



# Ira G. Megdal

## Member

## Cherry Hill

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Ira concentrates his practice on diverse energy and public utility matters. Ira has vast experience assisting clients in the design, build, construction, and financing of energy projects. In addition he has prosecuted many public utility regulatory proceedings, including complex rate cases, mergers, and acquisitions. He also regularly tries cases related to energy and public utility matters.

Ira is past chairman of the public utility law section of the New Jersey State Bar Association, and is a member of the Energy Bar Association and the Transportation Lawyers Association. Ira has been elected to The Best Lawyers in America and New Jersey Super Lawyers. He was selected by Best Lawyers as its Philadelphia Energy Lawyer of the Year for 2014.

Ira received his Bachelor of Science from Rutgers University in 1968, and his law degree from Georgetown University in 1971. He also received a Master of Laws in taxation from George Washington University in 1977.

Ira lives in Cherry Hill with his wife, Myrna.

## Experience

Represented diverse public utilities in base rate case proceedings for more than 40 years.

Representation of South Jersey Gas Company before the New Jersey Board of Public Utilities seeking approval of the acquisition of the assets of Elizabethtown Gas for approximately \$1.7 billion.

Representation of New Jersey-American Water Company, Inc. in base rate case proceeding before the New Jersey Board of Public Utilities seeking an increase in rates of more than \$130 million.

Represented South Jersey Gas Company in base rate case proceeding before the New Jersey Board of Public Utilities resulting in a rate increase of approximately \$40 million.

Represented multiple electric generation facilities in a regulated New Jersey Board of Public Utilities proceeding involving a large New Jersey gas company and achieved a discontinuation of alleged discriminatory rates.

Represented ACR Energy Partners in the construction and financing of a heating, air conditioning, and electric supply facility to service the Revel casino/hotel complex in Atlantic City, NJ, along with others. The transaction included an energy sales agreement, a bond financing secured by leaseholder mortgages and a pledge of the revenues from energy sales, and a net lease of the parcels from two landlords.

Represented the energy provider in connection with the decommissioning and removal of the existing Montclair University campus energy plant and the construction of a new state of the art cogeneration plant providing heating, air conditioning and electricity to much of the large campus of the university spanning three counties in New Jersey. Handled the basic energy sales agreement, the ground lease for the new on campus plant site, the easements throughout the campus for the distribution systems (including over portions of the campus owned by New Jersey Education Finance Agency and by Public Service Electricity and Gas) and the financing of the project through a public bond issue.

## Practice Areas

- Utility, Environmental & Energy
- Wind Energy

## Industry Sectors

- Higher Education

## Education

- Georgetown University Law Center, J.D., 1971
- George Washington University Law School, LL.M., 1977
- Rutgers University, Newark, B.S., 1968

## Bar Admissions

- District of Columbia
- New Jersey
- Pennsylvania

## Court Admissions

- U.S. District Court -- District of Columbia

## Awards & Honors

- Best Lawyers in America 2006-2019
- Best Lawyers "Lawyer of the Year for Energy Law" in Philadelphia 2014
- New Jersey Super Lawyers 2005-2010

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Represented a regulated New Jersey public utility before the New Jersey Board of Public Utilities in a precedent-establishing decision prohibiting a municipality from competing directly against a regulated public utility that holds a valid franchise to provide service within the municipality. Argued successfully that a municipality is estopped from first granting a franchise, permitting the utility to make the necessary investment to provide safe, adequate and proper service in reliance of the franchise, and thereafter attempt to compete directly with the utility to the utility's financial detriment.

Litigated leading U.S. case to establish the definition of "Public Utility."

Secured a hard-fought victory before the Federal Energy Regulatory Commission for a client challenging increased natural gas storage rates imposed upon it by the Transcontinental Pipe Line Company. The matter originally was tried before a federal administrative law judge assigned to the FERC, who ruled in our favor. When that ruling was reversed on appeal to the full FERC, we escalated the matter to the United States Court of Appeals for the D.C. Circuit, which reversed and remanded the matter back to the FERC. After holding proceedings on remand, the FERC reversed its prior decision, found the increased rates unlawful, and ordered that our client be paid very substantial refunds covering a nine-year period.