

## MVP: Jenner & Block's Matthew Price

*Law360 (December 6, 2018, 5:35 PM EST)* -- Matthew Price of Jenner & Block LLP won court victories for programs in New York and Illinois that put in place incentives for nuclear power plants and secured a victory in the Illinois Supreme Court that helped define what counted as a utility, earning him a spot as one of Law360's 2018 Energy MVPs.

### ***HIS MOST SIGNIFICANT ACCOMPLISHMENT THIS YEAR:***

Price successfully argued cases before the Second and Seventh circuits in support of state programs in New York and Illinois that subsidized struggling nuclear plants, convincing the courts that the subsidies didn't usurp Federal Energy Regulatory Commission authority over wholesale electricity markets.

"One of the most critical issues in our world today is figuring out how to support our demand for energy in a sustainable way. Nuclear power plants have a big role to play in solving that problem, because they don't emit carbon when they generate power but many have seen financial challenges in recent years," he said. "There was some uncertainty about what exactly states could do without intruding on the federal government's turf."

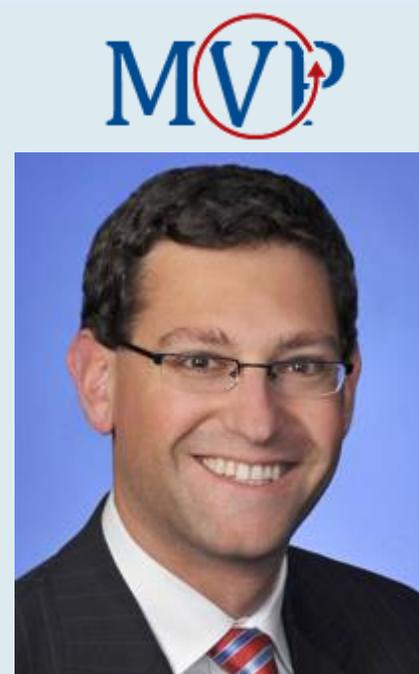
He said these are the kinds of cases he wanted to work on earlier in his career, and he now has the opportunity to do so.

In these cases, he represented Exelon Corp. and others in New York and Exelon in Illinois. He helped formulate some of the programs when they were being designed and then helped defend them when they were challenged.

### ***WHY HE IS AN ENERGY ATTORNEY:***

Price said he ended up practicing energy law largely by accident.

"The first case had me intrigued with the industry and the second case had me hooked because of the importance of the industry. It is the bedrock to our entire way of life," he said, adding that the lights only go on if the regulatory structure and industry is functioning properly.



**Matthew Price**  
**Jenner & Block**

As an energy attorney, he gets to handle these key problems, which also include how the problem of climate change is tackled. Price said he worked on his first energy case around 2010, which dealt with whether a state could subsidize a new gas-fired power plant. He was part of the challenge to that program and prevailed in the trial court, he said. The work continued from there.

***ON HIS PRO BONO WORK:***

Price also takes pro bono immigration cases. Some of them are individual cases and others seek to establish some kind of legal principle. When asked how his work has changed in the last couple of years, he said it was "certainly a different environment."

"A lot of the sort of basic guideposts have been shaken up and changed in ways that I think make litigation a much more important tool for ensuring refugee and asylum seekers get the protection that the law provides for them," Price said.

He said there has been an increase in detentions, which is a barrier for his work.

"That really creates challenges to representation. Representation is really critical to being able to succeed. It is a really complicated area of law, and you have people who apply and many of whom have good claims but they aren't educated or they don't even speak English, and without a lawyer there is just no realistic possibility to get the relief they really should get," Price said.

***THE BIGGEST CHALLENGE HE'S FACED:***

Price said it is a constant challenge to take the very complicated area of energy law and regulation and make it understandable to those who do not think about it every day.

"The biggest challenge for energy lawyers is to really figure out how to make the complex, simple," he said. "It is technically complex, the engineering is complex, the economics are complicated."

He said he focuses on making sure his explanations make sense to everyone while still being accurate.

"I always want someone on my team who does not have a lot of prior exposure or experience on energy issues, because they are the best audience about what needs to be explained more clearly," he said.

***WHAT ADVICE WOULD YOU GIVE YOUNG ATTORNEYS?***

Price said that a young attorney should do more than just the work he or she is assigned.

"Think more broadly and make sure you understand the whole case and not only the whole case but also how the whole case fits into the broader strategy," he said. "What we do as lawyers is often a piece of a much larger puzzle."

He said when he looks at a case, he tries to make sure he understands the context in which he is working.

"Litigation is never an end in itself, it is always a tool or a means towards some goal, and you always need to think about what that goal is," he said.

— As told to Michael Phillis

*Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2018 MVP winners after reviewing nearly 1,000 submissions.*

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