

Erin K. Bartlett

Of Counsel

ebartlett@foley.com

Washington, D.C.

202.295.4137



Erin Bartlett is an energy regulatory attorney and of counsel with Foley & Lardner. Erin provides strategic counsel to a variety of clients on issues related to the electric energy industry. Erin's clients include renewable and conventional generation developers, energy project investors and lenders, independent power producers, private equity funds, electric utilities, and institutional investors.

Erin has significant experience counseling clients on matters regarding the Federal Energy Regulatory Commission (FERC) and relevant federal statutes such as the Federal Power Act (FPA), Public Utility Holding Company Act of 2005 (PUHCA), and Public Utility Regulatory Policies Act of 1978 (PURPA). Erin regularly counsels clients in commercial transactions involving FERC-jurisdictional assets including regulatory due diligence related to the potential acquisition or financing of energy assets; corporate reorganizations, acquisitions or divestitures under Section 203 of the FPA; market-based rates under Section 205 of the FPA; issuance of securities under Section 204 of the FPA; and obtaining certifications for exempt wholesale generators and qualifying facilities under PUHCA and PURPA, respectively.

She also advises clients on contractual agreements for the purchase and sale of electric energy and related products, generator interconnection issues, transmission service matters, and shared facilities agreements. She provides counsel on RTO/ISO generation and transmission interconnection issues as well as local energy regulation by state public utilities commissions.

Erin has been recognized by Best Lawyers as One to Watch — Energy Law from 2021 to 2024. She is a member of the American Bar Association, D.C. Bar Association and Energy Bar Association.

Representative Experience

- Represented U.S. investor in an equipment supply loan for a portfolio of 10 solar generation projects located in the CAISO, NYISO & PJM markets totaling 100 MW

- Represented two major U.S. electric utilities during the sale of a portfolio of FERC-jurisdictional solar assets owned by a joint venture of both entities
- Represented U.S. investor in a construction loan financing for a portfolio of 15 solar generation projects located in Hawaii, California totaling approximately 75 MW
- Represented a fuel-cell developer in a petition before FERC for exemptions from certain holding company requirements under PUHCA
- Represented a U.S. investor in a construction loan financing for a 90 MW utility-scale solar facility located in Illinois
- Represented a U.S. wealth management fund in an investment in three utility-scale solar and solar plus battery storage projects in development in Arizona, Virginia and West Virginia, totaling 307 MW
- Represented a U.S. independent fund manager in its acquisition of a portfolio of 35 Qualifying Facility (QF) solar projects totaling 121 MW, located throughout the U.S.
- Represented a U.S.-based renewable developer in the financing of an 80 MW solar project in Utah
- Represented a U.S. renewable developer in acquisition of a portfolio of under-development solar projects located throughout the U.S.
- Represented a U.S.-based renewable developer with a tax equity investment involving a portfolio of QF projects located in Michigan, totaling 60 MW
- Represented a U.S. renewable developer acquire 10 early-stage solar projects located in the PJM and SERC markets totaling 700 MW
- Represented a U.S. investor in a debt, construction to term-loan and tax equity bridge loan financing of two community solar projects located in California totaling 32 MW
- Represented a U.S. independent fund manager acquire a portfolio of 30 operating solar QFs located in 8 different states
- Represented a U.S.-based renewable developer with a project construction financing of a 50 MW solar project located in Louisiana
- Represented a Canadian lender in a construction loan financing of a portfolio of 4 under construction projects located in Maine, including providing strategic advice on Maine's net energy billing program requirements and limitations
- Represented U.S. investor in the debt financing of a 150 MW solar project located in Illinois
- Represented a Canadian lender in a construction loan financing of a portfolio of 7 under construction projects located in Maine, totaling 35 MW
- Represented U.S. lender in a construction financing of a 150 MW solar project located in Arizona
- Provided strategic counsel to an infrastructure investor related to renegotiating power purchase agreements between its portfolio of operating solar QFs in North Carolina and Duke Energy
- Represented a renewable project developer negotiate a shared facilities agreement and co-tenancy agreement for a 10-phase solar and solar plus battery storage project development in Arizona totaling over 2,500 MW
- Represented U.S. lender in tax equity financing of an 80 MW solar project under construction in Georgia

- Represented a Dutch lender in a construction, bridge and term-loan financing for a 150 MW / 600 MWh stand-alone battery energy storage project under construction in Idaho
- Represented U.S. based renewable developer in the development, operation, and FERC-compliance of an approximately 7,500 MW portfolio of 75 operating wind and solar facilities located throughout the U.S., including drafting and appealing multiple petitions before FERC*
- Represented U.S. renewable developer in the development, operation, and FERC-compliance of an approximately 2,500 MW portfolio of 45 operating solar facilities located in the CAISO, PJM, MISO and BANC markets*
- Represented U.S. private equity fund in the operation and FERC-compliance of an approximately 10,000 MW portfolio of 50 operating renewable and conventional generation facilities*
- Represented U.S. renewable project developer in the development, operation, and FERC-compliance of an approximately 2,000 MW portfolio of 25 operating solar and wind facilities located throughout the U.S.*

* Representation occurred prior to joining Foley & Lardner LLP

Presentations

- Presenter, “Wind and Solar Energy Law 101,” National Business Institute CLE Program (April 2024)
- Presenter, “Distributed Energy and Virtual Power Plants: Regulatory Considerations, Challenges, Structures, Transactions, Risks,” Strafford Webinars CLE Program (August 2023)
- Speaker, “Hydrogen Incentives and Tax Benefits for Renewable Energy Projects,” ACC Houston Energy Practice Group CLE Program (May 2023)

Awards and Recognition

- *Best Lawyers*, Ones to Watch — Energy Law (2021-2024)
- Energy Bar Association
- American Bar Association

Sectors

- [Energy](#)
- [Renewables](#)

Practice Areas

- [Corporate](#)
- [Environmental](#)
- [Federal & State Energy Regulatory](#)

Education

- Antonin Scalia Law School (formerly George Mason University School of Law) (J.D.)
- University of South Carolina (B.S., magna cum laude)

Admissions

- District of Columbia
- Virginia (inactive)