



PARTNER

## Ryan M.F. Baron

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📍 Irvine

Ryan Baron offers strategic counsel to public agencies and private clients on all aspects of utilities law. He serves as general counsel services to public agencies providing utility services and special counsel in the areas of utilities regulation, administrative and regulatory law, environmental law and infrastructure development. Ryan regularly advises on business, regulatory and transactional matters related to energy, climate change, water, solid waste and air quality.

Ryan has been recognized by Lawdragon as one of the 500 leading energy lawyers in the nation. He has also served as chair of the Board of Representatives of the California Lawyer's Association (CLA), the second largest bar association in the U.S.; and chaired CLA's Public Law Section. Ryan is the former chair and member of the board of directors for Sustain SoCal, a trade association focused on Southern California cleantech and sustainability.

### General Counsel

Ryan is and has served as general counsel to several joint powers authorities. He has also served as agency counsel for two of the largest public works and solid waste agencies in California, and provides a range of public law services to publicly owned utilities and municipal enterprise departments. In this capacity, he advises on federal and state law compliance, public records, open meetings, litigation, crisis and risk management, and public contracting.

### Utilities

Ryan began his career in Washington, D.C. working on federal agency utility matters and has a breadth of experience in all aspects of utilities. He currently represents cities, counties, water districts, community choice aggregators, municipal aggregators, municipal utilities, tribes, developers, land owners and hedge funds. He represents clients nationally on administrative law matters before various public utilities commissions and other federal and state regulatory agencies, and advises on regulated utility rules. More particularly, Ryan specializes in the feasibility and formation of alternative utility structures and has advised on a number of electric municipalization, aggregation and utility ownership efforts throughout California, Colorado, Oregon and Virginia and other alternatives to investor-owned utility service.

## CORE PRACTICES

- Air Quality
- California Public Utilities Commission
- Environmental Law & Natural Resources
- Renewable Energy
- Water Quality
- Municipal Law
- Special Districts
- Energy

## Environmental Law

Ryan has extensive experience under the Clean Water Act, including stormwater regulation, NPDES permit compliance, total maximum daily loads, and trading and offset programs. He also advises clients on air quality and climate change regulations, such as air permits and cap-and-trade programs. He previously served as counsel to a large landfill system, and has experience in solid waste and recycling regulations.

## Contracts, Project Development & Permitting

Ryan counsels clients on all aspects of the development of utility and large-scale infrastructure projects. He has significant experience in contracts and negotiation, including power purchase and sale agreements, franchises, financial instruments, public-private partnerships, and real estate contracts. He has experience with the development of renewable energy projects, such as waste-to-energy, solar, fuel cell, wind, renewable natural gas and battery storage, as well as with the development of flood control and water facilities, transportation corridors and master-planned developments. In total, Ryan has advised on billions of dollars in projects and development.

## Government Service

Ryan is a former senior deputy county counsel to Orange County, California, the sixth largest county in the U.S. with over three million residents. In a 70-attorney law office, he advised the Board of Supervisors and department heads on all utilities matters and was lead counsel to several agencies.

Prior to government service, Ryan practiced in Washington, D.C. with Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC working on behalf of Fortune 100 companies on regulatory litigation and federal enforcement actions in telecommunications, securities and oil services. During law school, Ryan was a law clerk and junior lobbyist for the global government relations office of an international telecommunications company and a legal intern in the International Bureau of the FCC and for FCC Commissioner Gloria Tristani. Ryan was editor-in-chief of Catholic University's communications law journal and a graduate of the school's Institute for Communications Law Studies (now the Institute of Law & Technology).

## Teaching

Ryan was an adjunct professor of Administrative Law and Energy Law at Whittier Law School. He has guest lectured at the University of Southern California School of Law, Chapman University School of Law, and in the Advanced Power and Energy Program at the University of California, Irvine

## Notable Experience

### Utility Law

- Represent clients at Federal Energy Regulatory Commission, Department of Energy, California Public Utilities Commission, California Energy Commission, Colorado Public Utilities Commission, Virginia State Corporation Commission and various PUCs.

## EDUCATION & ADMISSIONS

### Education

The Catholic University of America, Columbus School of Law, J.D.

San Diego State University, B.A., communication, with distinction

### Bar Admissions

California

- Advise community choice aggregators on feasibility, formation and implementation, including creation of enterprise funds and joint powers agencies, consultant contracts, energy and resource adequacy procurement, and public utilities commission regulation. Clients include San Diego Community Power, Orange County Power Authority, Western Community Energy, Desert Community Energy, Clean Power Alliance of Southern California, San Jose Clean Energy, San Jacinto Power, Pomona Choice Energy, County of San Diego, County of Loudon, Virginia and various cities and counties exploring CCA or joining an existing CCA.
- Advise cities in California and Colorado on municipalization and alternatives to incumbent service.
- Represent large agricultural producer on FERC hydroelectric licensing matters.
- Represent clients in state agency proceedings such as CEC renewable energy project certification, exit fees and stranded costs, resource adequacy, renewable energy compliance, de-energization and wildfire cost recovery, utility undergrounding, Aliso Canyon natural gas storage leak investigation, IOU rate case and investigations, and renewable energy project certification, and other adjudicatory and rulemaking matters.
- Advise on investor-owned utility general rates cases and tariffs including PG&E, SCE SDG&E, SoCalGas and Golden State Water.
- Advise on electric municipalization efforts in California and Colorado.
- Advise development companies on infrastructure and undergrounding disputes with electric and water IOUs.
- Former lead counsel to \$1 billion municipal solid waste enterprise on alternative energy opportunities.
- Negotiate agreements and other project documents for solar, landfill gas and fuel cell facilities.
- Participated in California Air Resources Board rulemakings regarding cap-and-trade application to cogeneration plants and landfills and advised on monetization of carbon allowances and offset programs.
- Represented large county in formation of statewide joint powers agency for natural gas procurement.

## Environmental Law

- Represent clients in front of U.S. Environmental Protection Agency, California State Water Resources Control Board, California Regional Water Quality Control Boards, California Air Resources Board, California Air Quality Management Districts.
- Advised counties, numerous cities, councils of government and developers on Clean Water Act and Porter-Cologne Act compliance and watershed management planning.
- Participated in State and regional Water Board proceedings on stormwater permit issuance, alternative compliance, total maximum daily loads, establishment of water quality standards and beneficial uses.
- Drafted Supreme Court amicus brief and filed test claims with Commission on State Mandates regarding unfunded state mandates associated with MS4 program activities.
- Advised on total maximum daily load compliance issues (bacteria, selenium, organochlorines) involving water quality trading, alternative compliance strategies, TMDL deadlines, basin plan amendments.
- Participated in EPA rulemaking proceedings on Waters of the U.S. and agency restructuring, and negotiated with agency staff.
- Successfully represented clients in Clean Water Act lawsuits, 60-day citizen suit notices and regional Water Board enforcement actions.
- Advised on air permits and variance issues associated with landfill operations, natural gas and landfill gas to energy power plants.
- Advised on solid waste disposal issues including trash importation, tipping fees, California Environmental Quality Act, landfill expansion, landfill closure and conditional use permits.

## Project Development

- Draft and negotiate numerous utility-scale and behind-the-meter power purchase agreements and master purchase and sale agreements for system energy, renewable energy, and resource adequacy capacity.
- Draft and negotiate utility franchise and pipeline agreements.
- Provided strategic counsel on \$165 million P3 development of government civic center.
- Negotiated utility undergrounding disputes with electric IOUs.
- Advised on infrastructure development agreement obligations for 6,000-acre development including transportation obligations, road fees and community facility district finance issues.
- Advised on development and construction of cogeneration, solar, LFGE, biomass, fuel cell and natural gas injection facilities.
- Advised on all aspects transportation corridor improvements and flood control improvements, including CEQA/NEPA, State Fish and Wildlife and regional Water Board permits, design and construction contracts, developer and municipal cooperative agreements, real estate and public funding issues.
- Advised joint powers operation of \$200 million public safety radio communications system between county and more than 130 partner agencies, including \$150 million p25 upgrade.
- Drafted and negotiated \$20 million cooperative agreements between state and local agency partners for water diversion pipelines to remove selenium, nitrogen and trash.
- Led telecommunications site leasing efforts on countywide basis.

### Public Agency Governance

- Former lead counsel to Orange County public works, planning and solid waste agencies on issues involving regulatory, environmental, public works, procurement, real estate, land use, special fund use, public finance, Brown Act, CEQA and conflicts of interest.
- General counsel to numerous joint power authorities and agency commissions and committees.
- Counsel on countywide regional services including water quality, energy, public works and public safety communications.

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### Accolades

- Lawdragon, 500 Leading Energy Lawyers, 2024

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### Professional & Community Involvement

- California Lawyers Association, Public Law Section
  - Board of Representatives; Chair, 2021-2022; Vice Chair, 2020-2021; Treasurer, 2019-2020
  - Public Law Section Executive Committee, Advisor, 2022-present; former Chair and Treasurer
- California Community Choice Association
- California Stormwater Quality Association
- National Municipal Stormwater Alliance
- Power Association of California

- Sustain SoCal, Board of Directors, Chair 2019-2021

## Thought Leadership

### Publications

- “California Community Choice Aggregation Law & Regulation,” *Texas A&M Journal of Property Law*, 7 Tex. A&M J. Prop. L. 480 (2021)
- “Community Choice Aggregation: Is It Right for Your City?” PublicCEO, July 26, 2018
- “Riverside County Issues RFP for Broadband Infrastructure,” BBKnowledge, April 5, 2017
- “A Critique of the International Cybercrime Treaty,” The Catholic University of America Columbus School of Law, CommLaw Conspectus: Journal of Communications Law and Technology Policy, 2002

### Presentations

- “Sustain SoCal Board of Directors Welcome,” 13th Annual Energy Event, Sustain Southern California, Nov. 2, 2022
- “FDI in the Energy and Environmental Sectors,” Webinar, California Lawyers Association, Climate Change, War and Pandemic - Accelerating the Transition to Green Energy and Digital Economy in Italy and California, Oct. 12, 2022
- “The Local Government Start-Up,” League of California Cities Annual Conference, Sept. 23, 2021
- “SoCal CCA Update and Introducing the Orange County Power Authority,” 11th Annual Energy Conference, Sustain Southern California, Dec. 1, 2020
- “National Policy, Legislative and Legal Hot Issues in Stormwater,” National Municipal Stormwater Alliance Conference, Mar. 17, 2020
- “How to Keep the Water Flowing When the Lights Go Out,” Association of California Water Agencies Fall Conference & Exhibition, Dec. 4, 2019
- Legal Update, Moderator, 2019 Panel Forum, California Stormwater Quality Association, Oct. 8, 2019
- “CPUC De-Energization Proceeding,” Webinar, Association of California Water Agencies
- Energy Committee Webinar, Aug. 9, 2019
- “Understanding Community Choice Energy,” San Joaquin Valley Clean Energy Organization, July 11, 2019
- “CPUC Proceedings of Note: PG&E Restructuring, Undergrounding and Wildfire Mitigation,” County Counsels' Association of California Land Use Study Section Spring 2019 Conference, May 2, 2019
- “Introduction to Community Choice Energy,” Central Valley CCE Workshop, San Joaquin Valley Clean Energy Organization, Mar. 12, 2019
- “Community Choice Energy: Considerations for Public Agencies,” Public Law Section Webinar, California Lawyers Association, Feb. 27, 2019