

The Energy Bar Association  
Announces its  
Sixty-Third Annual Meeting



**ENERGY**  
BAR ASSOCIATION®

April 23, 2009  
Ronald Reagan Building and  
International Trade Center  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C.

# Infrastructure, Policy, and Practice Amidst Economic Turmoil

The global economic crisis has a major impact on the energy sector. Hear from panels of experts about how the U.S. energy sector can rise to face these challenges at our door step. Learn about opportunities as the energy business evolves through the current economic crisis. With the challenge of global warming, how do climate change, energy security, economic recovery, and consumer protection interact under the Obama Administration? With a push for more renewable energy, the need for transmission infrastructure will be increasingly acute. How are state, regional and federal policies impacting the advancement of needed infrastructure? Enforcement actions have increased in frequency and importance. Do you know what you need to know to navigate safely in competitive energy markets? Energy price volatility has not disappeared. What role do speculators play in the energy markets? What else is happening that is a must-know for the energy practitioner?

## PROGRAM SCHEDULE

### THURSDAY, APRIL 23, 2009

8:00 a.m.        **REGISTRATION**

8:45 -            **WELCOME AND INTRODUCTION**  
8:55 a.m.

Donna M. Attanasio  
President, Energy Bar Association  
White & Case LLP

Grace D. Soderberg  
Co-Chair, EBA Programs & Meetings  
Committee  
Edison Electric Institute

8:55 -            **KEYNOTE ADDRESS**  
9:55 a.m.        **Strategic Choices and Running the  
Business in Today's Environment**

Introduction:    Andrew S. Katz  
Senior Counsel  
Northeast Utilities

Speaker:        Michael G. Morris  
Chairman President & Chief Executive  
Officer  
American Electric Power Company, Inc.

9:55 -            **BREAK**  
10:05 a.m.

10:05 -          **PLENARY SESSION**  
11:50 a.m.      **The Economic Crisis and Its Impacts  
on the Energy Industry**

Growing demand, aging infrastructure and concerns with GHG emissions from fossil fuels, all impose the need for the electric and the natural gas industries to make major

infrastructure investments to assure future energy supply security and environmental sustainability. However, planning for these major capital investments comes at a time when the United States is experiencing economic and credit crises which are altering capital market operations and indeed may well restrict the access of some industry members to needed investment capital. This panel will examine the effects of this crisis upon the future provision of natural gas and electric service, upon current efforts at infrastructure project development and finance, upon the industry and its members and upon the future structure of the electricity and natural gas markets.

Moderator:     David M. Perlman  
Bracewell & Giuliani LLP

Panelists:       Sharon Bonelli  
Managing Director  
Fitch Rating Agency

Jeff Armfield  
Treasurer  
Santee Cooper

Rebecca Followill  
Managing Director  
Tudor Pickering & Holt

Jonathan Milley  
Vice President, Business Development  
NRG Energy, Inc.

The Honorable Robert E. Curry, Jr.  
Commissioner  
New York Public Service Commission

11:50 a.m. - **Damping the Disruption of Global**  
12:30 p.m. **Climate: What the science is telling us**  
**about how much must be done, how**  
**soon.**

Introduction: Stuart A. Caplan, Co-Chair, EBA  
Programs & Meetings Committee  
White & Case LLP

Speaker: The Honorable Dr. John P. Holdren  
Assistant to the President for Science and  
Technology and Director, Office of  
Science and Technology Policy  
Executive Office of the President of the  
United States

12:30 - **LUNCHEON AND LUNCHEON**  
2:00 p.m. **SPEAKER**

Introduction: Richard G. Smead, Co-Chair, EBA  
Programs & Meetings Committee  
Director  
Navigant Consulting, Inc.

Speaker: Susan F. Tierney  
Managing Principal  
Analysis Group

2:05 - **CONCURRENT SESSIONS**  
3:35 p.m.

**Session A: Legislation Affecting the Energy Sector**  
**in the 111<sup>th</sup> Congress: The First 100**  
**Days and Beyond**

With the new Obama Administration and the new Congress taking the reins in Washington, legislative proposals affecting the energy sector abound. Where is Congress going on climate change legislation? Will near-term energy legislation push clean energy investments in the meantime? What needs to be done in energy legislation and in the agencies to successfully implement the energy-related stimulus provisions? The panelists will provide perspectives from the Hill and the Administration, and will share their views on where Congressional action is likely to go in 2009 and beyond.

Moderator: Thomas C. Roberts  
Van Ness Feldman, P.C.

Panelists: Bob Simon  
Majority Staff Director  
U.S. Senate Energy and Natural  
Resources Committee \*

John W. Jimison  
Majority Counsel  
U.S. House of Representatives Energy and  
Commerce Committee

Colin Hayes  
U.S. Senate Energy and Natural  
Resources Committee

**Session B: FERC Enforcement and Compliance**  
**From the Company Perspective**

Since EAct 2005, the FERC has placed a strong emphasis on compliance and enforcement, with the collection of hefty civil penalties in some instances. As a result, many regulated entities are putting together compliance programs. Many non-regulated entities have found themselves at unexpected risk. What needs to be done to avoid problems, and if there are problems, what are the best practices for addressing them? Panelists will address the evolution of the FERC enforcement process, the recent settlements and show cause orders from which two Commissioners dissented, and discuss how companies can create compliance programs to minimize their compliance risks. In particular, the panelists will discuss the challenges of developing compliance programs in areas where the Commission has chosen to provide guidance on a case-by-case basis, such as market manipulation.

Moderator: Andrea C. Wolfman  
Alston & Bird LLP

Panelists: Paul Korman  
Van Ness Feldman, P.C.

Drew J. Fossum  
Tenaska Marketing Ventures

Howard Friedman  
Deloitte & Touche LLP

The Honorable Joseph T. Kelliher  
Former Chairman, Federal Energy  
Regulatory Commission

3:35 -  
3:45 p.m.

**BREAK**

3:45 - **CONCURRENT SESSIONS**

5:15 p.m.

**Session A: Building Transmission to Maximize Renewable Energy Supplies**

Renewable energy is rapidly expanding in the United States, with state Renewable Portfolio Standards and existing and proposed climate policies driving rapid development of wind plants and other renewable alternatives to fossil-fuel generation. However, some of the best renewable resources – the strongest winds, brightest sunshine, and fastest moving waters – are often located far from load centers. Across the country, grid operators and utilities are planning new transmission facilities to bring electricity generated from these resources to customers. How much transmission will be needed? What plans are in development? Will siting challenges derail some of these efforts? How do we determine who pays for the new facilities? This session will explore efforts underway in several regions of the country to get new transmission for renewable resources constructed, and look at the approaches these regions are taking to address planning, siting, cost allocation and other issues.

Moderator: The Honorable Suedeen G. Kelly  
Commissioner  
Federal Energy Regulatory Commission

Panelists: The Honorable Kristin K. Mayes  
Chairman  
Arizona Corporation Commission

Kurt Adams  
Executive Vice President and Chief  
Development Officer  
First Wind

Kelly Harrison  
Vice President  
Westar Energy Inc.

W. Terry Boston  
President and Chief Executive Officer  
PJM Interconnection, LLC

**Session B: Financial Transactions and Speculators in the Energy Markets – Consumer Friend or Foe?**

Financial transactions and speculation in the energy markets have come under fire. The Federal Energy Regulatory Commission issued orders to show cause suggesting traders in natural gas based financial

transactions pay hundreds of millions of dollars in disgorged profits and penalties. In five substantial electric markets, the ISO/RTOs administer markets for transmission congestion hedge instruments (known as FTRs, TCCs, CRRs) and/or virtual energy. What are these markets? How do these financial transactions impact overall market efficiency and consumer prices? Are these markets the subject of manipulation or are they necessary to achieve efficient market results, liquidity and improved competition? How are these markets regulated? Is this enough? What is the impact of the recent credit crunch on financial transactions and how will these transactions impact liquidity in the energy markets? Particularly with the potential for an enormous new market for carbon or green house gas emission allowances on the horizon, what lessons have we learned from other energy markets? With fuel and energy prices likely to remain volatile for the foreseeable future, what role will the financial markets play? Hear a panel of experts illuminate these and other topics and debate the role of financial transactions in the energy sector.

Moderator: Stuart A. Caplan  
Co-Chair, EBA Programs & Meetings  
Committee  
White & Case LLP

Panelists: Dr. David B. Patton  
President  
Potomac Economics

Ronald S. Oppenheimer  
General Counsel  
Merrill Lynch Commodities, Inc.

William H. Smith, Jr.  
Executive Director  
Organization of MISO States

Dr. Andrew Stevens  
Managing Director  
DC Energy LLC

5:15 - 5:45 p.m. **BUSINESS MEETING**

5:45 - 7:00 p.m. **RECEPTION**

7:00 p.m. **DINNER & DINNER SPEAKER**

Dinner Speaker: The Honorable Philip D. Moeller  
Commissioner  
Federal Energy Regulatory Commission

\*Invited

## GENERAL INFORMATION

**HOW TO REGISTER:** All registrations must be made in advance by completing the attached form and mailing it with your check payable to the Energy Bar Association, 1990 M Street, N.W., Suite 350, Washington, D.C. 20036. Credit card payments may be mailed or faxed to (202) 833-5596. Confirmations will be sent to registrant via email if an address is provided and materials will not be mailed, but available the day of the program. For more information contact the EBA at (202) 223-5625.

**MEMBERSHIP:** Join the EBA now and immediately SAVE on conference registration fees. Visit the EBA website at [www.eba-net.org](http://www.eba-net.org) for membership information or contact EBA.

**The deadline for receipt of advance registration is April 10, 2009.** Conference registrations will only be accepted when accompanied by a check, money order, government purchase order/training form or credit card information and may be limited by the capacity of the facilities. **Registrations will not be held without payment.**

**CANCELLATION POLICY:** Refunds will be given to registrants who submit written cancellation to the address shown on the registration form by **April 10, 2009, less a \$50 administrative fee.** The cancellation policy also applies to registration forms that are received and accepted after the deadline date. No refunds will be given after **April 10, 2009.** **Substitutions** are acceptable at any time (non-members substituting for members will be charged the difference between non-member and member fees). Please note that regardless of the date the cancellation notice is received, no refunds will be processed until after the program.

**MEETING LOCATION:** The site of the meeting is the Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Avenue, N.W., Washington, D.C. **PLEASE ALLOW TIME TO GO THROUGH BUILDING SECURITY.**

**HOTEL ACCOMMODATIONS:** Willard InterContinental Washington DC located nearby at 1401 Pennsylvania Avenue, N.W., Washington, D.C. To reserve a room, call the hotel directly at (202) 628-9100 or (800) 827-1747

**BADGES:** Please wear your badge at all times when attending official EBA functions. Badges are a security measure to identify people who have a legitimate reason to be in the meeting areas.

**CONTINUING LEGAL EDUCATION:** MCLE accreditation has been (or will be) requested from states with general MCLE requirements. Each state has its own rules and regulations defining "CLE".

**TO ASSURE ACCREDITATION, THE NECESSARY CLE INFORMATION MUST APPEAR ON YOUR REGISTRATION FORM. IF THIS INFORMATION IS NOT PROVIDED, WE CANNOT GUARANTEE RECEIPT OF CREDIT.**

### FOR EBA USE ONLY:

Check Name \_\_\_\_\_  
Check No./ \_\_\_\_\_ Check Date \_\_\_\_\_  
Authorization# \_\_\_\_\_ Amt. \_\_\_\_\_  
Date Billed \_\_\_\_\_

## ANNUAL MEETING REGISTRATION FORM

### ONE FORM PER REGISTRANT

Please register the following person for the **Sixty-Third Annual Meeting**, to be held on **April 23, 2009**.

LAST NAME FIRST NAME (M.I.)

FIRM/COMPANY/AGENCY

ADDRESS

CITY STATE ZIP

PHONE FAX

REGISTRANT EMAIL ADDRESS (Confirmations will be sent via email)

### REGISTRATION FEES:

\$600 EBA Members  \$750 Non-Members  \$200 Gov't/Academic/Student

**Additional Fee For Contribution to the Foundation of the Energy Law Journal Reception Honoring the FERC ALJ's to be held at the Willard InterContinental Washington DC, from 5:30 - 7:30 p.m. on April 22, 2009.**

\$70 Ticket(s) Non-Government  \$25 Ticket(s) Government

Additional Contribution \$ \_\_\_\_\_

\*Please note that if your firm is a sponsor of the reception, they receive complimentary tickets. Please confirm before sending a separate payment.

**In the Interest of Going "Green," the EBA Now Offers the Election to Receive Meetings Materials in TWO Ways – Electronic or Paper Format. Please Help Us By Checking Your Choice Below:**

electronic  paper

### PAYMENT METHODS: (TAX ID #52-6054231)

Check Enclosed (Payable to the Energy Bar Association)

Government Purchase Order Enclosed P.O. # \_\_\_\_\_

MASTERCARD  VISA  AMERICAN EXPRESS

Card #: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Signature of Cardholder \_\_\_\_\_

I plan to apply for **Continuing Legal Education** credit in the following states:

\*Only provide ID if credit is required as fees are involved with many states if credit is requested.

State \_\_\_\_\_ State ID# \_\_\_\_\_

State \_\_\_\_\_ State ID# \_\_\_\_\_

**REGISTER ON-LINE** at the secure EBA web site [www.eba-net.org](http://www.eba-net.org)

**FAX** your completed registration form with credit card payment (no checks or money orders) to **202-833-5596**.

**Please do not both fax and mail, as this may result in duplicate charges.**

**MAIL TO OUR NEW ADDRESS** your completed registration form with payment to: Energy Bar Association, 1990 M Street, N.W., Suite 350, Washington, D.C. 20036

The Energy Bar Association is committed to the goals of fostering an inclusive and diverse membership and increasing diversity across all levels of the Association, so as to reflect the diversity of the energy industry and the Nation as a whole. Attorneys, non-attorney professionals in the energy field and law students are welcome to join our ranks regardless of race, creed, color, gender, ethnic origin, religion, sexual preference, age, or physical disability and are encouraged to become active participants in the Association's activities.