

CARMEN L. FOSCO, Of Counsel

Carmen L. Fosco is of counsel in the firm's Energy Practice. He focuses on representing natural gas and electric industry clients before regulatory agencies and state courts.

Mr. Fosco's work representing gas and electric industry clients has included public utility requests for rate increases under both test year and formula rates, electric supply procurement and prudence, proceedings to consider approval and implementation of investment in advanced metering infrastructure (AMI) and other smart grid technologies, siting and licensing new facilities, rulemakings, utility tariffs, market restructuring, preparation and review of compliance filings by competitive suppliers, and consultation on wholesale and retail energy sales. He has represented clients in workshops, collaboratives, and litigation before state administrative agencies and courts. Mr. Fosco also advises clients on a wide range of strategic and compliance issues. Mr. Fosco previously spent more than fourteen years as counsel at the Illinois Commerce Commission, where he developed extensive experience in gas, electric, water and telecommunications regulatory matters and served as lead counsel in numerous proceedings including rate, reorganization, procurement, reconciliation and rulemaking dockets.

In addition, Mr. Fosco has more than twelve years of private sector legal experience including serving as general counsel for a group of companies that owned and managed multi-family and single-family residential real estate. As an associate, his practice focused on commercial litigation matters.

- Represented an electric utility in multiple rate case proceedings, including Illinois' first formula rate case.
- Represented and counseled an electric utility in regulatory proceedings to approve annual power procurement plans.
- Successfully represented competitive energy supplier in rulemaking proceeding that resulted in the Joint Committee on Administrative Rules issuing an objection and prohibition of a proposed rule that would have been harmful to client's interest.
- Represented electric utility in developing and obtaining regulatory approval to launch Advanced Metering Infrastructure (AMI) plan.
- Provided counsel to competitive energy supplier in all aspects of regulatory compliance.
- Represented electric utility in administrative proceedings related to state-mandated multi-decade "clean coal" sourcing agreement and related appellate proceedings.
- Successfully represented electric utility in capacity charge investigation proceedings; obtained order specifically finding utility's methodology to be consistent with its approved tariffs and transmission tariffs, and that no modifications to tariffs were necessary.



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CHICAGO

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PRACTICE GROUPS

Energy

EDUCATION

DePaul University College of Law, J.D.,
1983

Southern Illinois University, B.A., 1980

ADMISSIONS

Illinois

Texas (inactive)

COURT ADMISSIONS

US District Court, Northern District of
Illinois

- Represented competitive energy supplier in citation proceedings and successfully negotiated settlement of all issues and dismissal of proceeding.
- Represented competitive energy supplier in rulemaking proceedings to adopt new marketing requirements and successfully negotiated and litigated rule changes to avoid and minimize proposals that would have been harmful to competitive suppliers' interests.
- Participated in an administrative agency investigation of a natural gas explosion, including depositions of utility crew involved in that incident; served as the primary drafter of the agency report identifying the cause of the incident and recommending steps to prevent similar incidents from occurring.

AWARDS

- *Chambers USA*
 - Energy and Natural Resources, 2013 to 2018

Service To The Bar

- Chicago Bar Association
 - Energy, Telecommunications and Water Committee