

# STARTING FROM SCRATCH - ENDESA

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## **Confidence, availability and law firms that truly ‘listen’ are vital characteristics for an in-house counsel, says Sara Gonçalves**

In just over two years, Sara Gonçalves, Responsible for the Legal Department at Endesa Portugal, has built a department from the ground up. The electricity company is the second largest in Portugal, but until she started, it outsourced all its legal matters. "So it was just me and my computer, and while it has been a challenge, there is nothing like creating something out of nothing!"

### **Public persuasions**

While studying, Gonçalves was very clear that she wanted to start her career at a large law firm with a strong international footprint and where she could practice her passion – public law. "I love everything about it – the powerful negotiations with public administration, for example, and the new areas such as zoning and environmental law."

So after finishing her degree, Gonçalves joined Garrigues – a firm that had both the domestic presence and international capabilities that she wanted, she says. At that time, the Firm didn't yet have a dedicated public law department, but it was included under the umbrella of 'Real Estate'. And it was here she discovered a passion for the various areas of real estate as well.

Following five years at Garrigues, however, Gonçalves was offered the opportunity to set up the in-house legal department of Endesa Portugal – an opportunity that she simply couldn't pass up.

### **Where to begin**

Gonçalves was used to working in a very structured way at Garrigues, with computers, databases, support systems and partners to whom she could turn for advice. But Endesa had outsourced all its legal matters before she arrived, so she had to install each of these aspects herself.

"Endesa has participation in five companies in Portugal and there were no precedents or documentation," she says. "I only knew one of the five companies, so it took me a great deal of time to get the files, databases and systems in place, after which I started dealing with things by subject matter – and slowly the department took shape."

To begin with all the legal work that had been outsourced was brought in-house – but two years in, Gonçalves has developed a good balance between internal and outsourced matters.

Large matters, big contract work and high value deals are now outsourced, as are certain employment matters. "And I cover work related to the companies and their Boards, matters relating to our two power plants in Portugal, including licences and permits, for example," she explains, "as well as other corporate matters that are integral to our business."

### **Valuable counsel**

Having worked for many years in a law firm, Gonçalves is very familiar with what the legal market has to offer, and her preferred firms to turn to are Garrigues, Morais Leitão, Galvão Teles, Soares da Silva & Associados and Uría Menéndez – Proença de Carvalho. "With Garrigues and Uría, I particularly like the fact that they have an international presence, experience and shared knowledge, especially as I deal with many international issues."

She does go to more boutique firms for specialised advice when the need arises, for example, ACE Sociedade de Advogados for employment matters.

What Gonçalves values is availability and external lawyers that really take into account her views.

"As an internal lawyer sometimes externals can give less value to your opinions because you are 'the client', but we actually have more insight than anyone else because we know the business, sector and the people involved."

Confidence is also very important, she says, and sector expertise is invaluable. "The electricity sector in Portugal has only recently become a free open market, and it is a very difficult sector to deal with. There are only few players and no precedents, and the energy sector has been damaged by the austerity measures so it is difficult to be competitive – so I need external lawyers with sector

expertise and who can also help me navigate this new market."

### Teaming up

Although currently running the department herself, Gonçalves is looking forward to expanding her team. "It took a great deal of work to get to where I am now, especially starting as the only lawyer at Endesa. But the upside has been that I have got to know absolutely everyone, attended all meetings and been part of every business process – something that I would never have been able to do had I been in a private practice."

The biggest challenge in setting up the department has been dealing with non-lawyers and getting them onboard, she says "But the positive side of that is that they now want my opinion on every matter, legal or not, and we have built something together, which makes the long hours absolutely worth it!"

**Sara Gonçalves is Responsible for the Legal Department at Endesa Portugal.**