

Robert S. Fleishman



Robert Fleishman is a retired corporate partner in the Washington, D.C., office of Kirkland & Ellis LLP. He has a stellar reputation for advising companies on the energy regulatory and compliance aspects of transactions and other energy market activities. He has also defended energy and financial industry participants and individuals in energy markets against charges of market manipulation, particularly before the Federal Energy Regulatory Commission (FERC), the Commodity Futures Trading Commission (CFTC) and other regulatory bodies. He advised clients on energy regulatory, transactional, M&A, financing, bankruptcy restructuring, capital markets, and commercial matters across the energy sector, including electricity, natural gas, oil, oil and products pipelines, renewable energy resources, energy storage, and distributed energy resources.

Mr. Fleishman has been recognized in energy regulatory law by Chambers Global (2022–2024), Chambers USA (2010–2023), Best Lawyers in America, Energy (2007–2022), and The Legal 500 US (2008–2010; 2012–2013; 2015–2023). He was named by The National Law Journal to its list of 2017 Energy & Environmental Trailblazers, was honored by the Energy Bar Association (EBA) with the EBA President's Award (2019) and the Paul E. Nordstrom Service Award (2016), and also received the Center for the Advancement of Energy Markets Service Award (2005). Robert served as Editor-In-Chief of the Energy Law Journal 2005–2019 and is a past President of the Energy Bar Association.

Areas of Expertise:

- DISPUTE RESOLUTION
- ENERGY REGULATORY
- ENERGY & INFRASTRUCTURE
- ENVIRONMENTAL
- TRANSACTIONAL



Prior Experience

- Developed an extensive, systematic and cost-effective ADR Program at CEG and BGE;
- Held leadership roles in three ADR organizations: Chairman of the ADR Committee of the Energy Bar Association; Chairman of the Business Initiative for the Maryland Mediation & Conflict Resolution Office (MACRO) under the auspices of Maryland Chief Judge Robert Bell; and President of the Community Mediation Program in Baltimore;
- Successfully led the process for an extensive benchmarking study on the use of ADR in the Maryland business community, jointly published by MACRO and the Maryland Chamber of Commerce;
- Successfully negotiated with interstate pipelines, utilities, local distribution companies, state commissions, consumer advocates, and end-users in numerous FERC natural gas cases; and litigated approximately a dozen cases before FERC and the Maryland Public Service Commission on natural gas and electricity matters;
- Successfully overturned approximately 40 FERC orders and saved consumers approximately \$140 million by orchestrating a court victory in *BGE v. FERC* in the U.S. Court of Appeals for the D.C. Circuit;
- Saved natural gas customers more than \$1 billion by engineering a major victory at FERC through agency filings, litigation and Congressional activities concerning an interstate gas pipeline's transition restructuring costs; and
- Co-Chair of the Energy ADR Forum and Project Director, [ADR Forum Report](#)

Education

Mr. Fleishman received his B.A. from Georgetown University and his J.D. from Boston University School of Law.

Admission

- District of Columbia
- Supreme Court of the United States
- United States Court of Appeals for the District of Columbia Circuit

Recognition

- Chambers Global, Energy: Electricity (Regulatory & Litigation) and Energy: Oil & Gas (Regulatory & Litigation), USA, 2022–2024
- Chambers USA, Energy Regulatory Law, 2010–2023
- Best Lawyers in America, Energy, 2007–2022
- The Legal 500 US, 2008–2010; 2012–2013; 2015–2023
- Energy Bar Association (EBA), EBA President's Award, 2019
- The National Law Journal, 2017 Energy & Environmental Trailblazers



- Energy Bar Association (EBA), Paul E. Nordstrom Service Award, 2016
- Center for the Advancement of Energy Markets Service Award, 2005