



## Eric L. Christensen

Principal

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### **Eric is a leading energy and natural resources attorney in the Pacific Northwest.**

He assists renewable and traditional energy companies, as well as major energy consumers, to navigate the complex legal and regulatory systems governing the nation's energy industry. With more than 30 years of experience, Eric has successfully represented clients in litigation and regulatory matters, ranging from the U.S. Supreme Court to proceedings before federal and state agencies. Before entering private practice, Eric served as Assistant General Counsel at Snohomish County (WA) Public Utility District, one of the largest publicly-owned utilities in the U.S., and as a trial attorney at the U.S. Federal Energy Regulatory Commission (FERC).

Eric's litigation experience includes successfully representing Snohomish County Public Utility District in a series of lawsuits arising from the Enron crisis involving action at every level of the federal courts, including the U.S. Supreme Court, as well as administrative litigation resulting in an order requiring Enron to disgorge more than \$1 billion. He has also litigated dozens of matters in the federal and state courts. These include federal court challenges to the landmark federal orders restructuring regulation of the electricity, natural gas, and oil pipeline industries in the U.S. and critical regulatory and Constitutional issues in the Washington courts, including several matters before the Washington Supreme Court.

Eric guides clients through transactions involving renewable and traditional energy facilities, energy and derivatives trades, environmental concerns, engineering and construction services, early-stage and traditional financing, risk management, and government grants and tax incentives. He assists clients with energy and infrastructure transactions throughout Washington, including wind generation, hydroelectric, and renewable energy projects as well as the contracts governing sales of power and transmission from the Northwest's huge federal hydroelectric and transmission systems. He has put together transactions involving financing, engineering services, construction of buildings and similar facilities, and energy and commodity trades.

Eric also assisted with landmark litigation in both the state and federal courts as well as successfully litigated claims involving liability for hazardous waste contamination and assisted developers to reclaim and redevelop brownfields sites.

## Education

- University of Kansas (B.S., *with High Honors*, 1984)
  - Biology
- Stanford University (J.D., *with Honors*, 1987)
  - Order of the Coif
  - Stanford Law Review, Member
  - Stanford Environmental Law Society, President and Editor
  - Stanford Public Interest Law Foundation, Vice President
  - Olaus & Adolph Murie Award for Writing in Environmental Law

## Bar Admissions

- Washington
- Idaho
- District of Columbia

## Court Admissions

- U.S. Supreme Court
- U.S. Court of Federal Claims
- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals - First Circuit
- U.S. Court of Appeals - Second Circuit
- U.S. Court of Appeals - Ninth Circuit
- U.S. District Court – Eastern District of Washington
- U.S. District Court – Western District of Washington
- U.S. District Court - Idaho

## Professional Affiliations

- Northwest Environmental Business Council, Member
- Energy Bar Association, Member
- Board of Directors, NatureBridge (Olympic National Park Campus)
- Seattle Rotary No. 4, Sustainability Committee

## Honors & Awards

- *The Legal 500*, recognition in Environmental Regulatory Law (2024)

- *The Best Lawyers in America*®, a Best Lawyers® publication, recognition in Environmental Law (2018-2025)
- *Super Lawyers*, part of Thomson Reuters, Washington Super Lawyer (2014-2024)
- Everett (WA) Area Chamber of Commerce, Employee of the Year (2005)
- American Public Power Association, James E. Donovan Award for Individual Achievement (2005)
- American Public Power Association, Recognition for Achievement in Legal Field (2004)
- Public Power Council Special Award (2004)

## Representative Matters

Eric's general environmental experience includes:

- Successfully representing the developer of a Tacoma brownfield development in addressing hazardous waste contamination issues with several municipal agencies and the Washington Department of Natural Resources.
- Successfully representing a property developer to recover more than \$1 million for cleanup of petroleum contamination.
- Successfully representing property owners to protect themselves from hazardous waste claims in sales of property.
- Successfully litigating matters concerning landmark orders restructuring regulation of the electricity, natural gas, and oil pipeline industries in the U.S.
- Defending a site owner in administrative and court litigation successfully minimizing costs of cleanup of contamination from wood treating operation.
- Successfully defending a small business from claims arising from a spill of oil into waters of the State of Washington.
- Helping assure compliance with Endangered Species Act, Migratory Bird Treaty Act and other statutes protecting raptors in construction of a hydroelectric project in Washington.
- Successfully defending licensed and ongoing hydroelectric project from claims arising under the Endangered Species Act.
- Developing and implementing a National Environmental Protection Act compliance strategy for a federal rulemaking creating open access to the nation's electric transmission system.
- Representing a utility in licensing for experimental tidal electric generation project, including compliance with Endangered Species Act, Marine Mammal Protection Act, Coastal Zone Management Act, and state analogues.
- Successfully representing clients in multiple administrative proceedings and court cases involving Washington State Environmental Protection Act.

- Successfully permitting and obtaining access easements for projects on U.S. Forest Service, U.S. Bureau of Land Management, and Washington Department of Natural Resources lands.

See also representative [Transactions](#), [Energy Regulatory Matters](#), and [Litigation](#)

## Transactions

### Transmission Development and Contracts

- Advising the developer of a transmission line using advanced HVDC technology concerning Bonneville Power Administration and regional energy matters, regulatory, contract, licensing, right-of-way, permitting and political issues.
- Drafting and negotiating contracts involving the transfer of transmission rights on one of the primary interties between the Northwest and California.
- Drafting and negotiating a contract to secure capacity on the Bonneville Power Administration system through 2028.
- Drafting and negotiating a series of contracts among Puget Sound-area utilities creating a coordinated strategy to address transmission curtailments.

### Power Supply and Interconnection Contracts

- Negotiating and drafting long-term contracts with BPA, including a 17-year contract for purchase of power for BPA's largest customer under a "Slice/Block" structure and "TRM" construct, transmission contracts, and interconnection and balancing services contracts.
- Drafting and negotiating long-term power supply contracts with private power marketers.
- Drafting and negotiating contracts for interconnection and transmission of power from a proposed 500 MW natural gas generation station.

### Wind Power Contracts

- Drafting and negotiating contracts for all output from Iberdrola Renewables' 100.8 MW Hay Canyon Wind Project, all output from Horizon Wind Energy's 96.6 MW Wheat Field Wind Project, and share of output from White Creek Wind Project from project participant Lakeview Power & Light, including contracts for corporate parental guarantees, financing agreements, performance guarantees, and related subsidiary contracts.

### Hydropower Acquisition and Construction

- Drafting and negotiating contracts for the acquisition of real estate and project assets, public works contracts, contracts for environmental and other services, road access, and acquisition of materials related to the construction of Snohomish County PUD's \$29 million Youngs Creek Hydroelectric Project.

- Representing the District in the transfer of FERC license and related issues, and permitting issues arising with U.S. Forest Service, Snohomish County, and Washington state agencies; Youngs Creek is the first hydro project to go online in Washington in nearly two decades and is the winner of Renewable Energy World's 2012 Hydro Project of the Year award and the "2012 Honor Award" from the Seattle Section of the American Society of Civil Engineers.
- Conducting due diligence review, site inspection, and legal analyses related to the acquisition and potential acquisition of an existing Northwest hydroelectric project, and for the acquisition of licensed but unbuilt projects.

### **Geothermal Transactions**

- Drafting and negotiating contracts concerning geothermal lease, drilling and access rights on private, state and federal lands, and worked with the project team to obtain necessary licenses and permits from the Department of Natural Resources and U.S. Forest Service.
- Negotiating an agreement for geothermal exploration involving approximately 500,000 acres of privately-owned forest lands in Washington and Oregon.
- Drafting and negotiating an agency agreement aimed at obtaining a geothermal exploration contract in Nicaragua.

### **Solar Contracts**

- Drafting and negotiating contracts for the development of Oregon solar project involving private developer, Washington publicly-owned utilities, and electric coop, to obtain power output, interconnection, and transmission rights.
- Negotiating a variety of contracts related to solar demonstration and community-owned solar projects.
- Developing a strategy for maximizing the value of solar development in the Pacific Northwest based on federal and state tax incentives, rebates, portfolio requirements, and RFP requirements.

### **Biomass**

- Drafting and negotiating both the original and the revised contracts to interconnect and purchase output from the Hampton Mills biomass generator in Darrington, Washington.

### **Biogas**

- Drafting and negotiating contracts for the interconnection and purchase of power from the Qualco Dairy Digester, then negotiating innovative agreement to transfer power output to Puget Sound Energy.
- Drafting and negotiating both the original and renewal contracts for the purchase of output from the Klickitat PUD landfill gas generator and landfill gas generator at Cathcart, Washington.

### **REC Contracts**

- Drafting and negotiating a number of contracts for the sale of Renewable Energy Credits from renewable energy projects.

### **Asset Sales**

- Representing co-owner of Washington's largest coal-fired power plant in the sale of plant, including obtaining all required regulatory approvals, contracting, and closing.