

BUSINESS NH

M A G A Z I N E

RAISING THE BAR

NH'S TOP ATTORNEYS

BY ERIKA COHEN AND MATTHEW J. MOWRY



ERIKA COHEN

Energy, Utilities and Telecommunications: M. Curtis Whittaker

Head, Energy Practice Group
Rath, Young & Pignatelli in Concord
www.rathlaw.com

Years practicing law: 25

Law school: Harvard Law School

The natural world has always inspired M. Curtis Whittaker, dating back to his childhood spent fly-fishing around lakes and streams in his native Tennessee to his current career.

During the past 20 years, Whittaker has worked with developers, owners, investors and lenders to finance and develop more than 300 alternative energy facilities nationwide—many of them multimillion-dollar projects—including hydropower, landfill gas recapture, solar, biomass and wind. He has even funded and developed his own wind power projects, one in his parents' hometown in Utah.

"At the end of the day, most of the projects we work on tend to make the economy and environment a little bet-

ter, not worse," Whittaker says. "The development process—taking something from scratch and years later people are running around in hard hats, and cranes are there—it's very satisfying work."

Whittaker first came to NH to work for Rath, Young & Pignatelli on Northeast Utilities' acquisition of Public Service of NH, and he quickly carved a niche for himself and the firm in alternative energy. For Whittaker, alternative energy is more interesting precisely because it's unregulated. "When you're not regulated, you have all the risks of a business," he says. Those risks include assessing the cost and feasibility of producing and transmitting power, and the price at which it can realistically be sold. He lends his knowledge of those mat-

ters to organizations locally and nationally, including as a member of the Energy and Regulated Utilities Committee of the Business and Industry Association of NH and as a member of the U.S. Biomass Alliance.

His work has taken him around the country, including to the halls of Congress, where he helped get language inserted into a federal law.

His deals often involve carbon offsets and air emissions requirements as well as site location, which he says is very specific, unlike regulated utilities.

Whittaker is involved in a number of biomass projects, though it's a small part of NH's power grid. But Whittaker foresees biomass accounting for a third of new power generation in New England. ■