

Bernard L. McNamee

Overview Bernie McNamee is a recognized leader in energy policy and the law, providing private and public sector clients with proven experience on complex issues in high-stakes environments. McNamee's leadership experience includes being appointed by the President and confirmed by the U.S. Senate to be a Commissioner on the in the Federal Energy Regulatory Commission (FERC), as well as high level positions at the U.S. Department of Energy, U.S. Senate, Texas and Virginia Offices of the Attorney General, and Virginia Governor's Policy Office.

Energy Law and Policy

Partner, McGuireWoods, LLP; Senior Advisor, McGuirewoods Consulting. Richmond, Virginia. 2020-present (Returned to firm after public service).

- Provides strategic legal and policy advice on federal and state energy issues.
- Voted by peers as one of the "legal elite" for Legislative, Regulatory and Administrative legal services as listed in *Virginia Business* for years 2008, 2012, 2020. Named One of the "Best Lawyers in America," "Woodward/White, Inc., 2010 - 2013. Selected for inclusion in "Legal 500 United States," Energy Litigation: Conventional Power, 2022

Street Distinguished Visiting Professor of Law, Appalachian School of Law. Grundy, Virginia. 2021-present.

- Teach law students about energy law and regulation.

Commissioner, Federal Energy Regulatory Commission. Washington, D.C. 2018-2020.

- Presidential appointee, U.S. Senate confirmed member of 5-person federal energy policy commission.
- Decision maker on issues related to electricity wholesale markets, natural gas pipeline approvals, LNG export facility approvals, oil pipeline rates, reliability standards, and ratemaking.
- Participated in over 1700 published orders. Authored numerous concurrences and dissents.
- Testified before Congress and was the invited speaker around the country before a wide variety of energy organizations.

Executive Director, Office of Policy, U.S. Department of Energy. Washington, D.C. 2018.

- Responsible for providing policy advice and research for USDOE, its leadership and its programs.
- Managed team of 40 professionals and staff.
- Testified before Congress.

Deputy General Counsel for Energy Policy, U.S. Department of Energy. Washington, D.C. 2017-2018.

- Responsible for providing legal and policy advice for major USDOE program responsibilities, including the Office of Electric Delivery and Electric Reliability, the Office of Fossil Energy, the Office of Nuclear Energy, and the Office of Standard Contract Management.
- Advised the Secretary of Energy and senior staff regarding major legal issues and energy policy.
- Experience includes LNG export orders, grid reliability issues, Atomic Energy Act and Nuclear Waste Policy Act issues, Jones Act waivers, and regulatory process.
- Managed team of 25 lawyers and staff.
- Testified before Congress.

Director, Life: Powered, Texas Public Policy Foundation. Austin, Texas. 2018 (served for four months before returning to USDOE).

- Responsible for development of energy initiative focused on free market principles.
- Developed policy and media strategy; presented speeches and published op-eds.

Partner/Senior Counsel, McGuireWoods, LLP. Richmond, Virginia. 2006-13/2016-17. (Returned to firm after public service).

- Practiced with the Energy and Utilities section of the firm (~1000 lawyers in 21 offices worldwide).
- Represented electric and gas utilities in CPCN proceedings for generation and transmission facilities, rate cases, renewable portfolio standards, integrated resource planning, and rulemaking.
- Provided legal advice and represented energy and utility clients before the Virginia State Corporation Commission, as well as the North Carolina Utilities Commission.
- Voted by peers as one of the “legal elite” for Legislative, Regulatory and Administrative legal services as listed in *Virginia Business* for years 2008, 2012. Named One of the "Best Lawyers in America," “Woodward/White, Inc., 2010 - 2013.

Chief of Staff, Attorney General of Texas. Austin, Texas. 2015.

- Served as legal and policy advisor to the Attorney General.
- Responsibility, with 1st Assistant, for office of almost 4200 attorneys, professionals and staff, with an annual budget of \$550 million.
- Substantive involvement with all aspects of the office, including state and federal regulatory issues, major cases in state and federal courts, and Opinions of the Attorney General.
- At direction of the Attorney General, led Texas team in 24 state coalition challenging EPA’s “Clean Power Plan.” Also led Texas team in challenging EPA’s “Waters of the United States” regulation.
- Advised on press, speeches and crisis management.

Senior Domestic Policy Advisor and Counsel, United State Senator Ted Cruz of Texas. Washington, D.C. 2013-2014.

- Led domestic policy development for Senator Cruz: energy, environment, healthcare, taxes, labor and employment, agriculture and transportation.
- Developed, tracked and advised on legislation.
- Provided strategic and tactical advice, including assisting with press, communications and speeches.

Law and Public Policy

Office of the Attorney General of Virginia. Served three Virginia Attorneys General in leadership positions with progressive promotions.

Chief Deputy, Attorney General of Virginia. Richmond, Virginia. 2005-2006.

- Managed office of almost 300 attorneys and staff with a budget of \$25 million.
- Served as legal counsel and policy advisor to the Attorney General.
- Substantive involvement with all aspects of the office including Consumer Counsel, civil litigation, criminal appeals, education law, regulatory/APA, tobacco Master Settlement Agreement, and Official Opinions of the Attorney General.

Chief Counsel to the Attorney General of Virginia, Richmond, Virginia. 2002-2003.

- Served as chief legal counsel and policy advisor to the Attorney General.
- Responsible for developing, coordinating and implementing Attorney General's policies and vision in all aspects of the work of the Office of the Attorney General, including consumer multi-state settlements.

Deputy Attorney General for Health, Education, and Social Services, Richmond, Virginia. 2001-2002.

- Managed division lawyers and staff.
- Responsible for reviewing and approving legal work, including briefs, regulations, agency advice, FOIA questions, and settlements.
- Served as special assistant to the Attorney General for the Virginia Preparedness and Security Panel.

Partner, Williams Mullen, Richmond, Virginia. 2003-2005.

- Partner with Government Affairs team.
- Represented corporations, associations and other interested parties before legislative and executive branches of government.
- Practice included developing and passing legislation, negotiation and advocacy for government contracts, strategic planning, press strategies, and crisis management.

Associate, Hunton & Williams, Richmond, Virginia 1998-99, 2000-2001.

- Associate on the Corporate and Finance team (including time in the firm's Charlotte office).
- Recipient of the E. Randolph Williams Pro Bono Award.

Director of Policy, George Allen for U.S. Senate Campaign in 2000, Richmond, Virginia. 1999-2000.

- Responsible for developing, analyzing and researching all aspects of public policy for successful statewide campaign.

Deputy Counselor to the Governor, Governor's Policy Office, Richmond, Virginia 1995-98.

- Served as legal counsel and policy advisor to Governor George Allen of Virginia and his Cabinet.
- Served as Special Governor's Advisor: Governor's Advisory Council on Self-Determination and Federalism; Governor's Commission on Juvenile Justice; and Governor's Commission on Environmental Stewardship.

Associate, Elarbee, Thompson & Trapnell, Atlanta, Georgia. 1993-95.

- Litigation associate.

Education

Emory University School of Law, Atlanta, Georgia. Juris Doctor, May 1993.

- Dean's List.
- Book Review Editor, Emory International Law Review, 1992-93.
- National Institute of Trial Advocacy.

University of Virginia, Charlottesville, Virginia. Bachelor of Arts in Foreign Affairs, May 1989.

- Dean's List.
- John Dalton Political Achievement Award.

Universite de Franche-Comte, Centre de Linguistique Appliquee, Besancon, France. September 1998.

- Four-week French language immersion program.

Licensed/Bars

- **State Bar of Texas**
- **Virginia State Bar**
- **State Bar of Georgia (inactive)**
- **Supreme Court of the United States**