



Phyllis Kessler

Of Counsel

 Roseland

T: 973.577.1760

F: 973.577.1761

pkessler@greenbaumlaw.com

- Representation of clients in distributed energy supply transactions, including renewable energy projects
- Experience in energy regulation and regulatory proceedings at the state, federal and RTO levels
- Clients have included project developers, financial institutions, and significant consumers of regulated and unregulated energy services including data centers, universities, hospitals, and other commercial/industrial business entities

Phyllis is an energy attorney whose practice is focused on transactions involving distributed energy supply, including the provision of electricity and gas through renewable energy technologies and energy project development. She has broad expertise in the drafting and negotiation of power purchase agreements (PPAs), energy supply agreements (ESAs), EPC agreements and related corporate agreements and has significant experience in energy regulation and regulatory proceedings at the state, federal and regional transmission organization (RTO) levels.

Phyllis assists clients on energy projects involving solar, wind, microgrid, fuel cell, geothermal, energy storage, cogeneration, biofuel-generation, interconnection and line extension. She also provides guidance on power and gas marketing, and other issues related to deregulated energy markets, as well as submetering, energy efficiency, and rate design. Her clients have included project developers, financial institutions and large consumers of regulated and unregulated energy services (such as industrial, commercial, data center, multifamily housing,

nonprofit, university and hospital customers), marketers of competitively sourced electricity and gas and power authorities. She has appeared on behalf of such clients in federal and state court energy litigation matters and in regulatory proceedings in various states.

In addition, Phyllis represents clients of energy facilities involved in the Independent System Operator (ISO) process. She formerly represented a retail marketer of electricity, the first urban electric cooperative, on several New York ISO Committees, including influencing development of rules related to interconnection, ICAP, creditworthiness, operational issues and demand response. Throughout her career, Phyllis has negotiated gas and electric power contracts for commercial and industrial clients in locations including New York, New Jersey, Connecticut, Pennsylvania, Maryland, Virginia, Massachusetts, California, Washington, DC and Ohio. She has conducted numerous regulatory proceedings with Con Edison, Public Service Electric & Gas and other utilities.

Areas of Focus

Practice Areas

- Energy & Renewable Resources

Industries

- Energy, Public Utilities & Solid Waste

Credentials

Bar Admissions

- New Jersey, 1972
- New York, 1975
- U.S. District Court, District of New Jersey, 1972
- U.S. District Court, Eastern District of New York, 2003
- U.S. District Court, Southern District of New York, 2003
- U.S. Court of Appeals, Third Circuit, 1972

Education

- New York University School of Law, J.D., 1972
- University of Wisconsin-Madison, B.A., 1969

Experience

Representative Matters

Renewable Energy

- Advised a regional transportation agency on the nation's first solar-powered traction rail project, structuring and negotiating seven PPAs for a 21-megawatt, multi-site solar development supplying more than 50% of the agency's total electricity demand.
- As a member of the firm's energy team that represents L'Oréal USA, provides support in the development and operation of large-scale renewable energy projects, including negotiation of long-term energy services agreements, community solar arrangements, and utility compliance for facilities in multiple states, including a flagship New Jersey microgrid and solar generation facility with battery storage and EV infrastructure.
- Played a key role in a \$400 million international pilot program establishing a competitive renewable power market in Vietnam, helping develop core market documents—including PPAs, interconnection agreements, contracts for differences, and wholesale market participation agreements—used across the program.
- Represented a power authority in procuring renewable electricity and water through PPAs and interconnection agreements in the U.S. Virgin Islands, supporting a diversified portfolio of biofuel cogeneration, large-scale solar, and offshore wind projects.
- Advised a wind project developer on the development of a utility-scale wind facility in Pennsylvania, handling the negotiation of the project PPA and coordinating corporate, real estate, commercial, and regulatory issues through project development.
- Represented a mission-driven clean energy finance organization across multiple projects, drafting standardized PPAs, EPC agreements, and loan documents to support scalable deployment of renewable and community-focused energy projects.
- Advised a state power authority on the creation of a standardized PPA program for K-12 schools, universities, and public institutions, enabling school districts statewide to procure rooftop, ground-mount, and canopy solar across multiple facilities.

Energy Regulatory

- Acted as outside counsel to retail energy marketer, including addressing regulatory requirements for solar demonstration project; developing on-site generation projects, preparing form contracts for energy commodity sales to retail customers, defending litigation related to energy contract disputes, including procurement of fuel in wholesale markets and purchase of retail marketing customer contracts, and counseling related to energy business strategy.
- Advised a global telecommunications company on high-capacity electric infrastructure for a large data center project, negotiating transmission arrangements across multiple utility service territories and coordinating substation interconnections.
- Supporting lead counsel in advising Lightstar Renewables on the development of agrivoltaics, community solar, and grid-supply projects in New Jersey and the Northeast, including site acquisition, permitting, interconnection, incentive eligibility, financing, and power purchase agreements, with capital investments exceeding \$100 million.
- Supported lead counsel in representing a west-coast based national renewable power company in securing New Jersey's first waiver permitting solar development in the Pinelands Preservation Area, enabling

construction of a landfill-based solar and storage facility following NJBPU, NJDEP, and Pinelands Commission approval.

Published Cases

- Served as lead counsel in a landmark New Jersey Supreme Court utility restructuring case, *In the Matter of Public Service Electric & Gas Company's Unbundling, Stranded Costs and Restructuring Filings*, shaping the legal framework governing electric deregulation and stranded cost recovery.

Affiliations

Memberships

- New Jersey State Bar Association: Corporate Sustainability, Cleantech, and Climate Change Special Committee; Public Utility Law Section (past Chair)
- Association of the Bar of the City of New York Energy Committee
- Association of Energy Engineers New York Chapter Board Member Emeritus
- Energy One Solutions Advisory Board Member

Insights & More

Announcements

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on "Ones to Watch" List

8.21.25

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition

8.14.24

Greenbaum, Rowe, Smith & Davis Welcomes Phyllis J. Kessler as Of Counsel

2.01.24