



M. TODD OSTERLOH

Member

tosterloh@sturgillturner.com

EDUCATION

University of Kentucky, J.D. (2004)
Kentucky Law Journal, Editor-in-Chief

Western Kentucky University, B.A.
(2001)

SERVICE AREAS

Government & Municipal Law
Utilities & Energy

AFFILIATIONS

Kentucky Rural Water Association
Kentucky Municipal Utilities Association
Kentucky Bar Association
American Bar Association
Federal Bar Association
Fayette County Bar Association

COMMUNITY OUTREACH

Leadership Frankfort, Class of 2012

Todd's primary practice areas involve utility regulation and municipal defense. As a former Staff Attorney for the Kentucky Public Service Commission, Todd is well-equipped to represent utilities and intervenors in any case before the regulatory agency. He represents the second largest investor owned water utility in the Commonwealth, and has represented a number of municipal utilities before the Commission. Working closely with Jim Gardner, Todd has also represented solar developers, transmission companies, and other companies in the energy sector.

Todd has also represented more than two dozen municipalities in a wide variety of matters. He has represented Cities on cases ranging from a small 4-inch sanitary sewer service line to a massive 120-inch stormwater sewer line. Todd's municipal work extends beyond utilities. He also advises public agencies on eminent domain as well planning and zoning matters. He also frequently represents Cities and their law enforcement officers on cases alleging false arrest, malicious prosecution, abuse of force, wrongful death and wrongful conviction.

In addition to advising clients in utility and municipal law, Todd expanded his practice when he and his wife expanded their family. Since adopting a son several years ago, Todd has helped over a dozen families finalize the adoption of a child. Although adoptions are not a significant percentage of his practice, they are the most rewarding part of his practice.

EXPERIENCE

Represents an industry group on regulatory issues impacting commercial utility customers.

Represented public utilities and municipalities in rate cases before the Public Service Commission.

Successfully defended a public utility in a "show cause" investigation established by the Public Service Commission.

Assisted a water district in obtaining approval for Kentucky Infrastructure Authority financing and a certificate of public convenience and necessity from the PSC.

Advised a water district on refund of sewer charges ordered

by the Public Service Commission.

Represented a public utility and its corporate parents in an administrative case in which the entities received approval of a transfer of control.

Defended several municipalities in litigation involving sanitary sewer backups onto private property.

Advised a regional sanitation district on the legal duty of certain private property owners to pay storm water fees.

Obtained summary judgment on behalf of a municipality and its police officer on claims of false arrest and malicious prosecution in federal court.

Successfully briefed arguments related to municipal contracts on behalf of a municipality, its mayor, and city council members, for which the Kentucky Court of Appeals upheld dismissal of the plaintiff's complaint.

Secured a verdict in favor of his client in a forcible detainer bench trial in Fayette District Court.

Represented parents in adoption finalizations in Fayette, Franklin, Anderson, Jessamine and Scott Circuit Courts.

Law clerk to U.S. Magistrate Judge Tu Pham in Memphis, Tennessee

Supreme Court of the Republic of Palau, Court Counsel

SEMINARS

Panel Discussion of Open Records/Open Meetings, CLE presentation for the Municipal Attorneys Association of Kentucky (MAAK) (May 2018)

Open Meetings Laws & Public Records Issues, CLE presentation for the National Business Institute "Ensuring Local Governments Comply with the Law" Seminar (2017, 2015, 2013)

Advanced Legal Issues Affecting Local Governments and Municipalities: An Ultimate Guide, National Business Institute CLE (December 2016)

Utility Rate Setting, presentation at the Kentucky League of Cities Annual Conference (October 2012)

Contracts between Cities and Public Utilities, CLE presentation for the Municipal Attorneys Association of Kentucky (MAAK) (October 2011)

Numerous CLE presentations on the Open Records and Meetings Acts at the Water Personnel Training Seminars hosted by the Public Service Commission.

PUBLICATIONS

Taxpayer Revolt, Enhanced Scrutiny of Special Districts, and House Bill 1, KBA Bench and Bar Magazine (March 2014)