

Daniel Clearfield

MEMBER

Dan Clearfield's energy-related practice is concentrated in the areas of utility, energy, and communications regulatory litigation; alternative energy development and regulation; shale gas drilling and mid-stream issues; administrative litigation; and government relations. His practice includes representing the largest municipal natural gas utility in the U.S. as well as the largest water and wastewater authority in Pennsylvania. He regularly represents a variety of distributed energy and generation providers providing regulatory and legal advice for solar, landfill gas, LNG hydrogen and RNG projects.

Dan represented the then leading alternative energy supplier in the enactment and implementation of Pennsylvania's electric and natural gas restructuring legislation, which brought greater choice and competition to Pennsylvania's retail electric and natural gas markets. He also represented electric suppliers in the implementation of electric choice in several other Mid-Atlantic states and New England. Today he regularly counsels electric and natural gas suppliers in Pennsylvania and in several other states.

Dan has also counseled natural gas exploration, production and midstream companies on a variety of Pennsylvania regulatory issues and was one of the firm's representatives on the Marcellus Shale Coalition.

Regarding controlled substances, Dan has represented a number of medical marijuana license applicants and counsels business on Pennsylvania medical marijuana regulatory rules. He was previously a member of the PBA Medical Marijuana and Hemp Law Committee.

Prior to entering private practice, Dan served as Executive Deputy Attorney General and head of the Public Protection Division in the Pennsylvania Attorney General's Office and as Senior Assistant Consumer Advocate in the Pennsylvania Office of Consumer Advocate. Clearfield received his B.A. from Temple University, *magna cum laude*, in 1974 and his J.D. from Temple University School of Law, *cum laude*, in 1977 where he served as an editor of the Law Quarterly.

Clearfield is the author of numerous articles and commentaries in the areas covered by his practice.

REPRESENTATIVE MATTERS

Energy

- Represents the nation's largest municipally owned natural gas distribution company in regulatory litigation and other matters

HARRISBURG, PENNSYLVANIA

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PRACTICE AREAS:

Litigation

Utilities

Energy

Alternative Energy, Renewables, and Clean Technology

Shale Gas

Regulated Substances

Telecommunications

STATE ADMISSIONS:

Pennsylvania

EDUCATION:

J.D., cum laude, Temple University School of Law, 1977; Editorial Board, *Temple Law Quarterly*

B.A., magna cum laude, Temple University, 1974

including base rate cases, gas cost rate proceedings, major consumer complaint cases and numerous other PUC cases; provides advice on legislative and other policy issues.

- Represents leading electric generation suppliers in licensing and regulatory issues, electric distribution default service procurement and pricing cases, market opening proceedings, and utility merger proceedings.
- Represented natural gas producers' association in proceedings to set the rates, terms, and conditions for local gas gathering and other services.
- Represented cogenerators in administrative litigation to determine the ownership of Renewable Energy Credits under the Pennsylvania Alternative Energy Portfolio Standards Act.
- Advised and provided regulatory support for numerous distributed energy projects including solar, and wind.
- Acted as regulatory counsel to international sovereign fund in acquisition of major interest in Pennsylvania electric utility.

Utilities

- Represents Pennsylvania's largest PUC regulated water/wastewater/stormwater authority in all regulatory proceedings including its PUC compliance plan, several base rate cases and consumer complaints.

Regulated Substances

- Co-lead Eckert Seamans' team in assisting clients in preparing applications to obtain permits to grow, process, and dispense medical marijuana in Pennsylvania.
- Regularly advises clients on state and federal issues regarding regulated substance regulatory issues.

PROFESSIONAL AFFILIATIONS

- Pennsylvania Bar Institute Medical Marijuana & Hemp Law Committee, Member
- Pennsylvania Office of Attorney General, Former Executive Deputy Attorney General and Director of the Public Protection Division (1990-1994)
- Pennsylvania Office of Consumer Advocate, Former Senior Assistant Consumer Advocate (1987 – 1990)
- Center for Sustainable Shale Gas Development (Pittsburgh), Secretary/Treasurer

COMMUNITY INVOLVEMENT

- Cardoza Society of the Jewish Federation of Greater Harrisburg, Co-Chair
- Jewish Federation of Greater Harrisburg, Past Member of the Board of Trustees and Past Co-Chair of the Strategic Planning Committee
- Past member, Jewish Home of Harrisburg, Board of Directors

- Served on Governor Elect Tom Wolf's Transition Team for the Public Utility Commission

AWARDS AND RECOGNITION

- Selected for inclusion as The Best Lawyers in America 2023 – 2027 for Energy Law; Energy Regulatory Law; and Utilities Law
- Received the Pennsylvania Bar Association Public Utility Law Section's 2026 Christianson Award
- Selected for inclusion in The Best Lawyers in America – Energy Law and named the Best Lawyers® 2021 Energy Law "Lawyer of the Year" in Harrisburg

NEWS AND INSIGHTS

PUBLICATIONS

Regulated Substances

- "Preparing for Phase 2: Securing Dispensary and Grower/Processor Permits," co-authored for The Legal Intelligencer, April 2018.
- "Preparing For Phase 2 Of Pennsylvania's Medical Marijuana Program Advice For Securing Dispensary And Grower / Processor Permits," co-authored for Investorideas.com, March 2018.
- "A Potentially Promising Future For Pa. Medical Marijuana," co-authored for Law360, March 2018.
- "Broad Prior Convictions Language in PA. Marijuana Law," co-authored for The Legal Intelligencer, June 2016.
- "Protecting Medical Marijuana Users From DUI Prosecution," Law360, May 2016.
- "Unusual Challenges Facing Legal Marijuana Businesses," The Legal Intelligencer, April 2015.

Energy

- "Developers Now Required to Obtain Evidence of Water Service Prior to Project Approval," co-author, Eckert Seamans' Energy & Utilities Blog, October 19, 2026.
- "Potential Sea Change in Public Utility Law: Municipal Authorities Are Subject to Public Utility Commission Jurisdiction (Sort Of)," co-author, The Authority, February 2025.
- "Commercial Property Assessed Clean Energy ("C-PACE") Gaining Momentum in Pennsylvania for Financing Improvements to Commercial Real Estate," Co-author, Eckert Seamans' Legal Update, August 22, 2022, also appeared in the Fall 2022 Construction Law Update.
- "Pennsylvania's Safe Digging Law Expanded," Eckert Seamans' Construction Law Update, Fall 2017.
- "Leveraging Low Energy Prices for Future Savings — Do's, don'ts and what to watch out for," EnergyCentral.com, March 2016.
- "Energy/Bankruptcy Alert: Competitive Suppliers — Bankruptcy Priority for Electricity," Eckert Seamans' Energy/Bankruptcy

Alert, November 2015.

- "Benefits of Going Green with Alternative Energy," The Energy and Environmental Law Supplement to The Legal Intelligencer, July 2014.
- "Are Demand Response programs a good fit for your business?" Eckert Seamans' Legal Update, Spring 2013.
- "Marcellus Shale Impact Fee Alert – If You Drill It, You Will Pay," Eckert Seamans' Energy Alert, February 2012.
- "Simple strategies for companies to save money on energy bills," co-author, Pittsburgh Business Times, December 2012.
- "Electric Competition: What's in the Contract?," The Legal Intelligencer, July 2011.
- "Business Strategies and Opportunities from Electric Competition," co-author, insidePOLICY, November 2009.

MEDIA COVERAGE

Regulated Substances

- "Pennsylvania Finalizes Medical Marijuana Research Regulations," Cannabis Business Times, March 23, 2018.
- "For Medical Cannabis Lawyers, It's Crunch Time," The Legal Intelligencer, June 2017.
- "Big Law Feeling Freer to Advertise Medical Marijuana Practices," The Legal Intelligencer, December 2016.
- "What's new in medical marijuana regulations," Central Penn Business Journal, November 11, 2016.
- "Medical marijuana is coming to Pennsylvania: Here's what you need to know about this burgeoning industry," Pittsburgh City Paper, August 31, 2016.
- "The 'alternative universe' of cannabis law," Central Penn Business Journal, August 19, 2016.
- "Potential biz owners laud Pa. hemp legislation," York Dispatch, July 25, 2016.
- "Medical marijuana: Building a legal industry," The Sentinel, April 29, 2016.
- "Medical marijuana: What happens next in Pa.?" The Sentinel, May 1, 2016.
- "Marijuana business: Uncharted territory?," Central Penn Business Journal, April 22, 2016.
- "Medical marijuana business will be big business," The Morning Call, April 15, 2016 and Pittsburgh Post-Gazette, April 16, 2016.
- "Ethics Rules Haven't Caught Up To Medical Marijuana Legislation," The Legal Intelligencer, April 15, 2016.
- "When will medical marijuana be available in Pennsylvania?," Central Penn Business Journal, April 15, 2016.
- "Legalized Pot Might Create Work Lawyers Fear Going After," The Legal Intelligencer, September 15, 2015.
- "Medical Cannabis Industry in Pennsylvania," Twitter chat with the Central Penn Business Journal, May 6, 2015.

Energy

- "New Pa. Task Force Heralds Emerging Pipeline Fight," Law360, May 29, 2015.

SPEAKING ENGAGEMENTS

Regulated Substances

- "Drug Law Policy and Practice: Marijuana Regulation," guest lecturer, Temple University Beasley School of Law, April 2018.
- "Medical Cannabis-Business Best Practices," co-presented at a legal seminar sponsored by the PA Medical Cannabis Society, May 2016.
- "A Closer Look at Pennsylvania's Medical Marijuana Act," co-presenter, Eckert Seamans' Continuing Legal Education Seminar, August 2016.

Energy

- "Alternative Energy Opportunities: What to Look For and What to Avoid," co-presenter, Eckert Seamans' Continuing Legal Education, September 2015.
- "How the Arrival of the Wolf Administration in Harrisburg will Affect Energy and Environmental Policies in the Keystone State," panelist, Villanova Environmental Law Journal Symposium, February 2015.
- "Beyond Regulation: Two Approaches from the Marcellus Shale Coalition and the Center for Sustainable Shale Development," panel moderator, Progressive Development: The State of Government and Non-Government Efforts to Ensure Safe and Reasonable Natural Gas Extraction in the Appalachian Basin, Eckert Seamans' CLE, February 7, 2014.
- "Involving Consumers in Energy Distributed Generation and Net-Metering," presented at the University of Pittsburgh School of Law 2013 Energy Law and Policy Institute, August 2013.
- "A Conversation with the Advocates" and "Natural Gas Workshop" PUC Law Conference in Harrisburg, May 2013.
- "The Low Carb(on) Diet. Will Marcellus Shale be the Magic Pill to Quench Our Domestic Hunger?" 29th National Regulatory Conference, May 2011.
- "Legal Issues Associated with Marcellus Shale Development," Eckert Seamans' CLE, August 2010.
- "What to do When the Electric Rate Caps Come Off in Pennsylvania," co-presenter, November 2009.
- "Public Utility Law Primer," Eckert Seamans' CLE, August 2009.
- "Navigating the Alternative Energy Investment Act," Pennsylvania Bar Institute CLE, 2008.
- "Public Utility Bench-Bar Conference – Lobbying by Lawyers," Pennsylvania Bar Institute CLE, 2006.
- "Pennsylvania Public Utility Law Conference – Natural Gas Pricing Issues," Pennsylvania Bar Institute CLE, 2005.