



Lucas M. Foletta

lfoletta@mcdonaldcarano.com
D: 775.326.4305; O: 775.788.2000

Areas of Practice

Government Affairs & Advocacy
Energy, Environment & Natural Resources Law
Gaming & Administrative Law

Bar Admissions

Nevada, California

Education

- J.D., Wake Forest University School of Law, 2006
- B.A., Political Science and International Relations, cum laude, University of Southern California, 2002

Lucas helps clients in a variety of industries develop comprehensive strategies to tackle policy and regulatory challenges in Nevada. Equipped with industry experience and an on-the-ground perspective from previous work in government, Lucas represents clients before the Nevada Legislature and state and local government in a wide range of regulatory and government affairs matters. Lucas also co-chairs the Energy, Environment & Natural Resources Law Practice.

In his regulatory practice, Lucas has significant experience on issues facing the energy industry, representing some of the largest energy users in the state in general rate cases and other contested proceedings before the Public Utilities Commission. For example, he represented several of the largest gaming companies in Nevada Power Company's general rate case. His practice extends to environmental permitting and compliance matters, including environmental permitting due diligence for renewable energy projects and general environmental compliance matters. He also negotiates power purchase agreements on behalf of clients.

Outside the energy field, Lucas has represented clients before numerous other state and local agencies on regulatory matters, including licensing applications and regulatory enforcement actions. These agencies include the Nevada Gaming Control Board and the Nevada Gaming Commission (representing applicants for Nevada gaming licenses), the Financial Institutions Division, the Division of Purchasing, the Board of Medical Examiners, the Nevada Transportation Authority, the Mortgage Lending Division, the Nevada Department of Taxation, the Nevada Division of Environmental Protection, the Real Estate Division, the Division of Insurance, the Department of Health and Human Services, the Board of Pharmacy, the Department of Motor Vehicles and the Division of Water Resources. He also handles appeals of administrative matters in state court, having litigated cases to the Nevada Supreme Court.

In his government affairs practice, Lucas lobbies at the state and local levels, where he blends his knowledge of the law with his political judgment to assure successful outcomes for clients.

Prior to joining the Firm, Lucas served as general counsel and policy director to Nevada Governor Brian Sandoval, where he advised the Governor on legal matters in a variety of areas, including separation of powers, legislative process and administrative law. He also led the development of the Governor's policy agenda and worked closely with legislators to secure successful passage of many key initiatives. Prior to working in the Governor's Office, Lucas held the position of Assistant United States Attorney in the U.S. Attorneys Office – District of Nevada. He began his career as a law clerk for then U.S. District Court Judge Brian Sandoval.

Awards and Recognition

- *The Best Lawyers in America* – Administrative & Regulatory Law (2021-2023)
- *Nevada Business Magazine* – Legal Elite: Best Government Attorneys (2013)

Professional Affiliations and Community Engagement

- Chair, Energy, Utilities and Communication Section, State Bar of Nevada
- Member, Northern Nevada Disciplinary Board, State Bar of Nevada
- Past Member, City of Reno Charter Review Committee and Green Building Task Force

Representative Engagements

- Represented several of the state's largest gaming companies in Nevada Power Company's general rate case.
- Represented several institutional electric users in securing authority to purchase energy from market providers pursuant to NRS 704B.
- Represented national solar trade group in contested proceedings before the Public Utilities Commission regarding net metering.
- Represented unsuccessful bidder in successfully overturning a state contract award for a grants management system.
- Represented the tax equity investor in connection with the financing of a repowering of a utility-scale geothermal project located near Reno, Nevada. Among other challenges involved, the project has a complex ownership structure.
- Represented the developer of one of the largest PV projects in the United States in connection with development financing.
- Represented the tax equity investor in connection with the financing of a PV a utility-scale project on tribal land within the Moapa utility corridor.
- Represents large southern Nevada water users in challenging an order of the State Engineer in state court.
- Represented large utility users in successfully defending a decision of the Public Utilities Commission of Nevada in the Second Judicial District Court.
- Represented numerous individual applicants for Nevada gaming licenses before the Nevada Gaming Control Board and the Nevada Gaming Commission.

McDonald Carano LLP (www.mcdonaldcarano.com)

Reno Office: 100 West Liberty Street, Tenth Floor, Reno, NV 89501, P: 775.788.2000

Las Vegas Office: 2300 West Sahara Ave., Suite 1200, Las Vegas, NV 89102, P: 702.873.4100