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BOOK REVIEW

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The Energy Bar Association is a non-profit corporation interested in the development of federal energy law. Founded in 1946 as the Federal Power Bar Association, the Association currently has approximately 1,700 members. Included in the membership are government, corporate, and private attorneys in virtually all areas of federal energy practice. The objective of the Association is to "promote the proper administration of the federal laws relating to the production, development, conservation, transmission and economic regulation of energy." In addition to publishing the *Energy Law Journal*, the Association organizes and sponsors a number of activities, including a continuing legal education program during November of each year, as well as a program held in conjunction with the annual meeting each May which focuses on issues of current interest. The Association also sponsors a number of committees which monitor and report to the membership developments of interest. Complete membership and subscription information can be obtained from the Association at 1350 Connecticut Avenue, N.W., Suite 300, Washington, D.C. 20036 or by calling (202) 223-5625.

The *Energy Law Journal* is published two times a year. Articles by members and non-members of the Association are welcome. All manuscripts should be of substantial length, not previously published, deal with aspects of federal energy law, and follow *A Uniform System of Citation*. A brief biographical statement should be included. All manuscripts should be sent to William A. Mogel, Editor-in-Chief, Squire, Sanders & Dempsey, P.O. Box 407, 1201 Pennsylvania Ave., N.W., Washington, D.C. 20044-0407. Only manuscripts submitted exclusively to the *Energy Law Journal* will be considered for publication. The opinions expressed in the published material are those of the writers and are not intended as expressions of views of the Energy bar association. Inquiries about advertising in the *Energy Law Journal* should be addressed to Mr. Miller at (202) 296-2960. The *Energy Law Journal* is indexed in the INDEX TO LEGAL PERIODICALS, The CURRENT LAW INDEX, WESTLAW, and LEXIS services.

To be cited as: 21 ENERGY L.J.  ____ (2000).
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ISSN 0270-9163
EDITOR'S PAGE

The new Millennium marks at least two anniversaries – the anniversary of the word “law” which entered our language in 1000 A.D.¹ and the Journal’s 21st year of publication.

If the Journal were a person, a 21st birthday would be recognized as an important milestone of maturity. The same is true for this publication. However, unlike the discourse usually surrounding a newly minted 21 year old, discussion of the Journal should turn to the future and not be a recitation of the past. As someone who was present at the beginning (actually before the Journal’s launch), the past certainly has been impressive, but it is the future that holds the greatest promise.

Energy law is an ever-changing discipline. Not many years ago, both electric power and natural gas were subject to pervasive regulation. Today, regulation is becoming light-handed or non-existent in order to reflect a competitive market for these energy services. As a result, energy lawyers, policymakers, consultants, and academics have to brush up on their transactional skills. Competition also has given mergers and acquisitions a bigger role in defining the “new” energy law. A third trend that affects the scope of energy law is convergence – the merging of other industries, such as telecommunications, with energy law. This list is not intended to be exhaustive, but illustrative.

Change is good because it creates the opportunity for the Journal to serve the dynamic needs of its loyal readers. Thus, the challenge for the future is to recognize these changes and publish the highest quality articles and notes.

Although this Page has focused on the future, we are mindful of the past. On March 2, 2000, the Law School dedicated the offices used by the Journal’s student staff in the memory of J. Richard Tiano. More than a decade ago, Richard had the vision to establish a not-for-profit Foundation that would have a sufficient corpus so that its income could pay for the Journal’s expenses. Richard vigorously pursued that goal while being a leading energy practitioner, serving as corporate general counsel, standing a term as President of our Association, and being the father of two lawyers. Only last year, not long after Richard’s untimely death, was his vision achieved. We are ever grateful for his efforts.

William A. Mogel
Editor-in-Chief

¹ The word comes from Old Norse lag, which derives from Old Icelandic. The Old Icelandic meaning of the root word is “something set down” or “laid down.” “Law” appears in Middle English texts as lach, laswe, laghu, laghe, laka, lau, lauh, and even laugh. Not until the 1400’s or later did the English standardize its spelling. “Lawyer” came in to use in the 1300’s, as a combination of law with the suffix -ler, -yer, meaning employment or profession, possibly akin to the Latin suffix -or. DAVID MELLINKOFF, THE LANGUAGE OF THE LAW 34-35 (1963).
IN MEMORIAM

Edward S. Kirby, President of the Federal Power Bar Association during the 1978-79 term, passed away in New Jersey on December 10, 1999, at the age of 87. His likeable and approachable personality made him a popular President with many friends in all segments of the industry.

Ed was the General Solicitor of Public Service Electric and Gas Company of New Jersey. An active member of the Association from the early 1950's, he participated in landmark energy cases throughout the 50's, 60's, and 70's. These cases addressed issues ranging from the formation and supply capabilities of pipeline companies serving the Northeast to area rate proceedings, gas curtailments, and securing just and reasonable prices for natural gas at the city gate. At a time when costs were especially crucial, Ed spearheaded a group effort to control wellhead prices and sales in the famous "Catco" case, *Atlantic Ref. Co. v. Pub. Serv. Comm'n. of New York*, 360 U.S. 378 (1959).

Ed was a Marine Veteran of World War II and saw action in many South Pacific campaigns, including Guadalcanal. He was Honorably Discharged as a Major. A *magna cum laude* graduate of the University of Notre Dame, Ed also received a Masters Degree from Columbia University and a Law Degree with honors from Rutgers University.

We will miss him.
Foundation of the Energy Law Journal

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** In Memory of Reuben Goldberg