



Alaina M. Zermeno

SENIOR COUNSEL

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OVERVIEW

Alaina draws on her experience at the Public Utility Commission of Texas (PUCT) to provide state-specific guidance to renewable energy clients.

Alaina provides a wide range of legal consulting to wholesale electric clients and retail electric clients, including renewable and thermal power generation companies, retail electric providers, and battery storage developers. A common facet of her practice is advising on regulatory considerations for development of private use networks implementing behind-the-meter power solutions. She regularly advises on PUCT and Electric Reliability Council of Texas (ERCOT) regulations, handles market participant registration with both agencies, assists with ongoing compliance and licensing maintenance after registration (including enforcement representation before the PUCT), and provides counsel on the Lone Star Infrastructure Protection Act. Alaina also offers regular compliance trainings for clients.

In addition to providing regulatory guidance, Alaina dedicates a portion of her practice to performing Texas-specific due diligence for mergers and acquisitions in the renewable energy industry. She reviews and drafts the state energy regulatory provisions of permitting schedules, financing agreements, equity capital

Industry

Energy & Natural Resources

Services

Data Centers
Electric Transmission
Energy Regulation
Energy Storage
Hydrogen
Private Use Networks
Solar Energy
Wind Energy

“Alaina is extremely intelligent, responsive and professional. She is excellent to work with.”

— Chambers USA 2025

contribution agreements, purchase and sale agreements, energy management agreements, and power purchase agreements.

Prior to joining the firm, Alaina worked in PUCT's Oversight & Enforcement Division and Legal Division, representing the commission before the State Office of Administrative Hearings in various matters, including enforcement, as well as in hearings before PUCT administrative law judges. As part of her role, she also initiated investigations into regulated entities that violated statute and PUCT rules. Her background means that she understands the internal policies and procedures at state regulatory bodies, including the enforcement investigation process, inside and out. Alaina regularly assists clients in navigating PUCT investigations and in negotiating settlement agreements, and she also represents wholesale and retail electric clients in contested cases before PUCT.

Alongside the value they place on Alaina's PUCT experience, clients appreciate her always-up-to-date knowledge of the industry and its rules. Like the firm's entire renewables team, Alaina always has her finger on the pulse of ERCOT protocol changes, PUCT rule changes, and other developments with Texas' regulatory authorities impacting clients.

Experience

- Provided comprehensive regulatory support for client on post-Winter Storm Uri ERCOT market design initiatives. Led drafting and revision of comments on multiple Public Utility Commission of Texas (PUCT) wholesale market design rulemakings, delivered weekly client updates, and managed communications on regulatory developments. Guided client through eligibility analyses for specific projects and tracked implementing ERCOT protocol revisions as market design rules progressed from proposal to adoption.
- Represented client with Husch Blackwell team before the PUCT in securitization financing contested proceedings following Winter Storm Uri. Developed litigation strategy, prepared examination questioning, and participated in settlement negotiations. Continued monitoring related PUCT proceedings to protect client's interests after final hearing completion.
- Led resolution of PUCT enforcement investigation regarding wholesale market participation issues. Evaluated violation findings, initiated settlement discussions with PUCT Staff, and coordinated expert witness engagement. Prepared targeted settlement presentations, responded to multiple counter-offers, and drafted the final settlement agreement, securing favorable resolution for the client.

Experience

- Supported financing of House Mountain and St. Gall projects by drafting regulatory opinion letters, disclosure schedules, and financing agreements. Coordinated with lender's counsel on ancillary services permitting, sales tax compliance, and Lone Star Infrastructure Protection Act requirements. Provided regulatory guidance through multiple revision rounds to facilitate successful term conversion and closing.
- Advised client on Texas Energy Fund (TEF) loan eligibility and ERCOT market participant registration requirements. Guided client through PUCT due diligence processes and reviewed TEF application requirements to ensure compliance. Revised in-ERCOT loan program credit agreement on behalf of the borrower and successfully advanced a Planning Guide Revision Request that was approved by the ERCOT Board of Directors.
- Guided client on ERCOT self-limiting facility requirements and integration of new battery storage with existing wind generation facility. Drafted provisions for amended wind project interconnection agreement and initial agreement for battery storage project. Negotiated favorable terms with interconnecting utility and created shared facilities agreement to facilitate the collocated battery project implementation.
- Managed state energy regulatory diligence for the sale of three utility-scale wind projects at various stages of development and operation. Led transactional support including reviewing PSA provisions, coordinating settlements of PUCT enforcement actions, and ensuring all necessary permits and consents were in place prior to closing. Addressed buyer and lender inquiries regarding regulatory approvals, advised on ERCOT commissioning milestones, and worked with co-counsel to identify and mitigate state regulatory risks. The comprehensive regulatory support ensured successful change of control transactions by resolving compliance issues and maintaining transparent communication throughout the due diligence process.
- Served on developer's counsel team for Swift Current in bringing a 260 MW solar project located in Southeast Texas online.

Experience

- Served as development counsel for Jupiter Power, a leading developer and operator of energy storage infrastructure, in its recently closed \$286 million project financing to support the construction of two standalone battery energy storage systems (BESS).
- Assisted Crusoe Energy Systems in reaching financial close in the second phase of a \$15B joint venture with Blue Owl Capital and Primary Digital Infrastructure to fund the 1.2-gigawatt AI data center in Abilene, Texas.

Recognition

- *Best Lawyers: Ones to Watch® in America*
 - Energy Law, 2023-2025
- *Chambers USA*
 - Energy: State Regulatory & Litigation (Electricity), Up and Coming, 2025
- State Agency Council Appointee, 2021

Education

- J.D., University of Texas School of Law
 - *Texas Hispanic Journal of Law and Policy*, Associate Editor
 - Chicano/Hispanic Law Students' Association
 - Richard and Ginni Mithoff Pro Bono Service Award
- B.A., University of Missouri
 - Journalism
 - Multicultural Certificate
 - Hispanic-American Leadership Organization
 - Kappa Tau Alpha

Admissions

- Texas

*Contact Alaina to set up an in-person consultation by appointment in the Austin office.



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