

John N. Estes III

Skadden

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Energy Regulation and Litigation



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Education

J.D., Louisiana State University, 1983
B.A., Tulane University, 1979

Bar Admissions

District of Columbia

John Estes heads Skadden's Energy Regulation and Litigation Group. He focuses on FERC enforcement and litigation at the agency and on judicial review. Mr. Estes has defended many of the FERC enforcement cases involving electric and natural gas market manipulation allegations that have become public, including representing Barclays Bank PLC, JP Morgan Ventures Energy Corp., DB Energy Trading, LLC, Rumford Paper Company, Dr. Alan Chen and Green-Hat. Two of these cases are among the handful to proceed to federal district court, and have involved litigation of several novel questions. He previously defended Energy Transfer Partners in one of the first FERC market manipulation cases, which settled on favorable terms on the eve of trial. He also defended H.Q. in the first complaint case claiming market manipulation. He has navigated many nonpublic FERC enforcement cases to conclusion without sanction.

In addition, Mr. Estes often has played a lead role in complex FERC cases at trial, typically involving market design, market power or market manipulation issues in organized electric markets. Representative FERC trials include:

- Dynegy in the first two trials in the protracted and highly complex "California Refund Case," and Aquila and Illinova in the third trial in that case;
- a large coalition of generators in the bitterly fought New England "LICAP" case involving capacity markets;
- Exelon in groundbreaking litigation involving whether FERC should exempt AEP from certain state laws that were preventing AEP from joining PJM; and
- Dynegy and NRG in the "California Long-Term Contract Case."

He also has played a lead role in numerous agency cases that stopped short of trial, including representing generators in a series of disputes over capacity markets spanning more than a decade. His experience advising clients and litigating disputes regarding organized electric markets dates back 20 years, when those markets were in their infancy. In addition, he has decades of experience handling the energy regulatory aspects of transactional matters.

Mr. Estes also has an active appellate practice. He has argued 29 cases in the U.S. Courts of Appeals for the D.C., First, Third, Fourth, Fifth, Sixth, Ninth and Tenth Circuits.

Mr. Estes is ranked as a Star Individual in *Chambers USA* and has been ranked in the top tier in *Chambers Global* each year since 2005. He also has been listed in *The Best Lawyers in America* and *The Legal 500 U.S.* In addition, Mr. Estes has been named as a leading energy appellate lawyer nationwide and in the D.C. Circuit in *Benchmark Litigation*.

Among other community activities, Mr. Estes is a member of the board of directors of The Washington Ballet.

Publications

"Trump Administration Limits Acquisitions and Use of Bulk-Power System Electric Equipment From Foreign Adversaries," *Skadden, Arps, Slate, Meagher & Flom LLP*, May 5, 2020

"A Regulatory Reform Agenda for FERC," *Wolters Kluwer's Federal Energy Regulatory Commission Reports*, February 15, 2018

"Energy Law Handbook: Fifth Edition," *Skadden, Arps, Slate Meagher & Flom LLP*, January 2018