



## Justin W. Chasco

OFFICER

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### Services

Energy & Natural Resources

Litigation

Energy Regulation & Permitting

Energy Litigation

Environmental Law

Condemnation & Eminent Domain

Renewable Energy

### Justin advises electric, telecommunications and other companies in regulatory matters and commercial transactions.

Justin guides clients through transactions and regulatory proceedings related to electric, natural gas, and water service. Justin is the former Chair of the Public Utilities Section of the Wisconsin State Bar.

Justin helps clients define and achieve their strategic goals before state public utilities commissions, independent system operators, environmental regulators, and the Federal Energy Regulatory Commission. He has significant experience in the development and permitting of large electric infrastructure, territorial disputes between electric providers, holding company and affiliated interest regulation, and the formation or purchase of public utilities.

He has successfully represented clients before the Supreme Court of Wisconsin, the Minnesota Supreme Court, the Federal Energy Regulatory Commission, federal courts, and trial courts throughout Wisconsin.

## Experience

### Wisconsin Regulatory Experience

- Serves as lead Wisconsin permitting counsel for a \$700m combined cycle natural gas power plant, where he assists the project owners' efforts to obtain and defend critical project approvals including CPCN, NEPA and WEPA reviews, wetland and waterway crossing permits, air permits, and stormwater permits.
- Assists developers of linear infrastructure in the acquisition and defense of project permits and environmental compliance.
- Guides clients through state and federal environmental reviews for critical energy infrastructure, including defense of litigation challenging the same.
- Assisted BillerudKorsnäs, a multinational pulp and paper company, in obtaining PSCW approval of its \$825m acquisition of Verso Paper Company and its subsidiary public utility.
- Represented a telecommunications carrier before the PSCW, successfully appealing the revocation of its status as an eligible telecommunications carrier

under state rules, helping the client preserve millions of dollars of Connect America Fund Phase II funding for rural broadband development.

- Successfully defended the promulgation of Wisconsin's Wind Siting Rules before the Supreme Court of Wisconsin, preventing the return of ad hoc regulation of wind energy systems.
- Successfully defended the issuance of a Certificate of Authority for the construction of the Bent Tree Wind Farm before the Supreme Court of Wisconsin in a case that established that the PSCW may focus its review of critical energy infrastructure to financial and rate impacts when facilities are located out of Wisconsin.
- Appeared before the Minnesota Supreme Court on behalf of a large amici stakeholder group of Wisconsin industry supporting the important legal precedent that Minnesota environmental law does not apply to projects located in Wisconsin.
- Represented Commission staff, ratepayer advocates, and public utilities in dozens of rate cases before the PSCW.
- Obtained WDNR approval to modifications to wastewater discharge permits for a large electric generating station.
- Successfully obtained land rights for key energy projects through the use of eminent domain.
- As a staff attorney at the Public Service Commission from 2010 to 2015, worked on dozens of significant cases at the Commission, advising Commission staff, management, and the Commissioners on issues such as utility rate cases, utility finance, renewable energy and energy efficiency policy, the certification of a new transmission utility and holding company, and the acquisition of one of Wisconsin's largest public utility holding companies. While at the Commission, worked on cases regarding the permitting of large electric generation and transmission facilities such as the CapX2020 transmission line, the Highland Wind Farm, the Bent Tree Wind Farm, and improvements to existing large generating facilities. During that time, was the primary attorney responsible for defending Commission decisions in trial and appellate courts, twice representing the Commission successfully before the Wisconsin Supreme Court.

## Federal Utility Practice

- Assisted a developer of a large multi-value transmission line in all aspects of project development, including negotiation of key project agreements, obtaining FERC approval of incentive rates, and defending critical permits.
- Advised clients on the implementation of PURPA and successfully obtained a FERC waiver of certain PURPA regulations for a client.
- Successfully represented a transmission owner in an ADR with MISO, challenging the cost allocation of a proposed transmission facility, helping to save his client tens of millions of dollars.

- Regularly assists his client with routine FERC compliance filings, including filings relating to FERC rates and true-ups.

### Corporate, Commercial & Land Rights Practice

- Represents professionals and small business owners with issues of business formation, sale, and governance.
- Represents energy and manufacturing companies in commercial transactions such as Engineering, Procurement, and Construction contracts, territorial agreements in regulated industry, and power supply agreements.

## Credentials

### Education

- Southern Illinois University School of Law, J.D., 2007, *magna cum laude*
- University of Wisconsin - Eau Claire, B.A., 2004

### Admissions

- Wisconsin, 2007
- Minnesota, 2019
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Western District of Wisconsin

## Civic & Professional

### Professional Activities

- Wisconsin State Bar Public Utilities Section, Member 2017-June 2022; Chair of the Board, 2019-2020
- Public Service Commission of Wisconsin, Assistant General Counsel, 2010-2015
- *Southern Illinois University Law Journal*, Lead Articles Editor 2006-2007, Staff Writer 2005-2006

### Community

- Big Brothers and Big Sisters of Dane County, Volunteer 2007-2011

## News

Firm News | 05.31.2022

Fredrikson & Byron Expands Energy Practice in Wisconsin with New Madison Office and Five Attorneys