

## JUSTIN A. SWAIM

Associate

New Orleans

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### OVERVIEW

Justin Swaim concentrates his practice on public utilities regulation, energy and general business litigation as well as appellate law. Justin has also represented the Louisiana Public Service Commission in numerous Federal Energy Regulatory Commission proceedings.

#### REPRESENTATIVE MATTERS

- Representing the Louisiana Public Service Commission in complaints filed against System Energy Resources, Inc. challenging its return on equity.
- Representing the Louisiana Public Service Commission in settlement proceedings regarding the return of excess ADIT amounts from Entergy and System Energy Resources, Inc. to ratepayers following the Tax Cuts and Jobs Act.
- Representing the Louisiana Public Service Commission in a complaint filed against System Energy Resources, Inc. challenging its equity ratio.
- Representing the Louisiana Public Service Commission in a complaint filed against System Energy Resources, Inc. concerning a sale/leaseback transaction for the Grand Gulf Nuclear Station and SERI's renewal of the lease.
- Representing the Louisiana Public Service Commission in proceedings concerning Entergy's attempt to allocate the ownership and costs of Transmission Control Centers.
- Representing the Louisiana Public Service Commission in an investigation into service company costs that are included in Entergy Louisiana's retail rates.
- Represented the Louisiana Public Service Commission in a proceeding concerning the potential recognition of a legally enforceable obligation requiring Entergy Louisiana to purchase firm power from Occidental.
- Represented the Louisiana Public Service Commission in cases concerning the Entergy System Agreement and the application of the Bandwidth formula to roughly equalize production costs of the Entergy Operating Companies.
- Represented the Louisiana Public Service Commission in complaints against Entergy regarding third-party off system opportunity sales made by Entergy Arkansas.
- Represented the Louisiana Public Service Commission in numerous appeals before the D.C. Circuit Court of Appeals regarding the Entergy System Agreement.
- Represented the Louisiana Public Service Commission in settlement discussions concerning the proper depreciation rates for System Energy Resources, Inc.

#### PRACTICE AREAS

Business Litigation

#### INDUSTRIES

Energy & Natural Resources

Energy Regulation and Utilities

#### BAR ADMISSIONS

Louisiana

#### EDUCATION

Loyola University New Orleans College of Law, J.D., *magna cum laude*, 2015

- Board Member, *Loyola Law Review*
- *Loyola Law Review* Warren E. Mouldoux Editor-in-Chief's Award
- Law Excellence Award: Civil Law Property, Civil Procedure, The Legal Profession (Legal Ethics), Obligations, Mediation & Arbitration, Copyright Law, and Civil Law of Persons
- Warren E. Mouldoux Professional Responsibility Award
- Joseph E. Bologna Prize
- Frederick J. Gisevius, Jr. Scholarship Recipient
- William L. Crowe, Sr. Scholar

Southeastern Louisiana University, B.A., 2006

**PROFESSIONAL AND CIVIC ACTIVITIES**

- Louisiana Chapter of the Energy Bar Association board member.

**HONORS & AWARDS**

- *The Best Lawyers in America: Ones to Watch* 2021 and 2022.

**PUBLICATIONS**

Note, *Bailey v. United States: The Supreme Court's Futile Attempt at Setting Boundaries around a Borderless Rule*, 60 *Loy. L. Rev.* 355 (2014).