

Jenner & Block Advises Constellation Energy in Historic \$340 Million Conowingo Dam Settlement

News

October 9, 2025

Jenner & Block advised its client Constellation Energy in connection with a historic \$340 million settlement agreement reached by the State of Maryland, Constellation, and local environment groups to secure the re-licensing and continued operation of the Conowingo Hydroelectric Project on the Susquehanna River, the largest source of renewable energy in the state.

The settlement, announced by Maryland Governor Wes Moore at the Conowingo Dam on October 2, resolves a complex, multi-dimensional matter that began in 2009 and involved litigation in federal and state courts, proceedings before the Federal Energy Regulatory Commission (FERC), and state administrative proceedings before the Maryland Department of the Environment (MDE). The agreement includes commitments for operational improvements and environmental projects, including water quality and resiliency initiatives (valued at \$87.6 million), trash and debris removal (\$77.8 million), aquatic life passage improvements (\$28 million), freshwater mussel restoration (\$23.3 million), potential dredging studies and analysis (\$18.7 million), and invasive species management (\$9.4 million).

A Jenner team was engaged by Constellation in 2018, shortly after Maryland issued a water quality certification imposing more than \$8 billion in compliance obligations on Constellation. Our firm responded with a multi-pronged strategy, seeking administrative reconsideration before MDE and bringing lawsuits in both federal and state courts, and also asserting claims at FERC. Although Constellation reached a settlement with Maryland in 2019, that agreement was challenged by local environmental groups and was set aside in a 2022 decision from the US Court of Appeals for the DC Circuit. The Jenner team then assisted Constellation to negotiate and reach this new settlement with both Maryland and the local environmental groups, hopefully soon leading to the conclusion of a federal relicensing effort that has spanned more than 16 years.

The Jenner team consisted of Partners Dave DeBruin, Sam Hirsch, Zach Schauf, Zach Cohen, and Suedeem Kelly; Special Counsel Juliana Brint; Associate Kate Abendroth; and Senior Paralegal Cheryl Olson. Former Partner Matt Price and other partners and associates who have since left the firm also assisted with the matter.

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