

Daniel Brey

Associate

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Daniel structures power procurement strategies and steers energy developers, utilities, and large power purchasers through Federal Energy Regulatory Commission (FERC) and state regulatory processes.

Daniel advises energy developers, utilities, and large power purchasers on the regulatory and transactional challenges that arise across the full energy project lifecycle. His practice centers on FERC jurisdictional matters under the Federal Power Act (FPA), interconnection strategy, wholesale market compliance, and power purchase agreement (PPA) structuring — work that spans project inception through financing and into ongoing operational compliance.

On the interconnection side, Daniel has developed particular depth in regional planning and queue processes, including Southwest Power Pool's (SPP) Consolidated Planning Process and Midcontinent Independent System Operator's (MISO) Definitive Planning Phase. He advises independent power producers and project developers on market-based rate authority, exempt wholesale generator (EWG) status, and FPA Sections 203 and 205 compliance, and counsels clients on state utility commission proceedings before the Utah Public Service Commission (PSC), New Mexico Public Regulation Commission (PRC), and other state regulators.

Daniel has built a focused practice around the regulatory and commercial issues raised by data centers and other large loads. He advises developers, power purchasers, and utilities on interconnection strategy, power procurement, contract structuring — including sleeve PPA and backstop arrangements — and the evolving federal and state framework governing these projects. He also advises on tax equity transaction structures for renewable energy projects and drafts energy regulatory opinions and covenant provisions in connection with project financings across multiple jurisdictions.

Select Experience

Education

- Cornell Law School (J.D., 2022)
 - President, First Generation Student Association
 - 2021 Transactional Lawyering Competition Winner, Buyer's Side
 - 2021-22 Seymour Herzog Memorial Prize Winner
- Florida International University (B.A., Political Science & English, 2016)
 - Andre Dawson Scholarship Recipient
 - Major League Baseball Clubhouse Manager Association Scholarship Recipient

Bar Admissions

- Texas
- Utah

- Advised an electric utility on the state and FERC regulatory treatment of potential power supply structures, including sleeve PPA arrangements, for serving a data center customer.
- Represented an investor-owned utility in a contested certificate of public convenience and necessity case before the North Dakota Public Service Commission against a rural electric cooperative over service to a wind farm.
- Prepared FPA Section 205 filings for transmission and interconnection agreements in MISO, including agreements for a jointly developed 345 kV transmission line and a 200 MW battery storage project.
- Drafted federal and state energy regulatory opinions and accompanying memorandums across multiple jurisdictions, including Utah, Washington, Montana, Colorado, Idaho, and Arizona, advising on state utility commission jurisdiction over independent power producers and exempt wholesale generators in connection with renewable energy and battery storage project financings.

Languages

- Spanish

Clerkships

- Judicial Externship, U.S. District Court for the Eastern District of New York, Judge Joan M. Azrack, 2021