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**James Curry**  
*Shareholder*

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**Area of Emphasis**

Jim Curry is the Managing Shareholder of the Firm's Washington, D.C. office. Jim is an energy lawyer with years of experience in government service and private practice helping clients navigate difficult regulatory and strategic challenges throughout the energy sector. His clients include pipelines, utilities, energy producers, LNG terminals, investors, technology companies, chemical makers, and hydrogen infrastructure developers. Jim takes a pragmatic, business-minded approach, informed by an understanding of the energy markets and regulatory policy. Applying his experience from day-to-day safety regulatory counseling, dozens of enforcement matters, internal and government investigations, rulemakings, energy projects and in appellate litigation, Jim identifies and executes creative legal and strategic pathways to help clients achieve their objectives.

Jim started his career in energy and transportation safety as an attorney the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA). Since departing government service, he has broadened his practice to include counseling on other DOT modal safety programs, including the National Highway Traffic Safety Administration (NHTSA), Federal Railroad Administration (FRA), and Federal Motor Carrier Safety Administration (FMCSA). Jim also advises clients on National Transportation Safety Board (NTSB) accident investigations, Government Accountability Office (GAO) audits and in state regulatory proceedings. Through this cross-cutting safety regulatory work, he has developed first-hand experience with many energy-related national safety and engineering codes and standards, including those for pipelines, utility-scale battery energy storage systems, and LNG facilities. Together, these experiences have given Jim a unique understanding of safety and regulatory risk management, corporate safety culture and how each bears on credibility and the bottom line.

Jim serves as a member of the Firm's Energy Management Team and in a number of its energy-related practice groups. He is a frequent speaker at energy conferences and has published numerous articles on energy law and policy.

**Select Matters**

- Counsel to numerous energy companies on internal compliance audits and in development and refinement of safety compliance programs. In this context, Jim routinely provides strategic and legal advice to companies seeking high safety performance and reduced compliance risk.
- Counsel to a number of energy companies and investors on PHMSA regulatory due diligence for transactions, including development of compliance risk assessments and transaction documents.
- Day-to-day regulatory and strategic advisor to pipelines, utilities and other stakeholders across the United States on all aspects of the Pipeline Safety Regulations and their state counterparts.
- Counsel to several energy companies in dozens of jurisdictional classification analyses of gas and liquids pipeline systems, terminals, refineries and other energy facilities.
- Advising operators and trade associations in Pipeline Safety Act Reauthorization and various ongoing PHMSA and DOT rulemaking efforts.
- Representing pipeline operators in PHMSA investigations and state enforcement proceedings throughout the United States. Jim has obtained several complete and partial withdrawals of alleged PHMSA violations, proposed compliance orders and civil penalties on the merits, and through settlement agreements on favorable terms.

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- Advising technology companies and other stakeholders on hydrogen and natural gas powered vehicles, fuel systems and transport safety issues, and associated NHTSA, FMCSA and PHMSA regulatory strategy and federal approvals.
  - Regulatory and strategic counsel to developer of proposed carbon capture and sequestration project, including associated CO<sub>2</sub> pipeline.
  - Represented seller of renewable natural gas system on regulatory strategy, state waivers and compliance issues.
  - Counseled pipeline operators and HazMat shipper responding to NTSB pipeline and highway accident investigations.
  - Represented pipeline operator in a D.C. Circuit petition for review of a PHMSA jurisdictional classification of liquid and gas pipelines, and in related administrative enforcement proceedings. Obtained favorable global settlement of all proceedings.
  - Represented pipeline operator in a D.C. Circuit petition for review of PHMSA guidance documents regarding the scope of the agency's jurisdiction at NGL fractionation facilities.
  - Advising oil and gas producers, truck and rail terminal facilities, industrial packaging business, and hydrogen fuel infrastructure developer on day-to-day interpretive matters, special permits, and investigations under the hazardous materials safety laws and regulations, including the DOT security plan requirements.
  - PHMSA counsel on a multi-agency civil enforcement action with DOJ and EPA related to oil pipeline accidents in Alaska. (prior government service)

### **Background**

Jim earned his B.S. from Boston University in 2001, and his J.D. from Seton Hall University School of Law in 2005. Prior to joining Babst Calland, Jim worked at a prominent energy, environmental and natural resources law firm in Washington, D.C.

### **Government Service**

- 2006-2010: Attorney-Advisor, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration
- 2004: Summer law clerk, U.S. Department of Justice, Environment and Natural Resources Division, Environmental Enforcement Section

### **Memberships and Affiliations**

Jim is admitted to practice before the District of Columbia and Maryland State bars, and the U.S. Court of Appeals for the District of Columbia Circuit.

### **Awards and Recognition**

- Listed in *The Best Lawyers in America*® in the Oil and Gas Law Section since 2020 and the Energy Law since 2023 by BL Rankings
- PHMSA Administrator's Team Eagle Award, 2007 and 2010
- U.S. Department of Transportation Secretary's Silver Medal, 2009