

NOEL J. DARCE

Member

New Orleans

T: 504.593.0831

F: 504.596.0831



OVERVIEW

For nearly four decades, Noel Darce has practiced in utility, regulatory and energy-related law.

Because of his vast experience with a range of energy issues, clients look to him for advice on regulation under the Federal Power Act, the Public Utility Regulatory Policies Act, and FERC regulations implementing those statutes. Legal and strategic issues related to RTO participation, utility mergers and acquisitions, generation expansion, utility bankruptcies, utility contracts and transactions, rate regulation and related litigation are also significant areas of his practice.

Noel appears before state and federal regulatory agencies and the courts.

REPRESENTATIVE MATTERS

- Represented the Louisiana Public Service Commission staff in numerous proceedings involving the merger of investor owned and cooperative electric public utilities.
- Represents the Louisiana Public Service Commission in proceedings involving the quantification and recoverability of the costs to electric utilities for repair and rebuilding due to damage caused by hurricanes and tropical storms as well as the securitization of those costs.
- Represented the Louisiana Public Service Commission in proceedings involving the quantification and recoverability of abandoned plant costs as well as the securitization of those costs.
- Represents the Louisiana Public Service Commission staff in state and federal proceedings and stakeholder processes regarding Regional Transmission Organizations.
- Represents the Louisiana Public Service Commission staff in various Dockets concerning requests for rate increases, development of formula rate plans and the siting and certification of new generating units for various electric utilities in Louisiana.
- Represents the Louisiana Public Service Commission staff in various rulemaking proceedings.
- Represented an offshore leaseholder client in proceedings in federal court in which an interstate gas pipeline attempted to invalidate a long term gas purchase contract.
- Represented the State of Louisiana in a claim for overpaid royalties and severance taxes arising out of a settlement with the Department of Energy for violation of crude oil price control regulations.
- Regularly represents state regulatory agency staff in various retail ratemaking proceedings.

PRACTICE AREAS

Business Litigation

Appellate

INDUSTRIES

Energy & Natural Resources

Energy Litigation

Energy Regulation and Utilities

BAR ADMISSIONS

United States Supreme Court

United States Fifth Circuit Court of Appeals

United States Court of Appeals
District of Columbia Circuit

Louisiana Federal and State Courts

EDUCATION

Paul M. Hebert Law Center at
Louisiana State University, J.D., 1983

- Order of the Coif
- Phi Kappa Phi
- *Louisiana Law Review*

Louisiana State University, 1980

- Represented national pipe manufacturer in litigation related to the breach of a purchase contract for the construction of a sewerage system.
- Represented a group of medical practitioners related to the breach of a partnership agreement to construct a medical facility.
- Represented entity constructing aquarium in litigation attempting to block the permitting of that construction.
- Represented brokerage house and broker against unsuitability and churning claims.
- Represented large landowner in mineral rights litigation seeking cancellation of mineral lease.
- Represented parish taxing authority in litigation challenging levy of property tax for water and drainage district.

PROFESSIONAL AND CIVIC ACTIVITIES

- Energy Bar Association member and past board member of the New Orleans Chapter.
- American Bar Association, Louisiana State Bar Association, and New Orleans Bar Association member.
- Noel has worked with the United Way of Greater New Orleans, the Archbishop's Community Appeal, and other charitable organizations.
- He is a member of Mary, Queen of Peace Catholic Church and has been involved in church and school activities.

HONORS & AWARDS

- *Best Lawyers in America* 2016 - 2023.
 - "Lawyer of the Year" New Orleans for Energy Regulatory Law 2022 and 2023.
- Chambers and Partners 2015 - 2022.
- *Louisiana Super Lawyers* 2018 - 2022.
- *New Orleans Magazine* "Top Lawyer" 2016 - 2022.

PUBLICATIONS

- Co-authored "Antitrust Law" 35 *Loyola Law Review* 687 (1989).
- Note, Interspousal Contracts, 42 *La. L. Rev.* 727 (1982).