

2021 EBA MID YEAR ENERGY FORUM

ENERGY BAR ASSOCIATION

WWW.EBA-NET.ORG | 202.223.5625



[Printable Agenda](#)

PROGRAM OVERVIEW

Mark your calendar for the Energy Bar Association's 2021 **Virtual** Mid-Year Energy Forum! This conference is one and a half days, **VIRTUAL**, with excellent sessions and speakers. Discussions will be focused on the legal issues related to all aspects of energy law. Attendees will include attorneys, non-attorney professionals, and students active in all areas of energy law, including antitrust, international energy transactions, legislation and regulatory reform, electric utility regulation, alternative dispute resolution, finance and transactions, and environment and public lands at federal, state, and international levels. Each year, the Mid-Year Energy Forum welcomes 400 attendees and is approved for MCLE credit.

[Register For The VIRTUAL Conference](#) [PDF Registration Form](#)

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The efforts of the EBA's two fulfilling foundations, the **Foundation of the Energy Law Journal (FELJ)** and the **Charitable Foundation of the Energy Bar Association (CFEBA)** provide extraordinary value to the members of the Association and the community at large and they need YOUR HELP!

We kindly ask you and your firm or company to become supporters of EBA's two foundations and help ensure FELJ and CFEBA can continue their outstanding charitable work. [Learn More](#)

CONFERENCE AGENDA

MEETING HASHTAG: #EBA2021FORUM

Want a great way to say you're excited to be attending? Or share a great picture of your view while attending this online program? Let everyone know by using the **#EBA2021FORUM**.

TUESDAY, OCTOBER 12, 2021 (ET) - AGENDA

11:30 AM - 12:30 PM ET: Welcome to the 2021 Mid Year Energy Forum & Keynote Presentation

welcome

Mosby Perrow
Van Ness Feldman
EBA PRESIDENT,
2021-2022

keynote presentation

Dan Sutherland
Chief Counsel
THE CYBERSECURITY &
INFRASTRUCTURE SECURITY AGENCY

12:30 PM - 1:45 PM ET: GENERAL SESSION: Managing Enterprise Risks Associated with Cyber and Physical Security

This session will offer the opportunity to hear from energy company executives about how they manage cybersecurity and physical security risks that threaten the safe and reliable delivery of critical energy supplies and manage compliance obligations associated with existing and anticipated new standards, directives and regulations.

moderator

Lisa J. Sotto
Partner
HUNTON ANDREWS KURTH, LLP

panelist

Manny Cancel
Senior Vice President, NERC
Chief Executive Officer,
E-ISAC

panelist

David W. Gray, Esq.
Vice President &
General Counsel
COLONIAL PIPELINE COMPANY

panelist

Eric J. Meyers, CISM
VP Chief Information Security
Officer
NEW YORK POWER AUTHORITY

1:45 PM - 2:00 PM ET: Break

2:00 PM - 3:15 PM ET: CONCURRENT SESSIONS

SESSION 1A: Beyond Order 1000: New Horizons in Transmission Planning Under FERC's ANOPR

The Federal Energy Regulatory Commission is broadly reassessing its rules for electric transmission planning, cost allocation, and interconnection of new resources in its pending advance notice of proposed rulemaking (ANOPR). This panel will provide an overview of the ANOPR and offer different perspectives on the reforms that FERC should consider as it revisits key policy questions during a time of rapid industry change.

moderator

Larry Gasteiger
Executive Director
WIRES

panelist

Cynthia Bogorad
Partner
SPIEGEL & MCDIARMID

panelist

Rob Gramlich
Founder & President
GRID STRATEGIES

panelist

Kari Valley
Managing Senior
Corporate Counsel
MIDCONTINENT
INDEPENDENT SYSTEM
OPERATOR (MISO)

panelist

Sara Weinberg
Assistant General
Counsel
DOMINION ENERGY

SESSION 1B: The Future of Carbon Capture, Utilization, and Sequestration

The International Energy Agency and others find it is nearly impossible to reach global climate targets without carbon capture and sequestration. CCS can meet multiple objectives. CCS can abate emissions from vital industries such as cement manufacturing where there is no alternative. CCS can reduce the cost of producing non-emitting fuels like hydrogen for use in ships and possibly airplanes. CCS can lengthen the life of thermal electric generation. CCS can enable direct air capture of CO₂. Meanwhile, the sinks for captured carbon are expanding from oil and gas fields to saline formations and useful products such as concrete. In addition, costs can be reduced. CCS hubs coupling multiple sources, transportation, and sinks can reduce CCS costs through economies of scale. Repurposing existing oil and gas pipelines and using existing rights of way can further reduce costs. This panel will discuss the potential for CCS and outstanding issues such as:

- What provisions are in the Biden infrastructure legislative package for CCS?
- The Section 45Q tax credit per metric ton of sequestered carbon is a valuable incentive for CCS infrastructure. Should Congress modify 45Q to improve assistance to CCS? If so, how?
- Should CCS hub pipelines be regulated? If so, who should regulate the pipelines, and what is the right regulatory model? The gas pipeline model? The oil pipeline model? Something else?
- Is permitting for sequestration wells a problem? If so, what are the solutions?
- What are the foreseen useful products that can produce a revenue stream for captured carbon beyond EOR? Should they be incentivized? If so, how?
- What is the potential for mineralization of captured carbon? Should mineralization be incentivized? If so, how?

moderator

panelist

panelist

panelist

Jeanette Pablo

Resident Senior Fellow
CLEAN AIR TASK FORCE

Peter Balash

Senior Economist
**NATIONAL ENERGY TECHNICAL
LABORATORY,
U.S. DEPARTMENT
OF ENERGY**

Katherine Panczak

*Vice President of Business
Development*
DT MIDSTREAM

Jeffery Preece

Senior Program Manager
**ELECTRIC POWER RESEARCH
INSTITUTE (EPRI)**

3:15 PM - 3:45 PM ET: Break + TED TALK: Energy Transition - How Start-Ups are Working to Lead the Change

3:45 PM - 5:00 PM ET: CONCURRENT SESSIONS

SESSION 2A: Interregional Coordination and the Reliability Challenges of the Evolving Grid

Today's electric industry is evolving with unprecedented speed, presenting grid planners and operators with significant new challenges. Extreme weather and climate change add further complexity. Given these challenges, interregional coordination between balancing authorities is taking on added importance to most effectively keep the lights on for customers. This panel will describe frameworks for interregional coordination in resource adequacy planning, markets, and operations, and discuss how past experience is being leveraged to enhance reliability and best leverage available generation and transmission resources going forward.

SESSION 2B: Can Canada and the United States Agree on a Carbon Tariff?

Policy makers have long claimed that without carbon tariffs, meaningful reductions in carbon emissions will not take place because some countries will continue prioritize economic objectives over environmental ones. Recently the European Commission declared that carbon tariffs were essential:

“On 14 July 2021, the Commission adopted a proposal for a new Carbon Border Adjustment Mechanism which will put a carbon price on imports of a targeted selection of products so that ambitious climate action in Europe does not lead to ‘carbon leakage’. This will ensure that European emission reductions contribute to a global emissions decline, instead of

pushing carbon-intensive production outside Europe. It also aims to encourage industry outside the EU and our international partners to take steps in the same direction."

Canada and the United States share the longest undefended border in the world and are the two most highly integrated countries in terms of energy investment. Both countries are now closely aligned on carbon policy but will they be able to agree on this latest issue? The Canadian Chapter of the Energy Bar Association presents a challenging debate between experts from both countries.

<i>moderator</i>	<i>panelist</i>	<i>panelist</i>	<i>panelist</i>	<i>panelist</i>	<i>panelist</i>
Gordon Kaiser <i>Counsel</i> FIRST CANADIAN CHAMBERS	Neil Campbell <i>Partner</i> MCMILLAN, LLP	Adonis Yatchew <i>Professor</i> DEPARTMENT OF ECONOMICS, UNIVERSITY OF TORONTO	Sanjay J. Mullick <i>Partner</i> KIRKLAND & ELLIS, LLP	Randolph Bell <i>Director</i> GLOBAL ENERGY CENTER, ATLANTIC COUNCIL	Anna Fung <i>Deputy Chair</i> BRITISH COLUMBIA UTILITIES COMMISSION



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<https://mailchi.mp/eba-net.org/fall-foundation-campaign>

WEDNESDAY, OCTOBER 13, 2021 (ET) - AGENDA

11:00 AM - 12:30 PM ET: GENERAL SESSION: Energy Insecurity

Energy Insecurity is the loss or threatened loss of energy required for our modern lives and manifests both as a chronic problem and acute problem. It is the chronic inability to afford or access adequate energy to meet household or community needs, and the acute crises arising from infrastructural, maintenance, environmental, or other external sources disrupting or impeding access to energy. A substantial number of families, communities, business, and individuals across North America experience Energy Insecurity chronically and acutely far too frequently, and appears to be exacerbated by various climate and energy trends. This panel will discuss different aspects of Energy Insecurity, what the research tells us about the problem in North America, and what laws and policies are required to alleviate and ultimately eradicate the problem.

12:30 PM - 12:45 PM ET: Break

12:45 PM - 2:00 PM ET: CONCURRENT SESSIONS

SESSION 3A: Securitization of Utility Costs: Panacea or Poison Pill?

Driven in some cases by the short-term impacts on bad debt such as from high storm cost, and in others by the longer-term need address the potential for fossil fuel infrastructure to become a stranded asset, more electric and gas utilities and their legislators and regulators have been turning to securitization. On the positive side, securitization can lower costs to ratepayers because taking an asset off the books reduces the utility's revenue requirement. However, securitization may not be a panacea, as the regulator foregoes future regulatory reviews and risk is shifted from shareholders to ratepayers. The panel will discuss the drivers of securitization legislation and regulatory issues in two recent matters (in Colorado and North Carolina) as well as provide a perspective on lessons learned from the wave of securitization in the 1990s during electricity market liberalization.

moderator

Dr. Marie Fagan, PhD
Chief Economist
**LONDON ECONOMICS
INTERNATIONAL, LLC**

panelist

Christopher J. Ayers
Executive Director
**PUBLIC STAFF-N.C.
UTILITIES COMMISSION**

panelist

**Dr. Beverly
Brereton, PhD**
*Senior Manager,
Regulatory Affairs &
Market Development*
SRECTRADE, INC.

panelist

**Dr. Chris
Hansen, PhD**
State Senator
**COLORADO HOUSE OF
REPRESENTATIVES**

panelist

Branko Terzic
Managing Director
**BERKELEY RESEARCH
GROUP, LLC**

SESSION 3B: Evaluation of Need in NGA Certificate Proceedings: what would a new FERC policy look like?

FERC has been reexamining its 1999 Certificate Policy Statement since 2018, with a recent refresh of the comments. A number of commenters have urged FERC to broaden its assessment of need to take into account more interests, or that certain factors should be given different weight. Recent Court of Appeals decisions striking down FERC authorizations may compel further changes to FERC's evaluation of need, climate change, and environmental justice impacts. This panel will discuss what they think a new FERC policy should look like, how that complies is consistent with FERC's statutory obligations, and what an applicant might need to show to satisfy the new standards.

moderator

Nils Nichols
Former Director
**FEDERAL ENERGY REGULATORY
COMMISSION (FERC)**

panelist

Meghan Coffman
Assistant General Counsel
KINDER MORGAN

panelist

Megan C. Gibson
Senior Staff Attorney
NISKANEN CENTER

panelist

Sarah Ladin
Attorney
**NEW YORK UNIVERSITY(NYU)
INSTITUTE FOR POLICY
INTEGRITY**

2:00 PM - 2:45 PM ET: Break

2:45 PM - 4:00 PM ET: CONCURRENT SESSIONS

SESSION 4A: Ethics - Are You a Cyber Ready Attorney?

In this session, attendees will learn about legal ethics and professional responsibility principles relating to confidentiality and cyber security issues and the application of those principles. The discussion will reflect past incidents and data about breaches and attempted breaches of law firm and law department information systems, and related human factors. Practices and tools such as training, supervision, password managers, and two-factor authentication will be discussed, as will addressing a breach when one occurs.

panelist

Paul D. Ackerman
Senior Counsel
EXELON

panelist

Annie Blanchard
Associate Counsel
CONED

panelist

John Ratnaswamy
Member
**THE LAW OFFICE OF
JOHN RATNASWAMY, LLC**

SESSION 4B: EV Charging Infrastructure - Deployment Challenges

As the Biden administration pushes for increased electrification of the transportation sector, one of the main issues is how to build out the electric vehicle (EV) charging infrastructure in the United States. What are the federal proposals for building out EV charging infrastructure? What programs have individual states implemented?

moderator *panelist* panelist panelist panelist

The Honorable
Marissa Paslick
Gillett
Chairman
**CONNECTICUT'S
PUBLIC
UTILITIES
REGULATORY
AUTHORITY
(PURA)**

4:00 PM - 5:30 PM ET: CLOSING SESSION: The Silent "G" in ESG: How is DEI Being Incorporated into Governance as Companies Renew Their Focus on ESG

ESG is top-fold news and the COVID-19 pandemic and social justice movements stemming from 2020 have only exacerbated the energy community's focus on these issues. But not every aspect of ESG is getting equal attention. This panel will discuss the silent "G" in ESG. During this candid discussion with energy and board governance specialists who are knowledgeable about energy company governance issues, this panel will focus on how DEI, board diversity, executive pay and equal pay are being incorporated as energy companies are renewing their focus on the hot topic of ESG:

- Has the push for ESG led to an increased focus on diversity and inclusion at the highest levels of energy company leadership and governance?
- How will the Nasdaq's Diversity Proposal impact DEI, ESG, and Board governance?
- Where do things stand within the C-Suite and Boards of Directors?

- Will ESG reporting and investing play a role in how energy companies approach governance?
- What role does DEI play in the analysis of an energy company's material risks and growth opportunities?

panelist

Serena Rwejuna
Associate
JONES DAY

panelist

Gwen Mizell
Vice President
Sustainability & Electrification
AMEREN

ABOUT THE SPEAKERS

EBA is pleased to present an outstanding, experienced line-up of panel and general session speakers. Learn more about them by viewing the [Speaker Biographies](#).

SPEAKERS SERVICE CENTER (SSC)

The [Speaker Service Center](#) is for speakers and moderators, and should include everything you need to know to prepare for the conference and make the deadlines.

CONFERENCE LOCATION



The Forum will be held **virtually** on the **Socio Platform**.