

Snell & Wilmer



Kelly A. Daly

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Main Bio

Kelly Daly represents publicly and privately held companies, government agencies, municipalities and coalitions in complex negotiations, and on transactional and regulatory matters, compliance issues and strategic projects. She has extensive experience in the natural gas, electric and oil industries on matters and in proceedings before the Federal Energy Regulatory Commission (FERC) and the Federal Appellate Courts. In addition, Kelly advises and represents a broad range of clients (including agricultural, utility, construction, defense contractors, food manufacturing, real estate, medical/healthcare and police and fire departments) on Unmanned Aircraft Systems (UAS) and Autonomous Vehicles (AV) matters before local, state and federal legislative bodies, the Federal Aviation Administration (FAA) and the National Highway Traffic Safety Administration (NHTSA). Kelly began her legal career in the Criminal Division, Organized Crime and Racketeering Section of the Department of Justice and subsequently served in the role of an Attorney Advisor to the Administrative Law Judges at the FERC.

Representative Experience

- First chair in electric, natural gas and oil administrative litigation, certificate and rate proceedings, market-based rate applications, investigations, enforcement actions, rulemakings and technical conferences
- Lead negotiator in complex, multi-party settlement proceedings (routinely involving 25-150 parties), drafts and negotiates consensus documents proposing novel solutions to issues facing the industries
- Advises clients on UAS/AV issues and programs including registration, operations, special permission/ exemption applications and other best industry practices. Works with clients to establish internal programs (inclusive of policies, processes and procedures) to demonstrate a culture of compliance. Routinely speaks at industry conferences and client seminars on the uses and regulations of UAS/AV.
- Works directly with general counsels, boards of directors, business leaders, and state and federal regulators and legislators on strategic initiatives, emerging issues and infrastructure development projects (e.g. market area storage, contract carrier, common carrier and private pipelines, LNB facilities, international pipeline expansions and renewable energy (solar, wind, landfill gas and other methane extraction)) projects
- Extensive transactional experience preparing and negotiating all operative contracts relating to the development, construction, interconnection and operation of projects and facilities in the natural gas, crude and petroleum products and electric (solar and wind) industries

- Coalition spokesperson and counsel advising industry and regulators on Gas-Electric Coordination issues and the impact of renewable energy on the development of electric and gas markets and the grid
- Advises clients on regulatory, contractual and due diligence matters associated with the construction, merger and acquisition, and operation of natural gas, LNG facilities, oil refineries and midstream assets for import, export and domestic uses
- Conducts corporate in-house Antimarket Manipulation Training and Interstate Commerce Act Compliance programs
- Responsible for the analytical review and legal preparation of economic, financial and engineering testimony used to support the balance sheet and proposed rate recovery of regulated entities.
- Investigates director and officer liability, breach of fiduciary duty and professional liability claims involving failed and failing businesses including financial institutions and other regulated industries

Education

- University of Notre Dame Law School (J.D.)
- University of Notre Dame Law School (Program of International Studies, London, England)
- University of Notre Dame (B.A., Economics/Business Administration)

Professional Memberships & Activities

- Energy Bar Association
 - Officer and member of the Board of Directors (1996-2001)
- North American Energy Standards Board
 - Executive Committee (1996-2007)

Representative Presentations & Publications

- "[DOJ Announces New Drone Policy](#)," Author, Snell & Wilmer Legal Alert (December 3, 2019)
- Air & Waste Management Association Midwest Section Environmental Technical Conference, Presenter, Chicago, Illinois (February 27, 2018)
- Energy, Utility and Environment Conference, Presenter, San Diego, California (February 3, 2016)
- Energy Bar Association Midwest Conference, Presenter, Chicago, Illinois (March 31, 2015)
- American Public Power Association Legal Seminar, Presenter, Key West, Florida (October 2015)
- "Gas-electric coordination heats up in the Southwest," Quoted, Platt's Gas Daily (November 19, 2014)

Professional Recognition & Awards

- The Best Lawyers in America®, Energy Law (2007-2020)
- Public Utilities Fortnightly, Nation's Top 25 Regulatory Utility Lawyers (2011)

Community Involvement

- Franciscan Renewal Center, Phoenix, Arizona
 - Board of Directors (2014-present)
- Youth basketball volunteer coach (1998-present)

- Habitat for Humanity (2013-present)
- Love Grows (philanthropic group connecting children and teens with service projects for elderly/convalescent individuals) (2013-present)

Bar Admissions

- Arizona
- District of Columbia
- Florida (inactive)
- Pennsylvania (inactive)

Court Admissions

- Supreme Court of Arizona
- United States Court of Appeals, District of Columbia Circuit
- United States Court of Appeals, Fifth Circuit
- United States Court of Appeals, Seventh Circuit
- United States Supreme Court