

William R. Barksdale

Partner

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Areas of Focus

Business Litigation

Energy



Overview

William advises clients on a wide range of complex energy regulatory issues, helping them comply with existing rules and regulations, find solutions to difficult problems, and advocate for needed reforms.

He has a strong track record of representing market participants as they confront Federal Energy Regulatory Commission (FERC) investigations and enforcement actions involving alleged violations of statutes, rules, and regulations administered by FERC, including FERC's anti-manipulation rule, duty of candor rule, regional transmission organization (RTO) and independent system operator (ISO) tariffs, and certificates of public convenience and necessity. William has also represented energy clients in criminal investigations by the US Department of Justice and in investigations by other agencies.

William has represented clients in complex litigation before FERC, state utility commissions, arbitral tribunals, and trial and appellate courts. His experience as a litigator gives him a unique insight into complex commercial disputes of all kinds.

William has an active pro bono practice representing clients in affirmative and defensive asylum cases in the United States and in other related immigration matters.

Areas of Focus

- Business Litigation
- Energy

Representative Matters

- Represented an energy efficiency provider in a FERC enforcement investigation alleging market manipulation and tariff violations.
- On behalf of an individual natural gas trader, secured a favorable resolution of a FERC enforcement investigation alleging related-positions market manipulation.
- Represented a major financial institution in an enforcement action brought by FERC in the Eastern District of California alleging violations of FERC's anti-manipulation rule and a putative class action in the Southern District of New York alleging antitrust violations relating to the same alleged conduct.
- Represented a federally owned electric utility corporation in a groundbreaking defense against a petition seeking transmission service.
- Represented an LNG business at FERC and in the DC Circuit regarding a show cause order addressing whether a facility in Puerto Rico qualified as a FERC-jurisdictional LNG terminal.
- Secured a favorable settlement for clients in an enforcement action brought by FERC in the Eastern District of Virginia, in which FERC alleged the clients had engaged in market manipulation.
- Represented an FTR market participant in a FERC enforcement investigation, related administrative litigation and a related criminal investigation.
- Represented clients in petitions for review concerning transmission planning and rights of first refusal under FERC Order No. 1000.
- Represented a Western investor-owned utility in parallel inquiries by the CFTC, SEC, and FERC concerning the client's trading activity.
- Represented a Midwestern public utility in an investigation arising out of allegations of manipulation made during an administrative proceeding that FERC referred to its Office of Enforcement. The investigation was closed without action and before any depositions were taken.
- Represented an asset manager and consultant in an investigation concerning the construction of a capacity resource in New England, in which FERC took no action against his clients.
- Represented a global infrastructure construction company in an investigation related to alleged violations of a natural gas pipeline certificate.
- Represented clients before FERC and the DC Circuit regarding FERC's approval of a renewable resource exemption to ISO-NE's minimum offer price rule.
- Represented a CAISO market participant in an investigation concerning the participant's obligations related to resource adequacy.
- Represented a Midwestern public utility in an internal investigation concerning its energy market bidding practices.
- Secured the closure of an investigation into his client, a major natural gas trading firm, for possible manipulation of Midwestern natural gas indices to benefit related financial positions.

- Secured the closure of an investigation into his client, an electric power producer, for its day-ahead offer behavior in PJM during a polar vortex.
- Represented a capacity supply resource in an investigation of the company's fuel procurement activities and whether the company violated FERC's duty of candor rule and ISO tariff provisions in connection with its energy offers and plant operations.
- Represented a large power marketer in an investigation regarding its transmission scheduling in and around Lake Erie.
- Secured a favorable settlement for a natural gas storage company in an investigation regarding alleged certificate violations.
- Represented an electric power producer in connection with the retirement of a large generation facility in the northeast United States.
- Represented an electric power producer in connection with an ISO's buyer-side mitigation rule.

Credentials

Admissions

- District of Columbia
- New York
- Ohio

Education

- University of Virginia School of Law, JD, 2008
- University of Virginia, BA, 2005

Court Admissions

- US Court of Appeals, District of Columbia Circuit
- US District Court, Southern District of New York

Service / Recognition

Awards

- *Chambers USA*, Energy: Electricity (Regulatory & Litigation) (New York), 2024-2025
- Capital Pro Bono Honor Roll: High Honor Roll, 2024-2025