

Promoting the professional excellence and ethical integrity of members practicing in all areas of energy law.



# 2018–2019 ANNUAL REPORT



# EBA President's Message

## Dear Fellow EBA Members,

On behalf of the Board of Directors of the Energy Bar Association ("EBA") it is my pleasure to present you with the 2018-2019 EBA Annual Report, and corresponding reports from the Foundation of the Energy Law Journal ("FELJ") and the Charitable Foundation of the Energy Bar Association ("CFEBA").

I am proud to report that the state of EBA is strong, dynamic and expanding. EBA's robust health is wholly attributable to the hard work of the EBA Board, Chapters, Committees, Councils, Primer Deans, professional staff, and, most significantly—YOU—our invaluable energy attorney, energy professional and student members who act as Ambassadors for EBA!

This year has been a momentous one, in which we advanced our strategic planning goals through the work of four task forces—focused on the goals that you conveyed were most important to you: building and growing our regional focus, optimizing our membership strategies and model, enhancing our content value and accessibility, and expanding participation and leadership opportunities. As a result, EBA has: engaged in formal training and information exchange sessions with each Chapter Board; developed a profit sharing mechanism to reward Chapters who organize financially successful meetings; revised our Chapter and Committee training process to encourage broader participation and utilization of EBA resources; implemented a new member meet-and-greet at each of our national meetings; proactively solicited participation of a diverse array of energy attorneys, professionals, and students in planning our national meetings; and provided additional access to programming both online and in-person through co-located events.

Additionally, this year the Board received first-ever reports from the newly-established In-House Counsel Task Force, Energy Professional Council, and Masters Council, setting forth plans for further development of these three groups.

Regarding formal programming, this year our seven regional chapters, sixteen subject matter committees, and the Young Lawyers Council packed the calendar with chapter meetings, energizers, CLE, networking, and social events. In particular, we commend our Professional Education Council for developing and staging particularly informative, diverse and lauded agendas for our Mid-Year Forum and Annual Meeting.

Furthermore, in response to demands for additional administrative capacity from our professional staff, we reexamined the structure of the roles in our office. This review resulted in a reorganization and identification of critical new positions in meeting planning and marketing necessary to advance our goals. While such an effort is never easy, I am particularly proud of the sensitive and respectful manner in which our CEO Lisa Levine carried out the process. As a result, I am confident that we are better equipped to meet the needs of EBA for many years to come.

It has been my sincere honor to serve as President of the Energy Bar Association. I thank you for this opportunity. This 2018-2019 Annual Report stands as a true testament to the resourcefulness and creativity that our members devote to EBA.

Sincerely yours,



**Matthew Rudolphi**, Partner, Duncan, Weinberg, Genzer & Pembroke, PC  
EBA President, 2018-2019



# CEO's Message

As I reflect upon the 2018-2019 bar year, I am struck by the enormous amount of support and commitment our members have to Association. Each year, the Energy Bar Association works diligently to fulfill its commitment to the membership—to keep our members informed through knowledge sharing, networking and training and education sessions about energy issues so they may grow their practices and businesses. This year was no exception! The theme of this report is “EBA by the Numbers” which highlights the significant engagement of the membership.

EBA, the Charitable Foundation and the Foundation of the Energy Law Journal benefit from the vast knowledge, experience and enthusiasm our members bring to every volunteer assignment. It is only because of our membership, that we have been able to provide our massive yearly events such as the Annual Meeting & Conference and Mid-Year Energy Forum to dozens of EBA Primers, EBA Energizers, On-Demand Programs, Young Lawyers Council Happy Hours and more.

In 2018-2019, we continued to enhance our regional focus, enhance our content and accessibility and enhance our leadership and participation opportunities. From the debut of a new, interactive website, to the enhancement and addition of online resources such as session recordings and videos, to an increase in chapter activities, we continue to focus on our strategic objectives. Our chapters alone held 16 regional meetings attaching 267 attendees. Overall, 2,311 energy constituents participated in more than 40 educational and networking programs, and, 1,321 volunteers served the association!

These data points tell us that our members value EBA. We look forward to serving you in the coming year and pledge to continue the hard work of providing value to you, to attend to your requests and to meet the powerful vision of our mission—to promote the professional excellence and ethical integrity of its members in the practice, administration, and development of energy laws, regulations, and policies by providing: superior educational programming, networking opportunities, and information resources.

Warm regards,

**Lisa A. Levine, CAE**  
Chief Executive Officer, Energy Bar Association

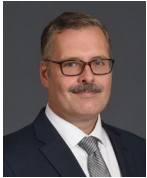
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# 2018-2019 Energy Bar Association Officers & Board of Directors

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## Board of Directors



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Ex Officio -  
Immediate Past  
President  
McNees Wallace &  
Nurick LLC



**Andrea Wolfman**  
Alston & Bird LLP

# About EBA

The Energy Bar Association (EBA) is an international, non-profit association of attorneys, energy professionals and students active in all areas of energy law. Our vision is to promote professional excellence in the practice of energy law. Our mission to promote the professional excellence and ethical integrity of its members in the practice, administration, and development of energy laws, regulations and policies is achieved by providing:

- superior educational programming;
- networking opportunities; and
- information resources.

EBA is committed to fiscal responsibility, ethical decision-making, subject matter excellence, valuable high quality programming, reliable communications, and continuous consideration of our members' current and anticipated needs. EBA is an inclusive organization that values diverse perspectives and is dedicated to providing opportunities for learning and community in a position neutral organization.

## EBA Core Values

The Energy Bar Association remains committed to fiscal responsibility, ethical decision-making, subject matter excellence, valuable high quality programming, reliable communications, and continuous consideration of our members current and anticipated needs.

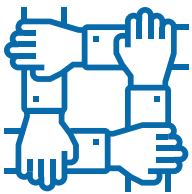
EBA is inclusive and collegial through its dedication to the value of diverse perspectives, dedication to providing opportunities for learning and community in a position neutral organization, and appreciation of personal and business connection that enhance our members' professional lives.

## 2017-2020 Strategic Objectives

- Build and grow our regional focus;
- Optimize our membership strategies and model;
- Enhance our content value and accessibility of content; and
- Expand participation and leadership opportunities.

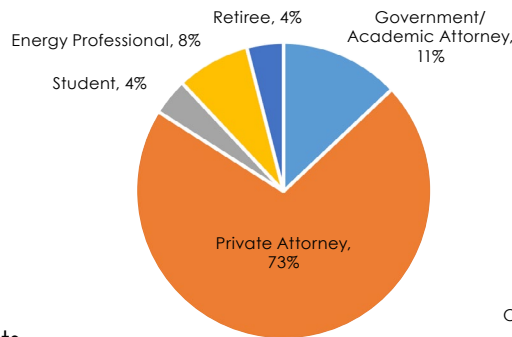
# EBA by The Numbers

## EBA Member Profile

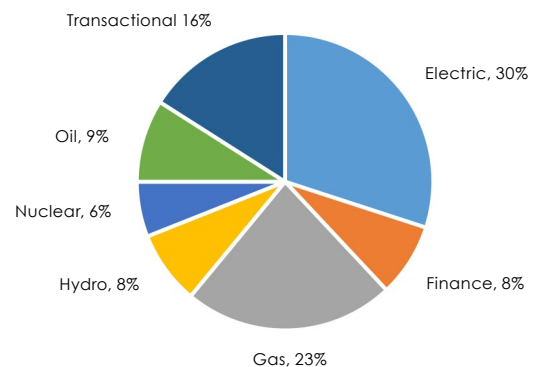


EBA members come from many backgrounds and practice in all areas of energy law. Firm and individual attorneys make up the majority of EBA memberships (71%), followed by government and academic attorneys (13%), energy professionals (8%), students (4%) and retirees (4%). The largest areas of practice for EBA members are electric (30%), natural gas (23%), transactional law (16%), oil (9%), finance (8%), hydro (8%) and nuclear (6%).

Membership by Member Type



Membership by Field of Practice



# 2017–2020 Strategic Objectives

## Strategic Objective 1: Build and grow regional focus

EBA is committed to providing all members, regardless of geographical location with exceptional benefits. To that end, each year we grow and foster our regional chapters and seek ways to enhance and connect members nationwide. Some of the strategies are carried out by:



**7 Regional Chapters**—who provide a host of opportunities for members across the country to network and learn right in their geographical region



**267 people** participated in **16 regional meetings**, programs and networking events



**30 Educational live VIDEO programs**—

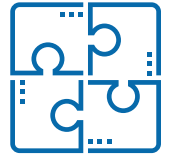
EBA members told us you wanted to feel more connected throughout the regionals and despite reduced travel budgets. EBA strives to connect members face-to-face through technology. If you have not already joined a video program, consider doing so this bar year. Just like FaceTime, video calls connect people—give it a try!



**78 video conference committee** planning meetings held this bar year, bringing together planning committees and speakers nation-wide

## Strategic Objective 2: Optimize our membership strategies and model


EBA has a vast and diverse membership who is responsible for organically growing our membership model. This year, the membership identified the following ways EBA could provide optimum value to the bar.




- **Energy Professional Council:** provides an organized forum for EPs to promote increased collaboration among EPs and enhance EP participation in EBA opportunities
- **In House Counsel Task Force:** working to identify and provide resources for in-house counsel
- **Masters Council:** open to all attorneys and energy professionals who have been practicing in the energy field for 30 or more years
- **Multi Firm Discounts:** EBA offers multiple registration discounts to assist and encourage firms to bring all energy attorneys and professionals to our chapter and national meetings
- **Student Benefits:** With the addition of a student member to the EBA Board, there has been increased attention on providing benefits to students to encourage participation and longevity in the energy law field


## Media and Social Media


EBA continues to expand its media coverage and social media foot. Check out our channels:

 **Twitter:** @EnergyBarAssoc

 **LinkedIn:** <https://www.linkedin.com/company/energy-bar-association/>

 **YouTube:** [https://www.youtube.com/channel/UC1k41L-g-S3QHn5Ayaxk-wQ?view\\_as=subscriber](https://www.youtube.com/channel/UC1k41L-g-S3QHn5Ayaxk-wQ?view_as=subscriber)

 **Industry News:** <https://www.eba-net.org/news/>

 **EBA News:** <https://www.eba-net.org/press-coverage/>



## Strategic Objective 3: Enhance our content value and accessibility of content



An essential component of the value EBA provides to its members are a myriad of information resources that allow energy attorneys and energy professionals to stay informed and expand their foundation of knowledge. EBA provides members with relevant and timely information that matters to their professional development and awareness of critical issues affecting energy law through a number of tools. Enhancing the EBA website has been a primary focus of enhancing content for members.

**EBA-Net.org**—EBA's website has become the industry's electronic resource center with an ever expanding archive of information focused on all aspects of energy law. With thousands of visitors, EBA-Net.org includes a plethora of news, educational programs and resources to enhance your knowledge of all areas of energy law and career development.

**233 On Demand CLE Programs** accessed this year. Hundreds of non-CLE On-Demand recordings downloaded. As a professional membership association, EBA strives to provide the highest quality, most timely energy focused educational opportunities.

## Professional Development and MCLE Programs



EBA membership consistently ranks "expanding their professional networks in the energy law" and "stay abreast of changing energy regulations" as the top two reasons to participate in the association. Each year EBA strives to meet those goals in providing high-quality timely knowledge sharing, networking and training sessions to help energy attorney and energy professionals stay at the top of their game.

- **34** EBA produced knowledge sharing, networking and training sessions to help energy attorneys and energy professionals connect, engage and learn.

- **2** National Meetings annually—Annual Meeting & Conference and the Mid-Year Energy Forum are large-scale multi-day events where the most influential and knowledge domestic and international energy law minds convene to share information about cutting-edge issues and trends and build business opportunities.
- **3** EBA Primers presented this bar year, 10 unique topics within the EBA Primer Series
- **17** EBA Energizers—short, topic specific and engaging programs
- **10** Young Lawyers Council networking happy hours
- **3** EBA's Book Club meet-ups
- **30+** Continuing Learning Education (CLE) On-Demand Programs available
- **2,311** people participated in education and networking programs this year



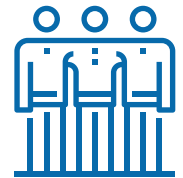
**265+** Resource Library Publications, most free to members to download

**27** Media News stories written about EBA programs



**50** EBA *Insights* Issues published and distributed to 2,500 people weekly. *Insights*, is the association's weekly e-newsletter that tackles today's most relevant issues, gathered from sources like The Associated Press, The New York Times, Financial Times and the leading industry publications. EBA *Insights* is THE #1 way to stay up-to-date on the latest headlines, resources, and events critical to attorneys and professionals in the energy law space.

## Strategic Objective 4: Expand participation and leadership opportunities



**1,321 Volunteers** gave countless hours of servicing on chapters, committees, and councils

**252 Speakers** educated and entertained our members in 2018-2019

**63 served** as Board leaders with the association and foundations, and 53 people served as committee leaders

# Its All About You!

## EBA Career Center



[Careers.EBA-Net.org](http://Careers.EBA-Net.org)

### Job Seekers

EBA's new Career Center has something for everyone. EBA members get to preview job postings ten days before others can view the positions. Find the most exclusive jobs in the industry. The Career Center also has numerous resources for your job search, including a free resume review, interview preparation and how to shine in your social media profile. Sign up and connect to the EBA Job Board.

### For Employers

The Career Center offers employers a variety of ways to stand out among your competitors, while posting your job where the highest qualified candidates go to search.

### Interactive Online Membership Directory

Find a colleague through the interactive onsite directory. Online, real-time searchable Membership Directory. The directory lists all active EBA members and serves as an invaluable guide for members who want to reach EBA counterparts with particular or niche experiences or expertise.



## University Guest Lecture Program



The Young Lawyers Council works in collaborations with EBA Chapters to present the EBA University Guest Lecture program. Through this program, young lawyers and seasoned practitioners visit law schools to present students with information about the practice of energy law, spark discussions on recent developments, and answer questions.

### WHAT IS THE EBA GUEST LECTURE PROGRAM?

- A 30-minute presentation developed by industry experts.
- Designed to provide the basics and demonstrate why energy law is a viable and interesting field of work.
- Customizable, allowing you to share your personal experience.
- Can be used at colleges, universities, internally at energy companies and law firms.

### BENEFITS IN BRIEF

- Educate future lawyers about the energy law profession.
- Attract new talent to this line of practice.
- Encourage law professors to include our energy law in their teaching curriculum.
- Attract more academics to our field of practice.





# Distinguished Service Awards

## 2018 Paul E. Nordstrom Service Award

*"I deeply appreciate EBA honoring me with this Award. The EBA has been my professional 'home' since the early 1980s, and I have made many friends there over the years. As energy lawyers, we are privileged to do interesting work in an industry that really matters. Giving back to others therefore only makes sense. I hope other EBA members will join me in doing just that by supporting the CFEBA."*

—Susan N. Kelly

Susan N. Kelly, President and CEO of the American Public Power Association and the Women's Council on Energy and Environment's 2017 Woman of the Year, was named by the Energy Bar Association (EBA) as the recipient of the 2018 Paul E. Nordstrom Service Award. The award recognizes exemplary long-term public service to the community through EBA, the Charitable Foundation of Energy Bar Association (CFEBA), or the Foundation of the Energy Law Journal (FELJ).

During her long-term service to both the CFEBA and EBA, Kelly exemplified true leadership. Kelly frequently volunteered at CFEBA service projects and put in many hours of sweat equity building houses with Habitat for Humanity. Even after her time on both Boards came to an end, her support and leadership never wavered. Kelly stands out as the top CFEBA individual contributor in CFEBA's 16 year history and is traditionally recognized at contributor levels reserved for law firms and companies.

She has been very generous with her time and resources, outside of the CFEBA and outside of the practice of law, making a significant impact locally and globally. She spearheaded APPA's 75th anniversary giving project, which raised more than \$10,000 to provide solar suitcases through We Care Solar to power maternity clinics in developing countries and saves lives that would otherwise be lost during childbirth. Sue is passionate about hosting and

participating in an annual Day of Giving volunteer community service project for APPA members in conjunction with the APPA's national conference.

"I can think of no one more worthy than Sue Kelly for this most prestigious of CFEBA/EBA awards, said Matthew Rudolphi, EBA President. "As for many of us, Sue has been a role model of mine since I started practicing energy law. Her leadership, intelligence, and dedication are truly an inspiration. I was simply thrilled when the nominations committee made me aware of their pick. Members of each board were unanimous in their endorsement and accolades. I look forward to celebrating Sue and her many accomplishments at the luncheon."

### Prior Recipients:

- Michael Stosser, 2017
- Robert S. Fleishman, 2016
- A. Karen Hill, 2015
- Paul B. Mohler, 2014
- William Mogel, 2013
- Freddi L. Greenberg, 2012
- Richard Meyer, 2011
- Sheila S. Hollis, 2010
- Paul E. Nordstrom, 2009



## 2018 Jason F. Leif Chapter Service Award

To honor the memory of Jason F. Leif, a recent EBA President and former President of the Houston Chapter, who passed away in December 2017, EBA has established the creation of the Jason F. Leif Chapter Service Award. Approved by the Board approval in March, the Award will honor and recognize exemplary long-term service or significant examples of service by a member to an EBA chapter. The inaugural recipient for the award is Jason. Beginning in 2019, the EBA Nominating Committee will seek nominations for the Award.



# EBA Regional Chapters

EBA has seven chapters for members to become affiliated with and involvement offers opportunities to enjoy valuable networking and local educational events, and participation in committees and leadership activities.

Engagement on the local level is complemented by regional and national activities focused on professional development. Chapter membership is open and free to all EBA members. Find out more by calling (202) 223-5625.

## Houston Chapter Leadership 2018–2019

James P. Cargas	City of Houston	PRESIDENT
Diane S. Neal	NextDecade Corporation	VICE PRESIDENT
Richard G. Smead	RBN Energy LLC	SECRETARY/TREASURER
Michelle D. Grant	Kinder Morgan	MEMBER
Kathleen E. Magruder	BP Energy Company	MEMBER
Christian D. McMurray	Occidental Petroleum	MEMBER
James E. Olson	Jones Day	MEMBER
Adina Owen	Boardwalk Pipeline Partners, LP	MEMBER
Kathryn L. Patton	Calpine Corp.	MEMBER
Peter I. Trombley	Anadarko Petroleum Corporation	MEMBER

## Midwest Chapter Leadership 2018–2019

*Includes IA, IL, IN, KS, MI, MN, MO, ND, ME, OH, OK, SD & WI*

David D. Streicker	Polsinelli PC	PRESIDENT
Eric Dearmont	Ameren Services Company	VICE PRESIDENT
Tanya Paslawski	Organization of MISO States	SECRETARY/TREASURER
Conor B. Ward	WEC Energy Group Inc.	EX OFFICIO
Hanna Conger	Rooney Rippie & Ratnaswamy LLP	MEMBER
Freddi L. Greenberg	Freddi L. Greenberg, Attorney at Law	MEMBER
Jason A. Higginbotham	Rooney Rippie & Ratnaswamy LLP	MEMBER
Jennifer S. Moore	Katten & Temple, LLP	MEMBER
Nikki G. Shoultz	Bose McKinney & Evans LLP	MEMBER
David D. Streicker	Polsinelli PC	MEMBER
Stacy Stotts	Polsinelli PC	MEMBER

## Northeast Chapter Leadership 2018–2019

*Includes CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VT and Ontario, Quebec and Maritime Provinces of Canada*

Andrea Jean Chambers	DLA Piper LLP (US)	PRESIDENT
Theodore J. Paradise	Anbaric Development Partners, LLC	VICE PRESIDENT
Jason Marshall	New England States Committee on Electricity	SECRETARY/TREASURER
Glenn E. Camus	Eastern Generation, LLC	PRESIDENT-ELECT
Roni F. Epstein	Public Energy Advisors	MEMBER
Michael John Hall	Capital Power Corp.	MEMBER
Sebastian M. Lombardi	Day Pitney LLP	MEMBER
Jay T. Ryan	Baker Botts L.L.P.	MEMBER
James C. Beh	Jones Day	MEMBER
Kevin Walter Flynn	ISO New England Inc.	MEMBER
Jennifer H. Tribulski	PJM Interconnection, L.L.C.	MEMBER

## Rocky Mountain Chapter Leadership 2018–2019

*Includes CO, MT, NM, UT & WY*

Michelle B. King	Holland & Hart LLP	PRESIDENT
Sarah Norcott	NorthWestern Energy	VICE PRESIDENT
Elizabeth Stevens	Public Utilities Commission of Colorado	TREASURER
Erin Green	Western Area Power Administration	SECRETARY
Jeffrey H. Albright	Lewis Roca Rothgerber Christie LLP	MEMBER
Vicki M. Baldwin	Parsons Behle & Latmer	MEMBER
Dale W. Cottam	Bailey, Stock, Harmon, Cottam P.C.	MEMBER
Crystal J. McDonough	McDonough Law LLC	MEMBER
Mustafa P. Ostrander	Tallgrass Energy Partners, LP	MEMBER



## Southern Chapter Leadership 2018–2019

*Includes AL, AR, FL, GA, KY, LA, MS, NC, SC, TN, TX, VA & WV*

Curtis James Romig	Bryan Cave LLP	PRESIDENT
Cole Kelli		VICE PRESIDENT
Michael J. Messonnier, Jr.	Hunton Andrews Kurth	SECRETARY/TREASURER
Cynthia B. Miller	Public Utilities Law Committee	PRESIDENT-ELECT
Arlen K. Bolstad	Virginia State Corporation Commission	MEMBER
Meade Browder	Virginia Office of the Attorney General	MEMBER
Raymond L. Doggett	Virginia State Corporation Commission	MEMBER
James Patrick Guy	LeClairRyan	MEMBER
Randolph Hightower	Arkansas Public Service Commission	MEMBER
Kurt L. Krieger	Steptoe & Johnson PLLC	MEMBER
Cliona Mary Robb	Christian & Barton, L.L.P.	MEMBER
Floyd R. Self	Berger Singerman LLP	MEMBER
Leonard C. Tillman	Balch & Bingham LLP	MEMBER

## Western Chapter Leadership 2018–2019

*Includes AK, AZ, CA, ID, NV, OR, WA, Alberta, British Columbia, Mexican States of Baja CA & Sonora*

Charles R. Middlekauff	Pacific Gas and Electric Co.	PRESIDENT
Jennifer L. Spina	Pinnacle West Capital Corp.	VICE PRESIDENT
Frederick Jackson Stoddard	Morgan, Lewis & Bockius LLP	SECRETARY/TREASURER
Beth Alison Fox	Manatt, Phelps & Phillips, LLC	MEMBER
Deborah Scott	Salt River Project	MEMBER
Lara L. Skidmore	Troutman Sanders LLP	MEMBER

**EBA Report on Diversity and Inclusion**—Since enactment of its progressive and impactful Diversity & Inclusion (D & I) policy in 2017, EBA continues to take many steps to implement the policy. EBA has published the updated D & I policy on its website as well as on its Annual Meeting and Mid-Year Energy Forum materials and in EBA Update. Each of the officers and directors of the 2018-2019 EBA board affirmed their personal support by executing the D&I policy. In October 2018, as part of EBA's Mid-Year Energy Forum activities, EBA held its third annual Women in Energy Breakfast and hosted its third LGBT Power Happy Hour. In preparation for the Forum and the Annual Meeting, EBA intentionally selected a diverse range of panelists as program speakers for these premiere national events. In addition, EBA has partnered with several allied organizations on educational and networking events as well as cross promoted events with other diversity-focused not-for-profit energy associations such as Womens Council on Energy and Environment (WCEE), AE2C, LGBT Power. Finally, EBA has moved aggressively to recruit a diverse set of energy leaders to serve on its Board, Committees, Councils and Chapters.

# EBA Statement of Financial Position

	December 31, 2018	December 31, 2017
<b>Assets</b>		
Current Assets		
Cash and Cash Equivalents		
OperBank - EBA	\$ 46,500	\$ 89,299
Investments - Wells Fargo -EBA	1,138,834	1,300,104
Money Market	5,397	80,311
Abila Clearing Account	0	29,110
Total Cash and Cash Equivalents	<u>1,190,731</u>	<u>1,498,824</u>
Due From/(Due To) FELJ	8,676	(31,097)
Due From/(Due To) CFEBA	57,360	(24,638)
Prepaid Expenses	1,943	4,885
Total Current Assets	<u>1,258,710</u>	<u>1,447,974</u>
Deferred Compensation 457b Asset	34,897	0
Fixed Assets, Net	16,534	11,225
Other Assets	<u>6,800</u>	<u>6,800</u>
<b>Total Assets</b>	<b><u>\$ 1,316,941</u></b>	<b><u>\$ 1,465,999</u></b>
<b>Liabilities and Net Assets</b>		
Liabilities		
Current Liabilities		
Accounts Payable	\$ 23,699	\$ 7,875
Deferred Revenue	166,413	159,115
Accrued Expenses	4,651	1,209
Total Current Liabilities	<u>194,763</u>	<u>168,199</u>
Deferred Compensation 457b Liability	34,897	0
Total Liabilities	<u>229,660</u>	<u>168,199</u>
Net Assets		
Net Assets, Without Donor Restriction	1,087,281	1,297,800
Total Net Assets	<u>1,087,281</u>	<u>1,297,800</u>
<b>Total Liabilities and Net Assets</b>	<b><u>\$ 1,316,941</u></b>	<b><u>\$ 1,465,999</u></b>



# Annual Report from the Charitable Foundation of the Energy Bar Association



**Donna M. Byrne,**  
Counsel at  
Skadden, Arps,  
Slate, Meagher &  
Flom LLP, CFEBA  
2018–19 President

The Charitable Foundation of the Energy Bar Association (CFEBA) is a non-profit organization established pursuant to Section 501(c)(3) of the Internal Revenue Code to support energy-related charities, thereby giving donors working in the energy sector the opportunity to make donations that will go to causes related to the energy field. The CFEBA achieves its mission through direct grant awards to U.S. and international community service projects that are geared towards improving the lives of members of their communities through energy.

## 2018-2019 CFEBA Board of Directors

### OFFICERS

- Donna F. Byrne**  
*President, Skadden, Arps, Slate, Meagher & Flom LLP*
- David M. Connelly**  
*Vice President, Jones Day*
- Anjali G. Patel**  
*Secretary*
- Julia Dryden**  
*Treasurer, McGuireWoods LLP*



### CFEBA BOARD OF DIRECTORS

- Donna M. Attanasio,** *The George Washington University Law School*
- Harold W. Bulger, III,** *White & Case LLP*
- William M. Dudley,** *Xcel Energy*
- David E. Hunger,** *Charles River Associate*
- Sean P. Jamieson,** *Spire Marketing Inc.*
- Mark Kalpin,** *Holland and Knight LLP*
- Simone King,** *Vinson & Elkins LLP*
- Jessica Lynch,** *Troutman Sanders LLP*
- Philip Mone,** *Van Ness Feldman LLP*
- Jay Morrison,** *National Rural Electric Cooperative Association*
- Bennett E. Resnik,** *Cardinal Infrastructure*
- Matthew R. Rudolphi,** *Duncan, Weinberg, Genzer & Pembroke, P.C.*
- Jane E. Rueger,** *White & Case LLP*
- Jonathan D. Schneider,** *Stinson Leonard Street LLP*
- Conor Ward,** *WEC Energy Group Inc.*

In late 2017, both the mainland US and the Caribbean were hit by devastating hurricanes. EBA members met the call for help. After Hurricane Harvey settled in the South, individual donors helped raise funds quickly to assist with associated relief efforts. By pairing the raised funds with a matching grant from NRG, CFEBA awarded, Blue Triangle a \$25,000 grant to replace its severely damaged roof and to conduct needed electrical rewiring and upgrades in the summer of 2018. Blue Triangle is a multi-cultural community center that helps underserved Houstonians, these repairs and upgraded roof were necessary to make all of the community center safe for use.



Just a few weeks after Harvey, Hurricane Maria tore through the Caribbean devastating multiple islands, including the US territory of Puerto Rico. In addition to the catastrophic damage to human life and property, Hurricane Maria caused the worst power blackout in US history, and reportedly the second largest blackout in the world. It took 11 months to restore power to all of the neighborhoods that lost electricity. For its 2018 cornerstone project, CFEBA raised \$100,000 to support the Puerto Rico Primary Care Association. After the Hurricane took out the power, multiple primary care clinic delivery sites lost valuable perishable medication such as insulin, vaccines, and certain liquid antibiotics and cancer medications. The Association applied for a grant to install integrated hybrid solar power systems to power the refrigeration units clinics located throughout Puerto Rico in the hopes of improving reliability and resiliency in the face of any future such disaster. The project is underway and is expected to be completed this fall.

#### **2019 Cornerstone Project: Empowering Education in Haiti**

For this year's cornerstone project, CFEBA has chosen to support the efforts of Educate Haiti, a nonprofit 501c(3) charitable organization with a mission to assist Haitians in the development of schools, including buildings, equipment, teachers and educational leaders, so that all Haitian children and adolescents may have the opportunity for a quality education—this is the key to their empowerment enabling them to pursue their dreams and improve their country.

Haiti is the most impoverished country in the western hemisphere, and has suffered various natural disasters in recent years. The funds raised will be used to help schools in Durissy, Haiti, where the average family income is \$100 per year and most can only afford one meal a day. There is no electricity. Due to a lack of energy infrastructure, school days often end in the early, when their unlit and uncooled classrooms become too hot to safely hold classes.

This project will address this need by providing a low-cost, low-maintenance, and renewable source of electricity that will facilitate installation of lights and fans in Durissy's high school, elementary school, and pre-school. This infrastructure will also allow for future use of computers and other electronic devices that have become classroom staples in the United States. Additionally, the project provides a greater community services as these buildings are also used for village meetings and shelter during hurricanes.

The CFEBA is hosting their fourth annual formal dinner gala on May 6th in conjunction with the EBA Annual Meeting and looks forward to providing an update on this project in next year's Annual Report.

#### **Disaster Relief**

In late 2017, disaster struck Puerto Rico causing catastrophic damage to human life and property, Hurricane Maria caused the worst power blackout in US history. CFEBA's 2018 cornerstone project raised \$100,000 to help the Puerto Rico Primary Care Association address refrigeration needs for perishable medications such as insulin, vaccines, and certain liquid antibiotics. These require proper temperature storage conditions to work as intended and not to pose health risks to patients. The funds provided solar solutions to as many primary health care centers throughout Puerto Rico as possible. This infrastructure will contribute to reliability and resiliency in the face of any future such disaster. The project is underway and is expected to be completed this fall.

#### **2019 Cornerstone Project: Empowering Education in Haiti**

In 2019, CFEBA has selected Educate Haiti, a charity helping Haitians help themselves through education. Haiti is the most impoverished country in the western hemisphere, and has suffered various natural disasters in recent years. Fund raising is ongoing and we look forward to providing an update in next year's Annual Report.

# CFEBA Statement of Financial Position

	<u>December 31, 2018</u> Actual
<b>Assets</b>	
Current Assets	
OperBank - CFEBA	\$ 65,833
Money Market - CFEBA	1,002
Due From/(Due To) EBA	(57,360)
Due From/(Due To) FELJ	(160)
	<hr/>
Total Current Assets	9,315
	<hr/>
<b>Total Assets</b>	<b>\$ 9,315</b>
	<hr/>
<b>Liabilities and Net Assets</b>	
Liabilities	
Current Liabilities	
Accounts Payable	\$ 1,633
Deferred Revenue	4,204
	<hr/>
Total Current Liabilities	5,837
	<hr/>
Total Liabilities	5,837
	<hr/>
Net Assets	
Net Assets, Without Donor Restriction	(26,597)
	<hr/>
Net Assets, With Donor Restriction	30,075
	<hr/>
Total Net Assets	3,478
	<hr/>
<b>Total Liabilities and Net Assets</b>	<b>\$ 9,315</b>
	<hr/>

## CFEBA By the Numbers:



**310** Donations totaling  
**\$120,058**



**\$125,000** in grants given  
in 2018-2019 to Puerto Rico  
Primary Care Association, Inc.  
and Blue Triangle Multicultural  
Association, Inc.

**CFEBA Report on Diversity and Inclusion**—CFEBA is committed to upholding the EBA's Diversity and Inclusiveness (D&I) policy. Each of the officers and members of the 2018-2019 CFEBA board affirmed their personal support by executing the D&I policy. The CFEBA continued its commitment to geographic diversity by selecting Educate Haiti as its "cornerstone" project for 2018-2019. Specifically, the grants committee recommended, and the Board approved, a \$100,000 grant to assist Haitians in the development of schools, including buildings, equipment, teachers and educational leaders, so that Haitian children and adolescents have the opportunity for a quality education. Consistent with this grant, the bulk of CFEBA's fundraising efforts this year will benefit Educate Haiti and the positive impact it will have on the Haitian population. Other endeavors consistent with the D&I policy include examining the CFEBA's fundraising efforts to expand the ability of all members to actively participate, and facilitating increased contribution to CFEBA initiatives from members in different professional capacities in the energy sector.

# Annual Report from the Foundation of the Energy Law Journal

## 2018–2019 FELJ Board of Directors

### OFFICERS

**Linda L. Walsh**, *President*

**Nicholas J. Pascale**, *Vice President*

**Molly K. Suda**, *Treasurer*

**Sylvia Bartell**, *Secretary*



### BOARD MEMBERS

**Bruce Birchman**, *Board Member*

**James Bixby**, *Board Member*

**Nicholas Cicale**, *Ex Officio—Administrative Editor*

**Kristen Connolly McCullough**, *Board Member*

**Robert S. Fleishman**, *Ex Officio—ELJ Editor-in-Chief*

**Jason Gray**, *Board Member*

**Jeffrey M. Gray**, *Ph.D., Board Member*

**Gary Guy**, *Ex Officio—Immediate Past President*

**Gregory Lawrence**, *Board Member*

**Margaret E. McNaul**, *Board Member*

**Phil Mone (Crossover)**, *Board Member*

**Christopher Nalls**, *Board Member*

**Harvey L. Reiter**, *Ex Officio—Executive Editor*

**Matthew R. Rudolphi**, *Ex Officio—President (EBA)*

**Jane Rueger**, *Ex Officio—Vice President (EBA)*

**Jonathan Schneider**, *Ex Officio—President-elect (EBA)*

The Foundation of the Energy Law Journal (FELJ), created in 1986 to manage the finances of the Energy Law Journal (ELJ), continues to ensure the long-term financial viability of the Journal. It raises funds through programs, subscriptions, and advertising to enable the FELJ to maintain revenues sufficient to cover expenses and to avoid drawing heavily on the FELJ's investment account.



**Linda L. Walsh**,  
**President, FELJ,**  
**2018-2019**

The FELJ experienced a successful year in 2018 by continuing to reduce publication and mailing costs and implementing measures to increase the revenues from the annual reception honoring the Federal Energy Regulatory Commission (FERC) Administrative Law Judges. The Honorable Curtis L. Wagner Jr. ALJ Reception, held in conjunction with the EBA's Mid-Year Energy Forum, is largest source of revenue for the Journal. The FELJ also organizes author talks to highlight articles published by the Journal, sponsors book reviews by EBA members, and conducts podcasts.

## Energy Law Journal

Since 1980, the Energy Law Journal has provided great value to EBA's members. As a peer-reviewed Journal, it provides in-depth analyses on current, salient issues affecting members, their clients, and businesses and provides a forum for the exploration and understanding of new, cutting-edge issues. This year, Volume 39 published thought-provoking articles on topics including climate risk disclosure, distributed energy resources, U.S.-Mexico electricity transactions, blockchain, decarbonization, energy storage, and resilience.



# Foundation of the Energy Law Journal Annual Report

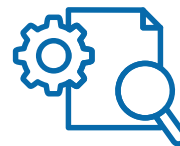


The Journal is produced with the assistance and participation of a dedicated student editorial board at the University of Tulsa Law School (TU). In recognition of the importance of the partnership between the Foundation and TU, the FELJ contributes a stipend for the William Mogel Internship, named in honor of the Journal's first editor. This year's recipient was Mitchell Lovett, a TU student, and Student Editor on the Journal. He spent his internship in the office of Representative Markwayne Mullin from Oklahoma, who serves on the House Energy and Commerce Committee, and wrote an article about the experience for EBA Insights.

The EBA Committee Reports continue to be published by the Journal in the online edition. In 2018, thirteen committee reports were published. These reports are valuable to the membership to keep apprised of new industry developments. They serve as a great learning tool for those new to a particular field and as a great reference source for brief writing and presentations.

In the Fall of 2018, an annual workshop was held for the student editors on energy legal, policy, and related issues. These annual workshops are intended to increase the students' familiarity with the issues that will appear in the articles they will be editing and are taught by members of the Journal's Editorial Board and the TU faculty. Also in the Fall of 2018, the FELJ sponsored a well-attended writing skills program for practitioners in the law offices of Dentons in Washington, D.C.

## FELJ Financial Report



FELJ maintains a conservative investment strategy managed by Wells Fargo. In 2018, FELJ made a \$200,000 contribution to the CFEBA to help it build a corpus for enhancing its ability to make timely charitable contributions.

## FELJ Report on Diversity and Inclusion

The FELJ Board approved the EBA's Diversity and Inclusion (D&I) Policy, and all FELJ Board members have signed the D&I Policy Certification for the 2018-2019 year. The FELJ values diversity and is pleased to present this report on the FELJ's initiatives and efforts this year to foster diversity and inclusion.

*Publishing Articles from Diverse Authors:* FELJ continues its commitment to publish articles authored by a broad range of diverse individuals, including diverse individual characteristics and backgrounds, geographic location, sector of employment and points of view. FELJ has made additional efforts to encourage diverse individuals to write articles for the ELJ by sending a courtesy copy of the Spring and Fall issues of the ELJ to leaders at the following affinity organizations

- American Association of Blacks in Energy
- Asian Americans in Energy, the Environment and Commerce
- LGBT Bar Association
- Mexican Bar Association
- National Association of Blacks in Energy
- National Association of Women Judges
- National Utilities Diversity Council
- Women's Bar Association
- Women's Bar Association and WBA Foundation
- Women's Council on Energy and the Environment



*Striving for a Diverse Editorial Board:* The FELJ is committed to the goals of fostering an inclusive and diverse editorial board for review of articles to be published in the Journal. In March, the FELJ sent a letter to the EBA membership announcing open positions on the Editorial Board, welcoming the submission of articles for consideration, and reemphasizing the FELJ's D&I policy goals. We added new editors, thus enhancing the diversity of the editorial board.

*Promoting Diverse Programs:* When developing programs during the year, such as author talks, FELJ commits to keeping diversity goals in mind. FELJ will seek opportunities to partner with affinity groups to develop joint programming.

*Providing Business Opportunities for Diverse Groups:* FELJ is committed to making advertising opportunities better known to diverse individual-owned businesses and affinity organizations and encouraging their participation.

*Mentorship Program:* As part of EBA's broader mentorship program, FELJ appointed several mentors with a variety of experience in energy law to serve as mentors to the Journal's student editors. These mentors have participated in several brown bag programs to acquaint the students with the field. They have also made themselves available to provide career advice to the students.

# 2018 FELJ Statement of Financial Position

	<u>December 31, 2018</u>	<u>December 31, 2017</u>
<b>Assets</b>		
Current Assets		
Cash and Cash Equivalents		
OperBank - FELJ	\$ 6,722	\$ 1,829
Investments - Wells Fargo -FELJ	614,310	887,033
Money Market	1,291	0
Abila Clearing Account	0	50
Total Cash and Cash Equivalents	<u>622,323</u>	<u>888,912</u>
Due From/(Due To) EBA	(8,676)	31,096
Due From/(Due To) CFEBA	160	0
Total Current Assets	<u>613,807</u>	<u>920,008</u>
<b>Total Assets</b>	<b><u>\$ 613,807</u></b>	<b><u>\$ 920,008</u></b>
<b>Liabilities and Net Assets</b>		
Liabilities		
Current Liabilities		
Accounts Payable	\$ 1,633	\$ 0
Total Current Liabilities	<u>1,633</u>	<u>0</u>
Total Liabilities	<u>1,633</u>	<u>0</u>
Net Assets		
Net Assets, Without Donor Restriction	612,174	920,008
Total Net Assets	<u>612,174</u>	<u>920,008</u>
<b>Total Liabilities and Net Assets</b>	<b><u>\$ 613,807</u></b>	<b><u>\$ 920,008</u></b>



**2019**  
MID-YEAR  
ENERGY FORUM

Tuesday, October 15, 2019 - Wednesday, October 16, 2019  
Renaissance Downtown Hotel • Washington DC



# Energy Bar Association Professional Staff

The staff of the Energy Bar Association is dedicated to ensuring the strategic, financial, operational and administrative objectives of the association as defined by EBA's Board of Directors is implemented. In addition, EBA's staff is pledged to forward the mission of EBA to promote

professional excellence and ethical integrity of its members in the practice, administration, and development of energy laws, regulations and policies by providing superior educational programming, networking opportunities and information resources.



**Lisa A. Levine CAE**  
Chief Executive Officer



**Michele L. Smith**  
Sr. Manager,  
Marketing and  
Member Relations



**Richelle Kelly**  
Manager, Member  
Database



**Mary Margaret  
Frank**  
Meeting Coordinator



**Jordan B. Weiss**  
Manager, Strategic  
Partnerships

## Save the Date for Upcoming EBA Events

### **FERC Practice in the D.C. Circuit— A View from the Bench**

May 16, 2019 • 3:30 PM – 6:00 PM  
Hosted by: Gibson, Dunn & Crutcher LLP,  
Washington, DC

### **2019 Rocky Mountain Chapter Annual Meeting**

June 11, 2019 • 8:00 AM – 5:00 PM  
Hosted by: Wyoming Public Service  
Commission, Cheyenne, WY

### **2019 Enforcers and Defenders Forum**

June 12, 2019 • 2:00 PM – 6:00 PM  
Hosted by: The George Washington  
University Law School, Washington, DC

### **2019 EBA Northeast Chapter Annual Meeting**

June 13, 2019 • 8:00 AM – 5:00 PM  
Hosted by: Baker Botts LLP, Washington, DC

### **EBA Primer Series: Cost of Service Ratemaking**

June 19–20, 2019  
Host by: Gas & Electric Building, Smart  
Energy Hall Conference Rm, Baltimore, MD

### **2019 EBA Louisiana Chapter Annual Meeting**

June 28, 2019 • 8:30 AM – 4:30 PM  
Hosted by: Louisiana State University,  
Baton Rouge, LA





# Message from EBA Incoming President

## Dear EBA Members,

With special thanks to outgoing President Matt Rudolphi for his dedication and hard work, I'm looking forward to the coming year. The Energy Bar Association (EBA), the Charitable Foundation for the Energy Bar Association (CFEBA) and the Foundation for the Energy Bar Association are stronger for Matt's great work.

I have long looked to the EBA organizations as a sort of extended professional family, providing a shared backdrop for our practices, educational and networking opportunities, and the opportunity to serve common educational, charitable and professional causes. Though we number roughly 2,000 members, the energy bar functions a little like a small town, and the experience we share through membership makes us all better lawyers and colleagues.

We have important opportunities and challenges in the coming year. Consistent with our educational focus, we will look to enhance access to the content that EBA provides members through our many meetings, energizers and publications, and to provide new opportunities for members to publish position pieces and exchange views on issues of the day.

Recognizing that effective working relationships between private attorneys and public servants are critical to us all, we'll also use the coming year to strengthen these relationships through joint programming and a concerted effort to engage our government members in EBA activities.

We will also address membership challenges. As have other bar associations and voluntary organizations, EBA faces continuous challenge to demonstrate value. I'm confident that we're up to the challenge, and that the many ways in which EBA enriches our professional lives will help ensure a bright future. But membership is always a work in progress, and we will continue to focus on building it for our mutual benefit.

Finally, I want to pass along this received wisdom: The extent to which EBA benefits each of us correlates closely with what we put into it. EBA offers countless leadership opportunities and forums in which to advance and enrich our careers. Get involved!

## Jon

Jonathan Schneider  
2018–2019 EBA President Elect





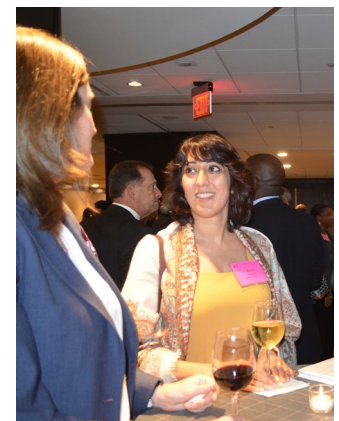
## EBA Thanks Its Volunteers

The backbone and strength of EBA is its volunteers. EBA members volunteer their time and services to develop and administer EBA knowledge sharing, learning and networking programs throughout the year that provide value to all who participate. EBA gratefully acknowledges their contributions with appreciation.



## Diversity & Inclusion Policy Statement

The Energy Bar Association ("EBA") is committed to the goals of fostering an inclusive and diverse membership and increasing diversity across all levels of the Association. Attorneys and energy professionals in the energy field are welcome to join our ranks, regard-less of race, creed, color, gender (including gender identity or expression), sexual orientation, family and marital status (including pregnancy), family responsibilities, religion, national origin, age, personal appearance, political affiliation, veterans status, disability, source of income (government, solo, corporate, firm practice), or place of residence or business (geographic diversity) and are encouraged to become active participants in the Association's activities.





## **Energy Bar Association**

2000 M Street NW, Suite 715

Washington, DC 20036

T: (202) 223-5625

W: [EBA-Net.org](http://EBA-Net.org)