

2022 Mid-Year Energy Forum

Program Guide



Managing Through a Crisis: Energy Transition and Upheaval

October 11-12, 2022

The Renaissance Downtown Hotel
999 9th St NW
Washington, DC 20001

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PERKINS COIE'S MORE THAN 100 ENERGY ATTORNEYS help clients structure and negotiate energy transactions, navigate the complex regulatory and permitting frameworks governing the energy industry, and litigate issues involving the energy sector. Our clients range from global energy companies and utilities to emerging innovators. They include companies active in traditional regulated markets as well as those operating in newly deregulated markets or implementing innovative energy technologies.

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Dear EBA Members and Guests,



Delia Patterson
EBA President, 2022 - 2023

You're here to discuss current and emerging energy policies and legal issues in our industry, and thankfully the Energy Bar Association (EBA) continues to serve as the preeminent platform to facilitate that exchange of ideas.

Welcome to the 2022 Mid-Year Energy Forum! This Forum's theme is Managing Through a Crisis: Energy Transition and Upheaval. As we near the end of 2022, our industry continues to face tough challenges. We are moving toward a cleaner energy future while striving to ensure reliability, resilience, security, and financial stability. And we are focused on advancing equity and maintaining affordability for customers as we continue to make this transition.

As in years past, the EBA Professional Education Council (PEC) listened to your topic suggestions and worked extremely hard to prepare an agenda that would be of interest and useful to energy professionals and attorneys alike (and pass CLE muster!). The theme that emerged during the development of the program is the result of your input and engagement. I hope you enjoy it.

On behalf of the Board of Directors, I would like to thank the PEC leadership for their tireless efforts on this program. The PEC co-chairs are Emily Mallen of Sidley Austin LLP and John McCaffrey of the American Public Power Association. The Co-Vice Chairs are Holly Rachel Smith of Invenergy and Andrew DeVore of Davis Wright Tremaine LLP.

I am looking forward to attending the *2022 Honorable Chief Judge Curtis L. Wagner Administrative Law Judges Reception*. I also would like to encourage you all to attend our Women in Energy Breakfast event on October 12 featuring Amanda Riggs Conner, Vice President, FERC & RTO Strategy & Policy at American Electric Power. This should be a special treat. I would like to thank McGuireWoods LLP for hosting this event since its inception and continuing the tradition this year. Everyone is invited to attend but RSVP is required. If you did not sign up for the breakfast when you registered, please see an EBA staff person to ensure there is space available.

Finally, we're particularly pleased to welcome U.S. Department of Energy General Counsel, Samuel Walsh as our welcome keynote on Tuesday, U.S. Department of Transportation, Deputy Administrator, Pipeline and Hazardous Materials Safety Administration, Tristan Brown as our luncheon keynote on Wednesday, and FERC Commissioner James Danly as our dinner guest Wednesday evening. As in years past, you will have the opportunity before dinner to participate in a "mystery wine pull" to support the Charitable Foundation of the Energy Bar Association.

On behalf of the EBA Board, thanks so much for joining us for what promises to be an educational, thought-provoking, and fun event.

A handwritten signature in black ink, appearing to read 'Delia Patterson', with a stylized flourish at the end.

Delia Patterson
2022-2023 EBA President

CLE REQUIREMENTS

1. To receive CLE credit, be sure to sign in **each day** at the CLE table near registration. New York attorneys, you must also sign out each day.
2. In the days following the event, you will receive an email containing a link to the Affidavit of Attendance. Complete and submit this online form to receive credit.
3. Your Certificate of Completion will be available for download when you complete the affidavit. It will also be emailed to you. Information related to reporting attendance will be included.

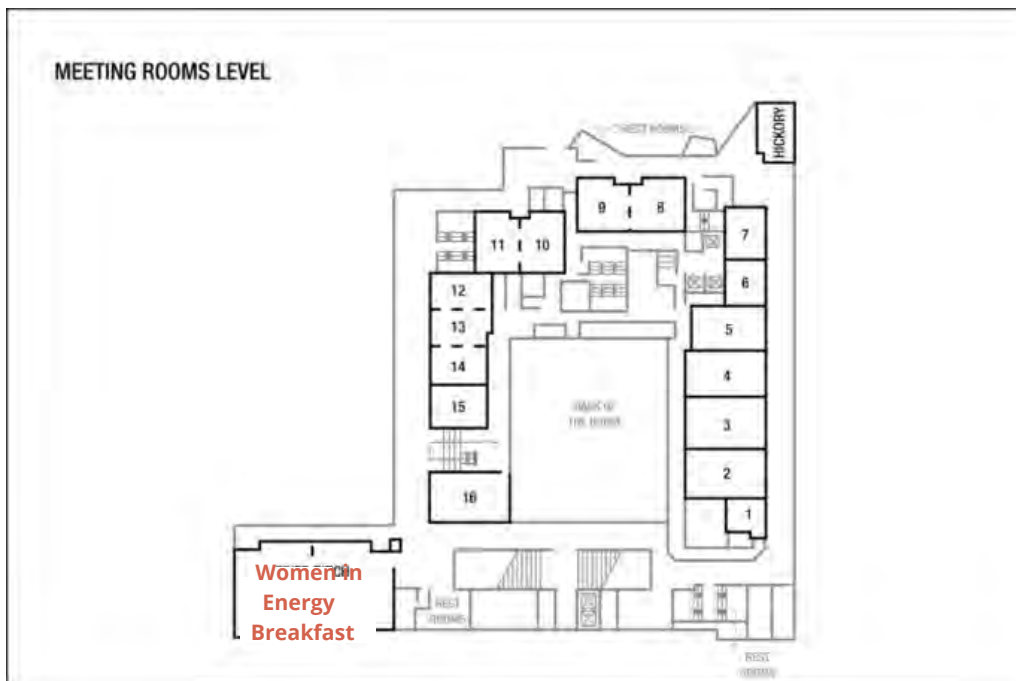
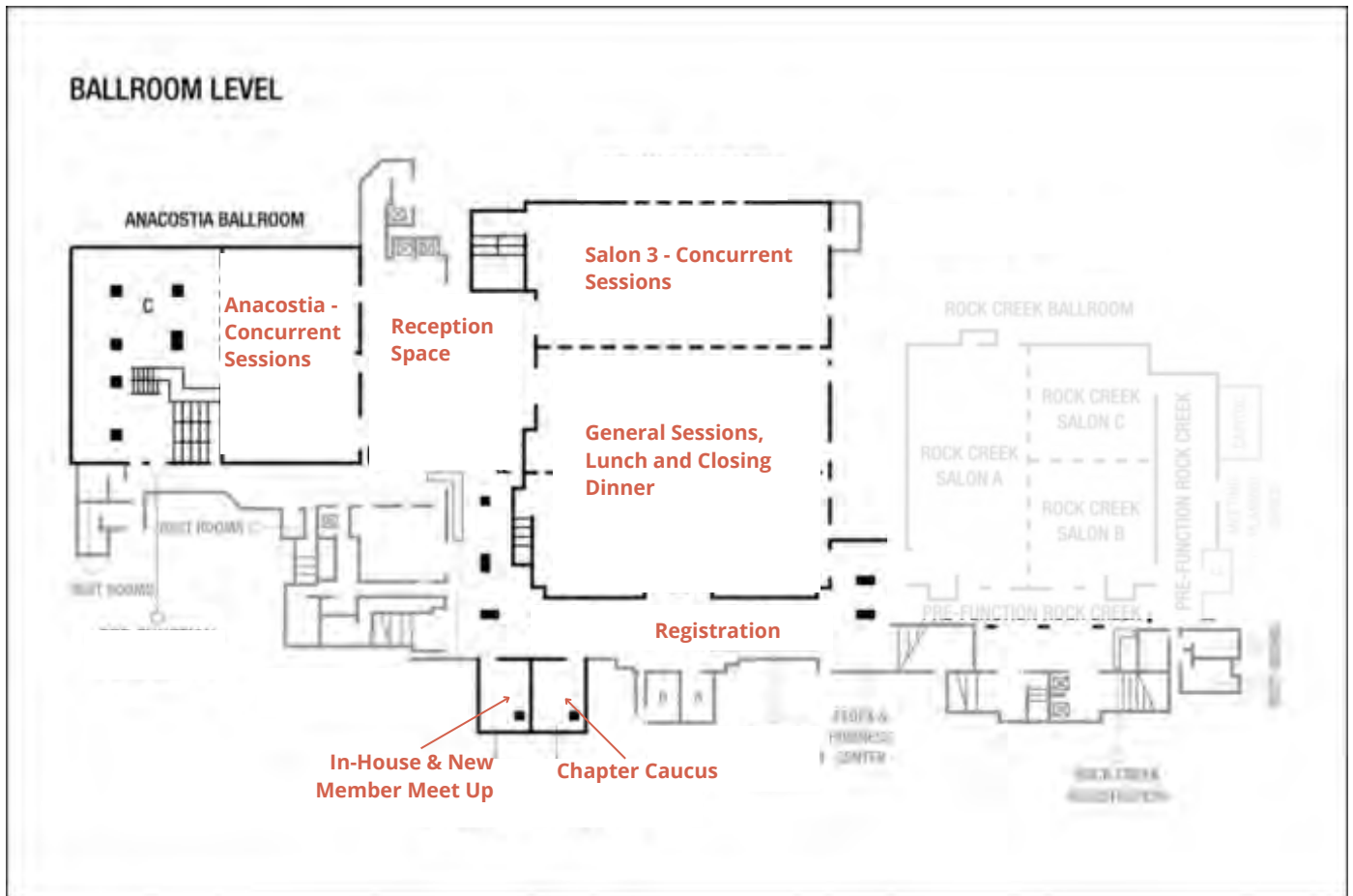
SESSION HANDOUTS

All Forum handouts and presentations are available in the online Conference Resource Center. Scan the QR code or visit the URL shown below.

<https://www.eba-net.org/education-events/2022-mid-year-conference-resource-center/>



Davis Wright Tremaine is proud to support the Energy Bar Association and to sponsor annual memberships for 60 law school students from diverse backgrounds.



12:30 PM - 1:00 PM

WELCOME AND OPENING KEYNOTE

Salons
1 & 2

Samuel Walsh

General Counsel
Department of Energy



1:00 PM - 2:30 PM

GENERAL SESSION :

Salons
1 & 2

Inflation Reduction Act: Boosting America's Clean Energy Production Capability

This session will evaluate the impact the IRA is expected to have on clean energy project development, including the potential to (a) increase domestic production of solar modules and other renewable energy components, (b) secure financing, reach final investment decisions, and construct qualifying projects with the extension and expansion of the PTC and ITC, and (c) study and develop interregional transmission connections to bolster offshore wind energy development.

- **Elizabeth C. Crouse**, Partner, K&L Gates LLP
- **Edward G. Hild**, Principal, Government Relations, Buchanan Ingersoll & Rooney PC
- **Kate Marks**, Senior Vice President, Venn Strategies
- **Jim Wrathall**, General Counsel, New Equity Energy LLC

2:45 PM - 4:00 PM

CONCURRENT SESSIONS:

Anacostia Ballroom
D/E

SESSION 1A: LNG and European Energy Crisis

This panel will begin with an overview of the global LNG market, explain what is needed to support projects and the growing demand for U.S. LNG, and discuss what is at stake for the United States, Europe, and the world.

- **Mosby G. Perrow**, Past President, EBA, Partner, Van Ness Feldman LLP
- **Brian A. Bradshaw**, Partner, Sidley Austin LLP
- **Katharine Ehly**, Senior Policy Advisor, Natural Gas Supply Association
- **Adam Prestidge**, Senior Vice President, Head of Legal and Corporate, Alder Midstream LLC

SESSION 1B: Can New Interregional Transmission Help Solve RTO Reliability Issues?

Salon 3

The panel will explore the potential reliability and resiliency benefits of interregional HVDC transmission and the cost benefits of the merchant model. The panel will also explore what tariff and contractual mechanisms would be needed to implement this approach.

- **David L. Schwartz**, Partner, Latham & Watkins LLP
- **David W. Kelley**, Director, Seams and Tariff Services, Southwest Power Pool
- **Nicole Luckey**, Senior Vice President, Regulatory Affairs, Invenergy LLC
- **Michael Skelly**, Founder and CEO, Grid United LLC
- **David Souder**, Executive Director of System Planning, PJM Interconnection

4:15 PM - 5:30 PM

CONCURRENT SESSIONS:

***Anacostia Ballroom
D/E***

SESSION 2A: Energy Projects Permitting Deep Dive: Understanding Key Environmental Permits in Light of Proposed Permitting Reforms

This panel will explore how the current permitting schemes interplay with project development and/or project delay and destruction, and the impacts of proposed permitting reforms in Congress on the build out of domestic infrastructure.

- **Emily P. Mallen**, Partner, Sidley Austin LLP
- **Edward Boling**, Partner, Perkins Coie LLP
- **John Cossa**, General Counsel, Federal Permitting Improvement Steering Council
- **Alexander Herrgott**, President and CEO, The Permitting Institute
- **Lynn E. Mostoller**, Lawyer, Sutin, Thayer & Browne

SESSION 2B: Crisis Managed! Managing Risk on the Energy Grid

Salon 3

Please join us for a panel of high-level energy insiders to learn how they manage risk and offer insights on the skills necessary to pivot in and respond to real world crisis events.

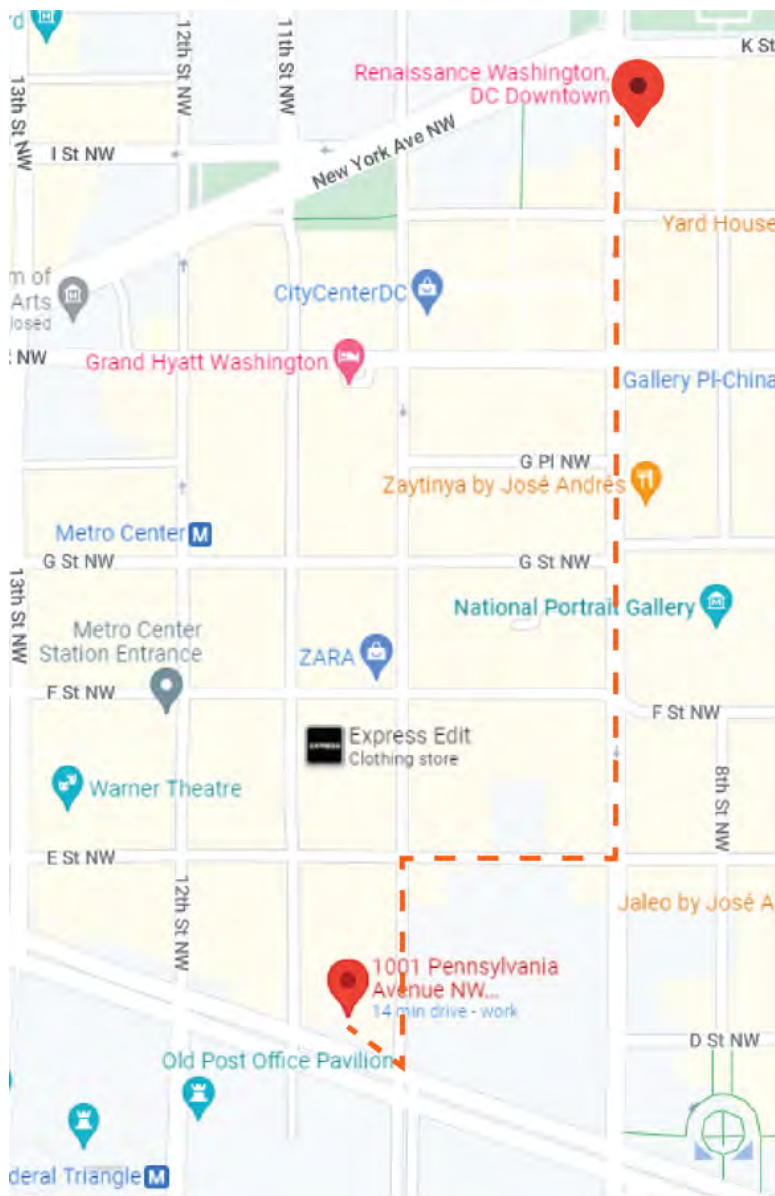
- **Delia Patterson**, Strategic Advisor, American Municipal Power, Inc.
- **Craig Glazer**, Vice President - Federal Government Policy, PJM Interconnection
- **Angela Kolar**, Senior Vice President, Operations Services & Chief Risk Officer, Colonial Pipeline Company
- **William Magness**, Senior Principal Consultant, DNV
- **Sônia C. Mendonça**, Senior Vice President, General Counsel and Corporate Secretary, North American Electric Reliability Corporation (NERC)

ADMINISTRATIVE LAW JUDGES RECEPTION

Honorable Chief Judge Curtis L. Wagner Administrative Law Judges Reception

This year, the Administrative Law Judges Reception is being hosted by Crowell & Moring at 1001 Pennsylvania Avenue. The reception begins at 5:30 PM and ends at 7:30 PM on Tuesday.

The reception is a separately ticketed event and you must be registered to attend. If you aren't sure if you registered, please see an EBA staff person at the registration desk.



Directions

The Crowell & Moring office is a roughly 10 minute walk from the Renaissance Hotel.

1. Exit the Renaissance Hotel using the 9th Street exit from the main lobby.
2. Walk south along 9th Street to E Street.
3. Turn right (west) on E Street for 1 block.
4. Turn Left (south) on 10th Street until you reach Pennsylvania Ave.
5. The Crowell & Moring office is located at 1001 Pennsylvania Avenue.

You must enter the building using the Pennsylvania Avenue entrance.

Special thanks to Crowell & Moring for hosting this year's ALJ Reception



Your Connection to the Energy Law and Policy Community

EBA membership is your connection to the energy law and policy community in the U.S. and Canada. Connect with thought leaders from across the industry, network with decision makers, and expand your practice.

Visit Henry Lagrimini, EBA's Membership and Chapter Relations Manager, at the Membership table in the foyer to learn more.

Renew Membership



Join EBA Now



9:00 AM - 10:30 AM

GENERAL SESSION

West Virginia v. EPA: What the Major Questions Doctrine Means for Environmental Protection, Energy Regulation, and Administrative Law

**Salons
1 & 2**

The panel discussion featuring environmental, energy, and administrative law experts will explore the Supreme Court's decision in *West Virginia v. EPA* with a focus on the future of administrative practice under this new regime.

- **Harvey L. Reiter**, Partner, Stinson LLP
- **Samuel G. Backfield**, Senior Legal Counsel to Commissioner Christie, Federal Energy Regulatory Commission
- **Elizabeth Boucher Dawson**, Counsel, Crowell & Moring LLP
- **Aram A. Gavoore**, Associate Dean and Professorial Lecturer, The George Washington University Law School
- **Matthew Z. Leopold**, Partner, Hunton Andrews Kurth LLP

11:00 AM - 12:15 PM

CONCURRENT SESSIONS:

SESSION 3A: Recent Developments in Cybersecurity: New Legislation and Directives Applicable to Energy Companies

**Anacostia Ballroom
D/E**

This session will discuss recent updates to legislation and regulations impacting the cybersecurity compliance and incident reporting obligations of regulated energy companies and provide a forum to discuss how other critical infrastructure companies are navigating similar obligations.

- **Michael Borgia**, Partner and Information Security Practice Lead, Davis Wright Tremaine LLP
- **Dana-Megan Rossi**, Senior Director of Global Incident Response Services, Threat Operations Center, Dragos Inc.
- **Timothy Weston**, Director, Strategy and Performance, Transportation Security Administration

SESSION 3B: Regulation of Hydrogen Pipelines: The Debate

Salon 3

The Infrastructure Investment and Jobs Act and the IRA provide several incentives meant to encourage growth of the hydrogen industry. The panelists will debate which, if any, of the existing laws apply to hydrogen transportation and will discuss legislative and regulatory actions that could be taken to encourage growth of the industry while ensuring reasonable transportation rates.

- **Marcia Hook**, Partner, Kirkland & Ellis LLP
- **Michael Diamond**, Partner, Van Ness Feldman LLP
- **Joseph R. Hicks**, Counsel, Venable LLP
- **Amanda B. Mertens Campbell**, Vice President, Government Affairs & Community, The Williams Companies

12:15 PM - 2:00 PM

LUNCHEON KEYNOTE SPEAKER AND PRESENTATION OF AWARDS**Salons
1 & 2****Tristan Brown**

Deputy Administrator, Pipeline and Hazardous
Materials Safety Administration
U.S. Department of Transportation



2:15 PM - 3:30 PM

CONCURRENT SESSIONS:**SESSION 4A: The Ethics of Cybersecurity**

This session examines the ethics rules implicated by cybersecurity including a lawyer's duty of technical competence (1.1), confidentiality (1.6) obligations with respect to protected client information, how and when to communicate (1.4) a suspected data breach, and the Rules governing the supervision of trained IT professionals.

**Anacostia Ballroom
D/E**

- **Hilary Gerzhoy**, Partner, HWG LLP
- **Cynthia Wright**, Assistant Disciplinary Counsel, District of Columbia, Office of Disciplinary Counsel

SESSION 4B: Supply Chain Issues and the Clean Energy Transition

This session will explore these supply chain issues and their impact on the deployment of clean energy technologies.

Salon 3

- **Vanessa Sciarra**, V.P. for Trade and International Competitiveness, American Clean Power Association
- **William Davis**, Partner, Capital Tax Partners
- **Stacy J. Ettinger**, Partner, K&L Gates LLP
- **Jessica Lawrence-Vaca**, V.P. of Government Affairs, SOLV Energy

3:45 PM- 5:15 PM

CLOSING GENERAL SESSION:**Raising the Bar: Focus on Mitigating the 'Social' Aspect of ESG Risks**

What are the challenges to mitigating the social aspect of ESG risks, and how can energy companies and regulators adapt our practices to maintain social license and relevance in our post-pandemic era?

**Salons
1 & 2**

- **Yolanda Domingo**, Executive Director of Rates, British Columbia Utility Commission
- **Emily Duncan**, Vice President, Investor Relations, Constellation Energy Corporation
- **Debra Everitt McCormack**, Global Board Effectiveness and Sustainability Lead, Accenture
- **Kiera Zitelman**, Technical Manager at the Center for Partnerships and Innovation, National Association of Regulatory Utility Commissioners (NARUC)

SPECIAL EVENT

5:30 PM - 8:30 PM

SPECIAL EVENT

CLOSING RECEPTION AND DINNER

Grand Foyer

Salons 1 & 2

Reception, 5:30 PM - 6:30 PM in the Grand Foyer Outside of Salon 1 & 2

Dinner, 6:30 PM - 8:30 PM in Salons 1 & 2

Dinner Conversation with FERC Commissioner James Danly

Join Forum attendees for a special reception and dinner to close the 2022 Mid-Year Energy Forum. EBA President Delia Patterson will take the stage with Federal Energy Regulatory Commissioner James Danly for a casual conversation about the Commissioner's career and his pathway from service as a U.S. Army officer, his experience working in private practice, and his current role as federal regulator.



About Commissioner James Danly

Commissioner James Danly was confirmed as a FERC Commissioner by the United States Senate on March 12, 2020 and served as FERC Chairman from November 5, 2020 to January 21, 2021. He also served as FERC general counsel.

Prior to joining the Commission, he was in private practice at Skadden, Arps, Slate, Meagher and Flom LLP, served as law clerk to Judge Danny Boggs at the U.S. Court of Appeals for the Sixth Circuit, was a managing director of the Institute for the Study of War, a military think tank in Washington, D.C., and served an International Affairs Fellowship at the Council on Foreign Relations.

Danly is a former U.S. Army officer who served two tours in Iraq, receiving a Bronze Star and Purple Heart. Danly earned his juris doctor from Vanderbilt University Law School, and his bachelor's degree from Yale University.

CFEBA Mystery Wine Pull

Supporting the Charitable Foundation of the Energy Bar Association

Enjoy a bottle of wine during dinner and support the charitable work of the CFEBA!

Purchase a ticket, then select a mystery bottle of red or white from the table. Every bottle is a good one, but if you are lucky, you can pull a truly fine wine.

Hotel staff will be happy to open the bottle(s) for dinner or you can take them with you.

All proceeds benefit the charitable work of the CFEBA. Learn more at <https://www.eba-net.org/cfeba/>



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THANK YOU TO THE PROFESSIONAL EDUCATION COUNCIL

The Energy Bar Association would like to recognize and thank the Professional Education Council and its leadership for their dedication and commitment to developing the Mid-Year Energy Forum Program for 2022. Please take a moment to thank PEC leaders when you see them during the Forum.



Emily P. Mallen
Sidley Austin LLP, Co-Chair



John E. McCaffrey
American Public Power Association, Co-Chair



Andrew Devore
Davis Wright Tremaine LLP, Vice Co-Chair



Holly Rachel Smith
Invenergy LLC, Vice Co-Chair

CHANCES TO CONNECT!

TUESDAY, OCTOBER 11

Regional Chapter Caucus

11:30 AM - 12:30 PM | Foundry Branch Room

New Member Meet Up, In House Counsel Meet Up

12:00 PM - 12:45 PM | Dumbarton Oaks Room

Honorable Chief Judge Curtis L. Wagner Administrative Law Judges Reception

5:30 PM - 7:30 PM | Crowell & Moring LLP | 1001

Pennsylvania Avenue, NW

(This fundraiser requires a separate ticket. See EBA staff for details.)

WEDNESDAY, OCTOBER 12

Women in Energy Breakfast

7:30 AM - 8:30 AM | River Birch Ballroom

Closing Reception and Dinner with FERC Commissioner James Danly

5:30 PM - 6:30 PM | Reception | Foyer

6:30 PM - 8:30 PM | Dinner | Salons 1 & 2



Spencer Fane has brought together a highly effective collection of attorneys to provide advocacy geared toward advancing our clients' business objectives across the full spectrum of issues in power and energy markets. With offices in the energy producing states of Texas, Oklahoma, Arizona, Colorado, Kansas, Missouri, Nebraska, and Nevada, the Spencer Fane Energy and Utilities Groups are available to address energy-related business needs wherever they arise.

Spencer Fane LLP is proud to support the Energy Bar Association and its mission to advance the professional excellence of those engaged in energy law, regulation and policy through professional education, exploring diverse viewpoints and building connections.



SpencerFane®

Contact – Catherine Webking
512.575.6060 | cwebking@spencerfane.com
Spencer Fane LLP | spencerfane.com

Wednesday, Oct. 12 | 7:30 AM - 8:30 AM

AMANDA RIGGS CONNER

Vice President, FERC and RTO Strategy and Policy
AMERICAN ELECTRIC POWER



Amanda Riggs Conner is Vice President, FERC and RTO Strategy and Policy. She is responsible for representing AEP's generation and grid development businesses in policy matters at the Federal Energy Regulatory Commission (FERC) and Regional Transmission Organizations (RTO). Previously, Conner served as managing director in AEP's Washington, D.C., office, focusing on FERC and federal legislative issues. She began working for AEP in 2012 as a Senior Counsel in the Legal Department, representing AEP in PJM transmission owners committees and handling transmission formula rate and market based rate issues before FERC.

The Women in Energy Breakfast is made possible by the generous sponsorship of McGuireWoods LLP.

McGUIREWOODS

Wednesday, Oct. 12 | 12:15 PM - 2:00 PM

TRISTAN BROWN

Deputy Administrator, Pipeline and Hazardous Safety Administration
U.S. DEPARTMENT OF TRANSPORTATION



Tristan Brown serves as the Deputy Administrator of the Pipeline and Hazardous Materials Safety Administration (PHMSA). Brown previously served in the offices of Senator Gary Peters and Senator Amy Klobuchar where he worked on issues related to transportation, energy, and the environment. From 2016-2017, he served as Deputy Associate Administrator for Congressional Affairs at the U.S. Environmental Protection Agency. As an attorney in private practice, Brown focused on matters related to the transportation and public utility sectors.

Paul E. Nordstrom Award

This award, created in memory of EBA Past President Paul Nordstrom, recognizes exemplary service by a current or past member to the community through participation in the EBA, the CFEBA, or the FELJ.

DONNA M. ATTANASIO

Director, Energy Law; Professorial Lecturer in Law
GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

Donna is a Past President of EBA (2008); served on the Board of Directors of EBA, CFEBA, and the FELJ; was co-chair of EBA's Program Committee and, by appointment, served on EBA's three-person Nominations Committee. She is a consistent and meaningful contributor to EBA program development, and has helped to spearhead numerous efforts/events associated with the Annual and Mid-Year meetings.

After a long career in private practice, Donna shifted to scholarship and currently holds the title of Director, Energy Law; Professorial Lecturer in Law at George Washington University Law School. She has been recognized as a leading practitioner in the field of electric energy regulatory law.



State/Provincial Regulatory Practitioner Award

This award recognizes individuals who have made substantial contributions to the advancement of energy law in the state(s) or province(s) in which the nominee practices.

CINDY MILLER

Attorney
CINDY MILLER LLC

Cindy Miller served for 30 years in various positions at the Florida Public Service Commission including Associate General Counsel and head of the Commission's External Affairs Division. She primarily focused on rulemakings and appeals in the electric and telecommunications arena, as well as analysis and comments with the Federal Energy Regulatory Commission and the Federal Communications Commission. She currently heads her own consulting firm, Cindy Miller LLC.

Her colleagues credit her for contributing to a more transparent and ethical regulatory atmosphere at the Florida Public Service Commission. She has written and published numerous articles and papers on energy issues, hosted panels and coordinated conferences in service to the Energy Bar Association and to advance ethics and competency among energy professionals. She has personally mentored a number of energy attorneys and professionals and received service awards as a Florida Public Service Commission Employee.



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Future EBA Events and Conferences

Mark Your Calendar

2022

Texas Chapter Annual Meeting and Symposium
November 1, 2022

EBA Honors Our Veterans
November 16, 2022

2023

Conference and Annual Meeting
May 11-12, 2023

Charitable Foundation of the Energy Bar Association Gala
May 11-12, 2023

Mid-Year Energy Forum
October 10-11, 2023

Administrative Law Judges Reception
October 10, 2023



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