Drinker Biddle’s Energy Practice assists clients with facilities around the country to undertake large regional and national level electricity and natural gas procurements. In contrast to traditional state-by-state procurement, our portfolio procurement approach helps clients bring more volume to market and achieve better pricing. Working with client procurement, legal and operations teams, we help organize and cycle electricity and natural gas supply contract portfolios to enable larger volume procurements that are likely to result in significant cost-savings.

Our multidisciplinary team is experienced working with a variety of facility portfolios, including manufacturing, retail, commercial, energy and industrial operations, transportation logistics facility networks, insurance, hospital and university systems, and municipal governments. We understand the variation in energy supply contract forms and regularly assist clients in successfully “pushing back on boilerplate” and negotiating agreements with enhanced protections and optionality. Our attorneys include former energy management executives and engineers who understand our clients’ and their suppliers’ businesses. After representing clients for decades in the energy markets and regularly transacting high volumes of retail and wholesale products, our team knows how to establish better-than-market terms. We integrate with our clients’ internal and external procurement teams, including independent energy advisors, brokers and auction platforms, to tactically drive cost reductions through portfolio-level procurements.

The Energy Practice helps some of largest retail and wholesale buyers in the United States procure a range of energy commodities including:

- Electricity
- Green Electricity/Renewable Energy Certificates
- Diesel/Gasoline/Biodiesel/Ethanol (rack, storage tank and wet-hosing)
- Natural gas (including, CNG/LCNG)/Propane

Sustainability and energy initiatives are fundamentally interrelated data management efforts. We assist clients in managing and improving their energy supply portfolios in a manner that allows for co-optimization of energy procurement costs reductions, corporate social responsibility goals and service, and/or product sustainability claims.
Sample Procurement Optimization Process

1. **Facility Portfolio and Energy Supply Contract Stack Mapping:**
   - We assist clients in assessing and organizing facility portfolios and current energy supply contract stacks. Depending on the present state of organization, this may include using Drinker Biddle's competitive, internal, confidential and privileged big data acquisition and analytics services to process invoices and help determine usage/load profiles across numerous facilities. Further, we assist clients in reviewing the current supply contract stack for core terms, including price structure, extension, renewal and termination provisions, with the aim of identifying how the stack can be cycled and optimized.

2. **Supply Contract Portfolio Cycling:**
   - In order to bring larger volumes to market for competitive procurement, our team assists clients in cycling (including amending if needed) their supply contract stack for their facility portfolio. This is an exercise in timing contract expirations and targeting suppliers to engage for upcoming portfolio-level competitive procurements.

3. **Portfolio-Level Energy Supply Procurements:**
   - By RFP or reverse auction, we work with our clients’ teams (internal and external) to run regional- and national-level competitive and structured procurement processes, as well as negotiate favorable legal and business contract terms with the winning bidders.

We counsel and empower clients to organize and take more control of their energy spend. Large buyers have more power than ever before in the energy markets, however, many have yet to adapt their procurements to new market opportunities. Please feel free to contact us to learn more about how we can help empower and optimize your procurement process.

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