

Robert S. Fleishman

Arbitrator & Mediator



Robert S. Fleishman is a nationally recognized energy regulatory lawyer, former General Counsel at Constellation Energy Group and Baltimore Gas & Electric Company (BGE), and retired corporate partner at Kirkland & Ellis LLP. His career spans government, senior in-house leadership, private practice and alternative dispute resolution, giving him a distinctive perspective on complex energy disputes and the regulatory, commercial and business considerations that drive them.

Mr. Fleishman has extensive experience across the energy sector, including electricity, natural gas, LNG, oil, oil and products pipelines, renewable energy, energy storage and distributed energy resources. He has advised companies on energy regulation, compliance, marketing and trading, transactions, M&A, financing, bankruptcy restructuring, capital markets and other commercial matters. He has also represented energy and financial industry participants and individuals in market manipulation and enforcement matters before the Federal Energy Regulatory Commission (FERC), the Commodity Futures Trading Commission (CFTC) and other regulatory bodies.

Mr. Fleishman brings significant experience as a mediator and arbitrator in energy-related disputes, along with firsthand experience developing and implementing alternative dispute resolution programs within the energy industry.

Areas of Expertise

- Dispute Resolution
- Energy Regulation
- Energy & Infrastructure
- Energy Marketing and Trading
- Energy Transition
- Environmental & Climate
- Transactional

Energy and Professional Background

Mr. Fleishman began his career at FERC before joining Baltimore Gas & Electric Company and Constellation Energy Group, where he held positions of increasing responsibility, including General Counsel and Vice President of Corporate Affairs. His in-house experience included energy regulatory and public policy matters as well as the development of an extensive ADR program for Constellation Energy Group and BGE.

He later practiced at Covington & Burling and Morrison & Foerster before joining Kirkland & Ellis, where he was a corporate partner in the firm's Washington, D.C. office. In private practice, he advised clients on energy regulatory, enforcement, compliance, marketing and trading, transactional, commercial, legislative and public policy matters.

Throughout his career, Mr. Fleishman has been deeply involved in the energy bar. He is a past President of the Energy Bar Association and served as Editor-in-Chief of the *Energy Law Journal* from 2005 to 2019.

Training and Relevant ADR Experience

- Serves on the ADR panels of several electric Regional Transmission Organizations/Independent System Operators.
- Serves on the CPR Institute's Energy, Oil and Gas Panel of Neutrals.
- Previously served on AAA's National Roster of Neutrals.
- Trained as an arbitrator and mediator through courses provided by AAA, CPR and the Center for Dispute Resolution at the University of Maryland School of Law.
- Developed an extensive, systematic and cost-effective ADR program at Constellation Energy Group and Baltimore Gas & Electric Company.
- Served as Co-Chair of the Energy ADR Forum and Project Director for the ADR Forum Report and made multiple related presentations to energy and ADR organizations.
- Served as Chairman of the ADR Committee of the Energy Bar Association.
- Served as Chairman of the Business Initiative for the Maryland Mediation & Conflict Resolution Office (MACRO) under the auspices of former Maryland Chief Judge Robert Bell.
- Served as a Board Member and later as President of the Community Mediation Program in Baltimore, which provided mediation services to low-income individuals and trained individuals to serve as community mediators.
- Successfully led an extensive benchmarking study on the use of ADR in the Maryland business community, jointly published by MACRO and the Maryland Chamber of Commerce.
- Moderated a panel on Energy ADR and Ethics at the Energy Bar Association Annual Meeting in May 2025.

Mediation and Arbitration Experience

- Served as mediator between Pacific Gas & Electric Company and the City and County of San Francisco in 2006–2007. The mediation involved approximately 20 full-day sessions, resulted in multiple settlements at FERC and successfully restructured the parties' commercial relationship in California's electricity markets.
- Served as mediator in a successful dispute between two significant energy trading companies in 2010.
- Served as mediator in a court-ordered mediation between two energy companies in a U.S. federal district court proceeding in 2011.
- Represented a defendant in a court-ordered mediation arising from a CFTC enforcement proceeding in a U.S. federal district court in 2012–2013.
- Represented ETRACOM, a financial energy trading company, in a successful mediation arising from a FERC enforcement proceeding in a U.S. federal district court in 2017–2018.
- Represented Voltus, a demand response company, in ADR proceedings with FERC Enforcement and MISO in 2023–2024.
- Served as a party-appointed arbitrator in an LNG commercial dispute.

Education

- Georgetown University, B.A. in History, cum laude
- Boston University School of Law, J.D.

Admissions

- District of Columbia
- Supreme Court of the United States
- United States Court of Appeals for the District of Columbia Circuit

Recognition

- Chambers Global, Energy: Electricity (Regulatory & Litigation) and Energy: Oil & Gas (Regulatory & Litigation), USA, 2022–2024
- Chambers USA, Energy Regulatory Law, 2010–2024
- Best Lawyers in America, Energy, 2007–2022
- The Legal 500 US, 2008–2010; 2012–2013; 2015–2024
- Energy Bar Association President's Award, 2019
- *The National Law Journal*, Energy & Environmental Trailblazers, 2017
- Energy Bar Association Paul E. Nordstrom Service Award, 2016
- Center for the Advancement of Energy Markets Service Award, 2005