
- Board Alumni Committee (2021 to present), Board Member (2002-2006), Chair (2003-2004), Executive Director (2001-2002), Mid-Atlantic Innocence Project at American University, Washington College of Law
- Steering Committee, Innocence Project for Virginia (2003-2005)
- Board Member, Washington Council of Lawyers (2001-2004)
- Board Member, Annapolis Opera (2000-2002)

*January 2022*