SPIEGEL & MCDIARMID LLP



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Thomas C. Trauger

Senior Counsel

Helping clients navigate the complexities of the energy markets and regulatory requirements, particularly when a smaller market participant is confronted with hurdles favoring larger, more powerful interests, keeps Tom excited about the practice of law. Working primarily with public sector and cooperative clients, Tom and the firm are dedicated to helping them thrive in their entrepreneurial activities, such as providing affordable and environmentally responsible electric service to support the economic well-being of the businesses and residents they serve.

Tom enjoys the opportunity to wrestle with challenging public-policy issues affecting the structure of major industries, while working on a personal and local level with talented, dedicated clients whose motivation is to protect fair competition and promote economic development in their communities. He has extensive experience in negotiating commercial agreements and resolving disputes, as well as litigation, when that is in the client's best interest.

EDUCATION

Harvard Law School, JD, 1977
Cambridge, MA

University of Cologne, 1972–74
Cologne, Germany
Energy Economics Department
independent research

Washington University, AB, 1972
St Louis, MO
Economics

University of Colorado, 1970–71
Boulder, CO

ADMISSIONS

District of Columbia

United States Courts of Appeals for the District of Columbia, Sixth and Ninth Circuits

United States District Court for the District of Columbia

Representative Matters

- After Owensboro Municipal Utilities in Kentucky won a court ruling affirming its right to terminate a long-term contract with Kentucky Utilities Company, KU retaliated with a $47 million counterclaim. Tom's work with Peter Hopkins and deft local counsel culminated in a multi-week trial in federal court and complete rejection of KU's counterclaim. *City of Owensboro v. Kentucky Utilities Co.*, No. 4:04-CV-87(M) (W.D. Ky. Feb. 19, 2009).

- When the municipal electric systems in Paducah and Princeton, Kentucky, decided to form a new Kentucky Municipal Power Agency and no longer purchase power from the Tennessee Valley Authority, Tom and his team helped them negotiate a completely new set of power supply and electric transmission arrangements. When met with recalcitrance, they handled the necessary litigation, which was

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CLERKSHIPS

Clerkships Content

MEMBERSHIPS

Energy Bar Association

American Bar Association



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- Active involvement on behalf of municipal power customers in multi-party negotiations and drafting to produce a groundbreaking twenty-year Memorandum of Agreement among the U.S. Army Corps of Engineers, Southeastern Power Administration and SEPA customers to support customer funding of $1.1 billion of infrastructure enhancement for Corps hydroelectric facilities in the Cumberland River Basin.

Practice Focus

Energy, electric restructuring, regulatory policy, contract negotiations, ratemaking and antitrust issues, primarily in the electric utility industry. Has been responsible for all stages of litigation, including investigation, discovery, trial and appellate advocacy, as well as negotiations and alternative dispute resolution procedures.

Noteworthy

Tom has been inducted into the 2012 Capital *Pro Bono* High Honor Roll by the District of Columbia Court of Appeals and Superior Court.

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