



# Joseph (Joe) Ward

Partner

jward@fbtgibbons.com | 304.348.2423

United Bank Building  
500 Virginia Street, East, Suite 1100  
Charleston, WV 25301

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20 F Street NW  
Suite 450  
Washington, D.C. 20001

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## Industries

Energy  
Finance  
Oil, Gas & Minerals  
Regional & Community  
Banks  
Utilities

## Practice Areas

Business & Commercial  
Litigation  
Litigation  
Lobbying & Public Policy

## Bar Memberships

West Virginia  
Maryland  
Washington, D.C.

Joe is a trial lawyer with a diverse litigation practice. He also engages in appellate advocacy and advises clients on regulatory and government relations matters as a seasoned administrative law practitioner and member of the firm's government relations practice group.

In his litigation practice, Joe represents companies in the state and federal courts of West Virginia, Maryland, and the District of Columbia in a wide array of matters, including contract disputes, construction litigation, class action litigation, shareholder derivative suits, employment actions, and insurance coverage disputes.

Joe's construction litigation experience spans the oil and gas, renewable energy, and commercial real estate industries. Joe also has extensive experience defending financial institutions and other creditors against alleged violations of state and federal consumer credit and protection laws, including "predatory lending" and debt collection claims.

In his regulatory practice, Joe combines his litigation skills with his government experience to advise and represent clients before various federal and state agencies, including the Federal

Communications Commission and West Virginia's Public Service Commission, Department of Health and Human Resources, Department of Environmental Protection, State Tax Department, Health Care Authority, and Office of the Insurance Commissioner.

Joe lobbies the West Virginia Legislature and executive branch officials on behalf of clients in various fields, including the natural gas, health care, pharmaceutical, gaming, and entertainment industries.

## Joe's Relevant Experience

### Civil Litigation & Appellate Advocacy

Obtained judgment in favor of natural gas processor for \$8.4 million after 4-week bench trial in which design-build team was found liable for repair and delay damages caused by defective design and construction of soldier-pile retaining wall. Successfully preserved said judgment on appeal to Supreme Court of Appeals of West Virginia, *See Redstone International, Inc. v. J.F. Allen Company, et al*, 2023 WL 3971863 (June 13, 2023).

Obtained dismissal of tort action seeking upwards of \$20 million brought by pipeline contractor against midstream natural gas company on the grounds that the contractor's tort claims were within the scope of a mandatory forum selection clause that required actions filed under the contract between the parties to be brought in the midstream company's home state.

Brought and defended mechanic's lien actions arising from construction of natural gas pipelines.

Argued for and obtained dismissal of a shareholder derivative action in West Virginia Business Court that alleged mismanagement, self-dealing and breach of fiduciary duty by officer/director client.

*Domestic Violence Survivors' Support Group, Inc. v. West Virginia Department of Health and Human Resources, Office of Health Facility Licensure and Certification*, 238 W.Va. 566, 797 S.E.2d. 543 (March 1, 2017). Secured decision from Supreme Court of Appeals of West Virginia reversing circuit court ruling upholding agency's denial

of a behavioral health center license to a non-profit domestic violence counseling center that was based upon the agency's erroneous interpretation of its own licensure rules and related statutory provisions.

Defended scores of lawsuits brought in state and federal courts by borrowers against loan originators and servicers, alleging "predatory lending" and illegal debt collection practices, respectively, in violation of the West Virginia Consumer Credit and Protection Act, the federal Fair Debt Collection Practices Act, and the federal Telephone Consumer Protection Act.

Extensive experience defending financial institutions in class action suits.

## **State & Federal Regulation**

### Federal Communications Commission

- Assisted numerous clients in FCC rulemaking proceedings, including the filing of comments in proceedings related to wireline competition, radio spectrum allocation, Part 15 device regulation, and public safety requirements.
- Negotiated and obtained FCC approval of purchase of spectrum frequencies for electric cooperative mission-critical SCADA system.
- Assisted clients with registration and transfer ownership of antennae structures.
- Authored note in Catholic University Columbus School of Law *CommLaw Conspectus* entitled, "Secondary Markets in Spectrum: Making Spectrum Policy as Flexible as the Markets it Must Foster."

### Federal Energy Regulatory Commission

- Authored comments on behalf of Office of the Governor of the State of West Virginia to FERC related to electric transmission line proceedings.
- Assisted client in FERC hydroelectric facility licensure proceedings.

#### West Virginia Public Service Commission

- Represented cable services operator in cable franchise renewal negotiations with municipal franchising authorities.
- Obtained dismissal of complaint filed by municipal franchise authority against cable services operator alleging operator improperly refused to accept franchise terms.
- Challenged authority of a municipal sewer company to increase its sewer rates under statutory scheme, including appeal to West Virginia Supreme Court of Appeals and subsequent administrative proceeding.
- Settled on favorable terms a PSC proceeding initiated by an apartment complex against a public service district (PSD) for overcharging for wastewater services.
- Assisted multiple clients in various PSC rulemaking proceedings (e.g., submitted comments on behalf of municipal power system cooperative client in proceeding related to State's renewable energy portfolio program).

#### West Virginia Department of Environmental Protection

- Assisted clients in various DEP rulemaking proceedings, including agency's response to Clean Power Plan Act and promulgation of new fracking fluid disclosure program.

#### West Virginia Public Energy Authority

- Served as then-Governor Joe Manchin's designee and counsel from 2005–2007.

#### West Virginia Department of Natural Resources

- Assisted energy clients in DNR rulemaking proceedings and enforcement actions.

### **Lobbying & Government Relations**

As in his legal practice, Joe follows a simple and proven maxim in his government relations practice: prior preparation prevents poor performance. Whether lobbying for passage of a measure vital to a client's business or counseling a company on its interactions with a

regulator, Joe leverages his knowledge, experience, and relationships to thoroughly evaluate the challenges and opportunities facing his clients, lay the proper groundwork, and then develop a winning strategy in which he and his client are positioned early on as trusted sources of information for policy makers.

Joe's results include:

- Drafted and shepherded to completion legislation exempting municipal electric power systems from rate regulation by the West Virginia Public Service Commission. The legislation will enable the systems to significantly improve their bond credit ratings and, in turn, secure more favorable financing terms moving forward. In addition to educating lawmakers and staff regarding the legislation's benefits, Joe worked closely with the PSC, investor-owned utilities, and rural utility organizations.
- Secured changes to the state's purchasing system code that eliminated discriminatory resident vendor preference provisions. Prior to passage of the bill, Joe's out-of-state client had lost multiple state contracts due to the preference provisions. With passage of the amendments, the client will be able to compete for state contracts on a level playing field.
- Successfully lobbying for passage of a civil justice reform measure to address a forum-shopping loophole exploited to the detriment of a pharmaceutical client.
- Working with legislators, environmental regulators, and industry to secure critical trade secret protection for an energy sector client as part of a new "strongest in the nation" disclosure regime.
- Effectively counseling and connecting a client with state and local officials to help it successfully navigate the regulatory process toward completion of a \$300 million clean energy facility.
- Preserving a health care client's exemption during the legislative overhaul of the state hospital licensure regime.

- Working with an executive agency and the judiciary on behalf of mental health professionals to maintain levels of reimbursement for court ordered forensic evaluations.
- Served as then-West Virginia Governor Joe Manchin's Deputy General Counsel and chief legal advisor on regulatory matters from 2005–2007.
- Drafted adopted legislation overhauling PSC's regulation of solid waste haulers.
- Lobbied Legislature, state agencies and PSC on behalf of municipal power system for last 12 years, which included (with PSC support) of legislation overhauling municipal power system rate approval process.
- Lobbied Legislature, state agencies and PSC on behalf of association of rural water and sewer utilities.
- Successfully lobbied Legislature to approve DEP rules establishing favorable fracking fluid disclosure program.

## Other Info About Joe

### Education

The Catholic University of America, Columbus School of Law, J.D., 2002, *cum laude*

Georgetown University, B.A., Government & History, 1997

### Courts

United States District Court for the Southern District of West Virginia

United States District Court for the Northern District of West Virginia

West Virginia Supreme Court of Appeals and all lower State Courts

United States District Court for the District of Columbia

District of Columbia Court of Appeals and all lower D.C. Courts

Maryland Court of Appeals and all lower Maryland Courts

## Recognition

*Chambers USA*, Litigation: General Commercial, 2026

## Professional Affiliations

West Virginia State Bar Board of Governors, Representative for District 8 (Kanawha County)

West Virginia State Bar, Member

West Virginia State Bar, Elections Committee

District of Columbia Bar Association, Member

Maryland Bar Association, Member

West Virginia Public Energy Authority, former Chair

West Virginia Indigent Defense Commission, former Member

## Civic Activities

Georgetown University Alumni Admissions Program

## Firm Committees

Ethics Committee, former Member

## Major Publications

Contributor: *Multilaw* – Employment, 2025

## Featured Articles

[More Changes to West Virginia Oil & Gas Property Tax Valuation](#)

[West Virginia Legislature Passes Multiple Bills Impacting Oil and Gas Industry](#)

[West Virginia Primary Election Leads to Surprising Results](#)

[West Virginia Legislature Amends Consumer Credit and Protection Act](#)

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