

The Energy Bar Association  
Announces  
The Reliability Primer for Lawyers  
and Energy Professionals



**ENERGY**  
BAR ASSOCIATION®

April 28, 2010  
Capital Hilton Hotel  
1001 16th Street, N.W.  
Washington, D.C.

# The Reliability Primer for Lawyers and Energy Professionals

With NERC's mandatory reliability regime approaching its three-year mark, this full-day NERC primer will provide valuable insight from industry representatives on the state of the program and, what, if anything, needs to be fixed. We will begin with insights from former FERC Chairman Joseph Kelliher, who presided over the implementation of the mandatory reliability regime, and follow with panel discussions that explore current issues that are being addressed, and the merits of proposed changes. We will hear from former and current regulators, industry representatives and reliability counsel on current issues such as proposed cyber security legislation and reliability impacts of integrating renewable resources into the grid. On the NERC compliance front, panelists will explore the valuable role that energy lawyers have in protecting clients' interests in avoiding penalties and in surmounting the legal and regulatory hurdles for the industry presented by the complex rules and processes for audits and investigations. Finally, we will hear valuable advice and insights from the NERC and regional entity compliance enforcement staff on their views of compliance lessons learned to date. We will provide an interesting opportunity for meeting attendees to ask the enforcers -- on an anonymous basis -- those often difficult compliance questions.

## PROGRAM SCHEDULE

### WEDNESDAY, APRIL 28, 2010

8:15 a.m.           **REGISTRATION**

9:00 a.m.           **WELCOME AND INTRODUCTION**

Richard P. Bonnifield  
President, Energy Bar Association  
Van Ness Feldman, P.C.

9:15 -               **KEYNOTE SPEAKER**

10:00 a.m.

Introduction:     Richard Meyer  
Co-Chair, EBA Programs & Meetings  
Committee  
National Rural Electric Cooperative  
Association

Speaker:           The Honorable Joseph T. Kelliher  
Executive Vice President, Federal Regulatory  
Affairs  
FPL Group, Inc.

10:00 -           **BREAK**

10:15 a.m.

10:15 a.m. -     **Reliability Moving Forward: Multi-  
12:00 p.m.       Perspective View on Where We Go  
                          From Here**

What are the current problems and unresolved reliability issues facing the industry today – reliability standards, compliance/enforcement, FERC/NERC/Regional Entity roles, etc.? Are reforms needed and how should they be prioritized? This panel of policy analysts from different industry segments will consider the agenda for industry reforms in the reliability context and present their views on the pros and cons of proposed future reforms.

Moderator:       Allen Mosher  
Senior Director of Policy Analysis  
and Reliability  
American Public Power Association

Panelists:         Steven T. Naumann  
Vice President, Wholesale Marketing  
Development  
Exelon Corporation

Dale Landgren  
Vice President and Chief Strategic  
Officer  
American Transmission Company

Patrick J. McCormick, III  
Hunton & Williams LLP

Debra L. Raggio  
Vice President and Assistant General  
Counsel for Regulatory, Governmental  
and External Affairs  
Mirant Corporation

12:00 -           **LUNCHEON AND LUNCHEON  
1:45 p.m.       SPEAKER**

Introduction:     Richard Meyer  
Co-Chair, EBA Programs & Meetings  
Committee  
National Rural Electric Cooperative  
Association

Speaker:           Joseph H. McClelland  
Director, Office of Reliability  
Federal Energy Regulatory Commission

2:00 -           **CONCURRENT SESSIONS**

3:15 p.m.

**Session A:       Reliability and Variable Generation**

Integrating renewable resources has its share of challenges, including ones related maintaining reliability on the transmission grid. This panel will explore various issues, including whether state and federal government goals/requirements are realistic, what are the resulting reliability impacts associated with these goals/requirements, how do we tackle the transmission needs for new intermittent generation, and how does all this impact existing baseload generation.

Moderator:       Mark Lauby  
Director of Reliability Assessment and  
Performance Analysis  
North American Electric Reliability  
Corporation

Panelists: Michael Goggin  
 Manager of Transmission Policy  
 American Wind Energy Association

Jay Caspary  
 Director, Transmission Development  
 Southwest Power Pool

Jay Morrison  
 Senior Regulatory Counsel  
 National Rural Electric Cooperative  
 Association

**Session B: Role of Lawyers in NERC Audits and Compliance Violation Investigations**

Keeping in mind that the value of lawyers in reliability matters is not to tell system operators how to run the system, this panel will explore the role that lawyers serve in matters involving reliability compliance. This panel will explore the important role of counsel to ensure that a company's legal rights are preserved in the face of potentially significant penalty assessments, educate company personnel of procedural aspects of audits and CVIs and the potential consequences to the company of not being prepared, review and prepare documents to ensure full compliance and preserve privileges, negotiate the scope of investigations, ensure that the appropriate evidence is presented in a clear and persuasive manner and negotiate resolutions or settlements, if needed. Finally, this panel of experienced legal professionals will share some of their experiences where the value of involving counsel from an early state -- whether it be in-house or outside counsel -- proved invaluable.

Moderator: Susan J. Court  
 Hogan & Hartson L.L.P.

Panelists: Rebecca J. Michael  
 Assistant General Counsel  
 North American Electric Reliability Corporation

Mark Bennett  
 Vice President of Regulatory Compliance  
 Competitive Power Ventures, Inc.

Craig W. Silverstein  
 Miller, Balis & O'Neil, P.C.

Stephen L. Huntoon  
 Senior Attorney  
 Florida Power & Light Co.

3:15 - **BREAK**  
 3:30 p.m.

3:30 - **CONCURRENT SESSIONS**  
 4:45 p.m.

**Session A: Cyber Security Legislation for the Electric Utility Industry-- What are the key issues?**

The electric power industry has an excellent track record of protecting its critical infrastructure. However, with new

technologies come new threats, such as cyber attacks. The electric power industry has worked closely with regulators and policy makers to make sure the industry has the information it needs to respond to threats and that the federal government can, in the event of a cyber-emergency, extend additional help to protect the grid. Multiple legislative proposals are on the table. This panel will examine the bills' scope and potential impacts on reliability.

Moderator: Laura Marshall Schepis  
 Deputy Director & Counsel, Government Relations  
 National Rural Electric Cooperative Association

Panelists: Jeff Baran  
 Counsel, Environment and Energy  
 U.S. House of Representatives,  
 Committee on Energy and Commerce

Scott Aaronson  
 Director, Government Relations  
 Edison Electric Institute

Conrad Lass  
 Vice President, Legislative Affairs  
 Electric Power Supply Association

Janet Sena  
 Director Government Relations  
 North American Electric Reliability Corporation

**Session B: ERO Compliance and Enforcement - Lessons Learned from the Enforcers**

This panel of regional entity compliance officers will discuss their view of the common mistakes being made by responsible entities, the most common complaints received, which standards are giving responsible entities the most difficulty from a compliance perspective, and whether there are enforcement consistency issues across the Regions or even within a Region. Finally, we will devote a large segment of time to audience questions drawn from your anonymous submissions throughout the day.

Moderator: Linda L. Walsh  
 Hunton & Williams LLP

Panelists: Michael Moon  
 Director, Compliance Operations  
 North American Electric Reliability Corporation

Sara E. Patrick  
 Director of Enforcement and Regulatory Affairs  
 Midwest Reliability Organization

Stanley E. Kopman  
 Assistant Vice President of Compliance  
 Northeast Power Coordinating Council

## 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 registrants 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.

**The deadline for receipt of advance registration is April 21, 2010.** 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 21, 2010, 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 21, 2010.** (If cancellation is requested after deadline and accepted, there will be a \$100 administrative fee). 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 & HOTEL ACCOMMODATIONS:** Capital Hilton hotel located at 1001 16th Street, N.W., Washington, D.C. The block rate is \$325 for a single/double. To reserve a room, call the hotel directly at (202) 393-1000 or 800-HILTONS and mention the Energy Bar Association to receive the special rate. The cut-off date for this block rate is **April 7, 2010.** After that date, rooms can be reserved on a space-available basis.

**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.

**MEMBERSHIP:** Join the EBA now and immediately **SAVE** on conference registration fees. Visit the EBA website at **www.eba-net.org** for membership information or contact EBA at (202) 223-5625.

**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.**

### FOR EBA USE ONLY

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Date Billed \_\_\_\_\_



## PRIMER REGISTRATION FORM

### ONE FORM PER REGISTRANT

Please register the following person for the *The Reliability Primer for Lawyers and Energy Professionals* on **April 28, 2010.**

LAST NAME FIRST NAME (M.I.)

FIRM/COMPANY/AGENCY

ADDRESS

CITY STATE ZIP

PHONE FAX

REGISTRANT EMAIL (Registration confirmations will be sent if email address is provided.)

**REGISTRATION FEES.** (Join EBA now and **SAVE** on meeting registration fees):

**STOP! EBA Members who registered for the Annual Meeting, please take advantage of the discounted rate shown below.**

- \$325 EBA Members who register for the Annual Meeting to be held on April 29, 2010.
- \$425 EBA Members
- \$525 Non-Members
- \$125 Government/Academic/Student

**In the Interest of Going "Green," the EBA Now Offers the Election to Receive Meetings Materials in TWO Ways – Electronic or Paper Format.**

Registrants who request electronic materials will be sent the materials via email prior to the meeting. Please be advised that since you requested the electronic materials there will be no materials on-site.

**Please Help Us By Checking Your Choice Below:**

Electronic **OR**  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  DISCOVER

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

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

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 IN ONE OF THE FOLLOWING THREE WAYS:

#### 1. MAIL THIS FORM WITH PAYMENT TO:

Energy Bar Association  
1990 M Street, N.W., Suite 350, Washington, D.C. 20036.

#### 2. FAX 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.

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

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.