

Rising Star: Morgan Lewis' Jane Accomando

By Keith Goldberg

Law360 (July 17, 2020, 1:15 PM EDT) -- Jane Accomando of Morgan Lewis & Bockius LLP has helped nuclear power plant operators recover hundreds of millions of dollars from the federal government for waste storage, and she regularly spearheads investigations into alleged wrongdoing at nuclear plants, earning her a spot on the list of top energy lawyers under age 40 named as Rising Stars.

HOW SHE GOT INTO NUCLEAR ENERGY LAW:

Accomando always wanted to be a lawyer, but coming from a family of engineers, she was encouraged to get her engineering degree first. While attending the Missouri University of Science and Technology, she discovered that the college had its own research nuclear reactor.

"I remember as a young student being in the control room of the research reactor, and the person operating the reactor at the time was kind enough to share with us the science of what was going on in the reactor in order to create power," Accomando said. "I was just captured by that."

Accomando figured she would apply her technical skills to a career in intellectual property law. But while getting her master's degree at the Massachusetts Institute of Technology, a professor mentioned that he had served as an expert witness for Morgan Lewis in a case and suggested she look into the firm's nuclear practice.

"He was the one that had pointed me to Morgan Lewis, and when I sat back in the lab and Googled nuclear energy law, that was how I discovered that was even an option," Accomando said.

INTERESTING CASE SHE'S WORKED ON LATELY:

Accomando has represented utilities and other nuclear plant owners in lodging dozens of claims seeking damages from the



Jane Accomando
Morgan Lewis

Age: 39

Home base: Washington, D.C.

Position: Partner

Law school: Yale Law School

First job after law school: Clerk

for U.S. Circuit Judge Duane

Benton of the U.S. Court of

Appeals for the Eighth Circuit

federal government's continued breach of decades-old agreements to collect and store U.S. nuclear waste instead of having plants store the waste themselves. The government hasn't yet built a long-term spent fuel storage facility.

"The really interesting thing about it is because it's been taking place over years, with repeat players, the arguments have really evolved to a very high level," Accomando said of her spent fuel litigation work.

Among her biggest wins: helping Duke Energy in 2017 secure a \$68.5 million award from the federal government for spent fuel costs at four of its nuclear plants in the U.S. Court of Federal Claims, which clarified the scope of certain costs that could be recovered.

The same court then in January 2019 rejected the government's argument that Duke recover additional costs from one of those plants following its closure.

WHAT MOTIVATES HER:

Accomando said working on spent fuel litigation requires plenty of strategic thinking. That's right in her wheelhouse, and she said further motivation comes from her strategy-minded colleagues on Morgan Lewis' spent fuel litigation team.

"One of my favorite things about my job is just sitting in a conference room and really strategizing with other attorneys on the case team about our position in the case and about our legal theories," Accomando said. "I find that to be very interesting and challenging."

And while Accomando said she sometimes misses engineering work, she's not about to swap her briefcase for a lab coat. She said she still gets to dig deep into nuclear science in her practice, whether it's talking with fuel engineers, conducting plant investigations or crunching spent fuel numbers to support legal claims against the government.

WHERE SHE SEES HER PRACTICE IN THE NEXT 10 YEARS:

It's no secret that the current U.S. nuclear plant fleet is aging and building new plants is a challenge. While Accomando said the spent fuel issue isn't going away anytime soon, she realizes that other areas of her practice will need to evolve.

One thing she's closely watching is the development of advanced reactor technologies, including small modular reactors.

"I really think small modular reactors and some of the more advanced reactors are going to be part of the mix, and I think my practice will evolve to do more representation of those types of power reactors," Accomando said.

— *As told to Keith Goldberg*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2020 Rising Stars winners after reviewing more than 1,300 submissions. Attorneys had to be under 40 as of April 30, 2020, to be eligible for this year's award. This interview has been edited and condensed.