



Bret A. Dublinske

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Services

Energy & Natural Resources

Energy Litigation

Energy Regulation & Permitting

Litigation

Government Relations

Government Contracts & Grants

Energy Transition & Decarbonization

Renewable Energy

Bret focuses on administrative, land use, litigation and appeals as well as policy issues for energy and communication clients throughout the U.S.

He represents traditional power providers, wind energy producers, industrial electric customers, pipeline companies, data centers, competitive local exchange carriers, wireless service providers, cable companies, VoIP providers, internet service providers, communications backbone and wholesale services providers, telecommunications equipment providers, and other stakeholders before state utilities commissions, state and federal courts, and state and local boards, commissions and councils. Bret also works with software licensing issues and general civil litigation and appeals. He has numerous published court decisions before the Iowa Supreme Court, the U.S. District Court for the Southern District of Iowa, the U.S. District Court for Nebraska and the U.S. Court of Appeals for the Eighth Circuit.

Experience

Energy

- Counsels on several aspects of wind farm development including assisting with local permitting, regulatory and compliance planning, transmission planning and regulatory due diligence for the sale of wind developments.
- Successfully represented several pipeline companies before the Southern District of Iowa and Eighth Circuit Court of Appeals in determination that certain state pipeline land regulations could not exceed federal standards. *See Northern Natural Gas Co. et al. v. Munns*, 377 F.3d 817 (8th Cir. 2004).
- Represented nuclear power plant owner in regulatory approval of renewal of power purchase agreement with local Investor Owned Utility.
- Represented both independent power producers and large energy customers (including materials manufacturers, agricultural and biofuels processors and data centers) in various cases before the Iowa Utilities Board involving rates, ratemaking principles and other matters.

Telecommunications

- Handled many novel issues for new entrants, including helping obtain the first Iowa certification for a cable VoIP service in Iowa, the first Voice-over-DSL service in Iowa, and the first wireless designation as an eligible carrier for universal service funds in Iowa.
- Successfully represented communications clients in regulatory litigation on issues from access charge disputes (*Kalona Co-op. Telephone Co. v. Iowa Utilities Bd.*, 824 N.W.2d 561 (Table, Text in WESTLAW), 2012 WL 5356056 (Iowa Ct. App., October 31, 2012)), terms of interconnection (*McLeodUSA Telecomms. Servs. v. Iowa Utils. Bd.*, 550 F. Supp.2d 1006 (S.D. Iowa 2008)); claims of unauthorized customer charges (*Evercom Systems Inc. v. Iowa Utils. Bd.*, 805 N.W.2d 758 (Iowa 2011) and call blocking (*East Buchanan Tel. Coop. v. Iowa Utils. Bd.*, 738 N.W.2d 636 (Iowa 2007), among others.
- Extensive experience with telecommunications land use issues including wireless facility zoning disputes and cable franchise and multiple dwelling unit issues.
- Appeared on behalf of communications clients before state or federal courts, or state and local government entities in Iowa, Arkansas, Kansas, Missouri, Nebraska, Texas and the District of Columbia.

Credentials

Education

- University of Iowa College of Law, J.D., 1994, *with high distinction*
- Iowa State University, B.S., Economics, B.A., Political Science, 1988

Admissions

- Iowa, 1994
- U.S. District Court for the Northern District of Iowa, 1996
- U.S. District Court for the Southern District of Iowa, 1996
- U.S. Court of Appeals for the Eighth Circuit, 1996
- U.S. Supreme Court, 2019

Clerkships

- Clerk, Honorable Harold Vietor, U.S. District Court for the Southern District of Iowa, 1994-1996

Recognition

- *Best Lawyers in America*, Communications Law, 2007-2024; Energy Regulatory Law, 2018-2024; Energy Law, 2023-2024

- *Great Plains Super Lawyers*, Energy & Resources, 2007-2023
- Lawyer of the Year in Des Moines for Communications Law, *Best Lawyers*, 2013, 2018
- AV Preeminent® Peer Review Rated, Martindale-Hubbell

Civic & Professional

Professional Activities

- Government Practice Section, Iowa State Bar Association, Vice Chair
- Federal Communications Bar Association, Member
- Iowa State Bar Association, Member
- Federal Practice Committee, Iowa State Bar Association, Member
- Government Practice Section, Iowa State Bar Association, Section Council

Community

- Technology Association of Iowa, Board Member, 2006-2007
- Young Women's Resource Center, Board Member, 2003-2006

News

Firm News | 08.17.2023

Fredrikson Attorneys Recognized in The Best Lawyers in America© 2024

Firm News | 06.02.2023

Fredrikson Attorneys Named 2023 Great Plains Super Lawyers and Rising Stars

Article | 08.18.2022

Fredrikson & Byron Attorneys Recognized in The Best Lawyers in America© 2023

Firm News | 07.29.2022

Fredrikson Attorneys Named 2022 Great Plains Super Lawyers and Rising Stars

Firm News | 07.02.2021

Six Fredrikson Attorneys Appointed to Positions Within Iowa State Bar Association

Firm News | 06.21.2018

Six Fredrikson Attorneys Appointed to the Section Council of the Iowa State Bar Association

Legal Updates

Legal Update | 05.26.2020

Iowa Considers Major Changes in Siting of Renewables

Legal Update | 02.17.2016

FirstNet Issues RFP for Deployment of Nationwide Public Safety Broadband Network, Creating Significant Contract Opportunities for All Telecommunications Companies

Publications & Presentations

Panelist, *Aligning Market Outcomes with State Policy Goals and Consumer Preferences*, Law Seminar International's 10th Annual Renewable Energy in the Midwest Conference, October 12, 2018

The Agency Did What?—Tips and Considerations for Judicial Review of Agency Action, Iowa State Bar Association Government Practice Section Seminar, Des Moines, Iowa, March 2014

Diversity Initiatives and the Utilities Ecosystem: A Private Sector View of Diversity, Mid-American Regulatory Conference (MARC) 2013, Little Rock, Arkansas, June 2013

Telecom Issues in the Midwest and Their Relationship to Section XV of the Connect America Fund NPRM, Chicago Bar Association—Energy & Telecommunications Committee, Chicago, Illinois, May 2011