HUSCH BLACKWELL



Sylvia Bartell

PARTNER

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OVERVIEW

With a decade of experience in the electric power industry, Sylvia guides clients through energy regulatory approvals, compliance and transactions.

Sylvia represents electric generation and transmission companies before the Federal Energy Regulatory Commission (FERC) and provides transaction counsel, with a focus on energy regulatory requirements. She has extensive experience in FERC litigation and is highly knowledgeable about federal and state energy regulations.

Sylvia advises electric generation developers on generator interconnection procedures and agreements, including application requirements, material modifications, site control, network upgrade cost allocation, surplus and provisional interconnection service, milestone extensions, scope changes, wholesale market participation agreements, and requests for tariff waivers. Sylvia has a special focus on helping clients navigate both high-stakes interconnection issues and routine interconnection requirements, both of which can be outcome determinative for a power project. Additionally, Sylvia represents electric generation owner/operators in obtaining FERC approvals, such as market-based rate authorization, and in drafting and submitting FERC filings, such as qualifying facility (QF) Form 556 self-certifications, notices of self-certification of exempt wholesale generator (EWG) status, notices of change in status, and market-based rate relational database updates.

Sylvia advises electric transmission companies and customers on transmission formula rates, informal and formal challenges, cost allocation, negotiated rates, capacity allocation, and transmission planning procedures. She

Industry

Energy & Natural Resources

Services

Data Centers
Energy Regulation
ESG Strategy & Compliance
Mergers & Acquisitions
Project Finance

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regularly represents independent and merchant transmission companies, both inside and outside of regional transmission organizations (RTO) and independent system operators (ISO).

Sylvia also advises clients on Federal Power Act (FPA) section 203 transaction approval requirements, Public Utility Holding Company Act (PUHCA) exemptions and compliance, North American Electric Reliability Corporation (NERC) registration, and large load and generator co-location strategy. In addition, Sylvia advises clients on the application of state energy regulations and state utility commission approval requirements to both utility-scale and distributed power projects.

With a reputation for providing strategic, proactive advice, Sylvia serves as an integral part of clients' legal and development teams. Clients especially value Sylvia's enthusiasm for their work: with a renewable energy law practice in mind, she earned an Energy Law certificate from Vermont Law School, and she has devoted her career to the electric industry. She loves being a part of developing solutions to challenges facing the grid and the country's energy supply.

Sylvia is an active member of the Energy Bar Association and has served as president of the Foundation of the Energy Law Journal.

Experience

- Advised on transmission planning and cost allocation policy developments in the rulemaking proceeding for FERC Order No. 1920. The team regularly briefed stakeholders and membership, drafted comments, and developed summaries of current transmission planning processes and cost allocation procedures by region, outlining steps needed to comply with FERC Order No. 1920.
- Prevailed in a complaint proceeding against a regional transmission organization and transmission owners, resulting in the removal of nontransparent and excessive cost allocations to generators for the life of the generator. Simultaneously, the team filed informal and formal challenges seeking changes to related tariff language, expanding the scope of entities allowed to participate in the information exchange process, and obtaining rate information on nontransparent charges.

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Experience

- Supported clients through all stages of tax equity funding for multiple renewable energy projects. The team drafted and finalized FERC bringdown opinions for both mechanical completion and substantial completion funding, confirmed and updated FERC schedules, addressed market-based rate and QF filings, and coordinated with tax equity counsel and opinion committees. The team also managed project-specific compliance, including membership and registration requirements, and addressed stakeholder feedback to facilitate smooth closings and ongoing regulatory compliance for an expanding portfolio.
- Provided strategic regulatory and transactional support for interconnection and financing of renewable energy projects, addressing lender and sponsor questions regarding interconnection procedures, affected system upgrades, and related credit agreement provisions. The team analyzed and negotiated FERC and state regulatory opinion language, coordinated with multiple law firms and counterparties, and ensured all regulatory and permitting requirements were accurately reflected in transaction documents and opinions. The team also supported bringdown diligence for tax equity funding and provided ongoing guidance on reporting and compliance obligations under FERC, NERC, and state law.
- Conducted in-depth research and analysis of regional transmission planning processes in RTO/ISO regions across the United States, culminating in comprehensive summaries and recommended action items in response to FERC Order No. 1920. The team provided actionable insights and recommendations to guide advocacy and compliance efforts under the new FERC policy.
- Obtained market-based rate authorization for a renewable energy company, from initial diligence and drafting through to final filing and post-filing compliance. The team managed updates to FERC's MBR relational database, interlocking directorate informational reports, EQR filings, and notices of change in status, ensuring timely receipt of MBR authority and ongoing regulatory compliance.

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Experience

- Advised on the upstream reorganization involving multiple entities, providing end-to-end support on FERC Section 203 application requirements and post-closing compliance. The team drafted and revised the Section 203 application, coordinated feedback with clients and lenders, addressed new FERC precedent regarding board of director appointments, and finalized all required filings. The team also prepared and filed the notice of nonmaterial change in status, updated FERC's MBR database, and ensured all regulatory requirements were satisfied.
- Provided comprehensive regulatory counsel to support a series of complex FERC-related transactions, including preparing and filing multiple FPA Section 203 applications for both internal reorganizations and the sale of operating renewable energy companies.
- Manages the FERC filing and approvals process, along with compliance, for all project company subsidiaries of multiple renewable energy companies.
- Provides strategic advice on generator interconnection, including navigating risks and liability under the interconnection processes in RTO/ISO and non-RTO/ISO regions.
- Provides analysis and advice in RTO and non-RTO regions regarding transmission rate and service agreement filings, incentive rate requests, cost allocation, and transmission planning requirements.
- Secures Section 205 market-based rate authority and assists with related FERC compliance filings, including notice of change in status filings, relational database reporting, electronic quarterly reporting, and triennial market power analyses.
- Advises on Federal Power Act (FPA) Section 203 requirements for the disposition and acquisition of jurisdictional facilities and "public utilities" and FPA Section 203 requirements related to board of director appointments.
- Advises on Public Utility Holding Company (PUHCA) matters, including Exempt Wholesale Generator (EWG) status and other exemptions and waivers.

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Experience

- Advises on Qualified Facility (QF) status eligibility, exemptions, and related issues for project companies and Public Utility Regulatory Policies Act (PURPA) matters, including QF-interconnection and mandatory purchase obligation offtake arrangements.
- Advises on NERC registration requirements and intra-NERC appeals of regional entity registration determinations.
- Advises energy companies and trade groups on FERC policy initiatives and rulemaking proceeding, including comment submission and compliance proceeding participation and monitoring.
- Files complaints against grid operators and transmission owners, including a successful complaint against ISO-NE and the New England Transmission Owners that resulted in removal of certain ongoing and non-transparent charges to generators.
- Represents transmission owners in transmission pricing zone filings and litigation, including multiple fully-litigated proceedings with extensive expert testimony.
- Advises multiple electric generation companies on strategy for co-locating generation with large load (ex: data centers or industrial facilities), focusing on interconnection, offtake, and shared facility structures that address energy regulatory challenges.

Recognition

- *The Legal 500 United States*
    - Energy: Energy regulation: electric power, Recommended lawyer, 2026
- *Best Lawyers: Ones to Watch® in America*
    - Energy Law, 2023-2025

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Education

- J.D., Vermont Law School
  - *cum laude*
  - *Vermont Law Review*, Editor
  - Business Law Certificate
  - Energy Law Certificate
- B.A., Creighton University
  - Political Science
  - *cum laude*

Admissions

- District of Columbia
- Vermont
- Nebraska
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Bankruptcy Court, District of Columbia
- U.S. District Court, District of Columbia



The Legal 500 United States

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