

# **ENERGY LAW JOURNAL**

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The *Energy Law Journal* is published two times a year. Articles by members and non-members of the Association are welcomed. All manuscripts should be of substantial length, not previously published, dealing with the energy industry, and follow the eighteenth edition of *The Bluebook: A Uniform System of Citation*. A brief biographical statement should be included. All manuscripts should be sent to Mr. Robert S. Fleishman, Editor-in-Chief, Covington & Burling, 1201 Pennsylvania Ave., N.W., Washington, D.C. 20004. 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. Glenn S. Benson at (202) 662-4589. The *Energy Law Journal* is indexed in the INDEX TO LEGAL PERIODICALS, The CURRENT LAW INDEX, WESTLAW, and LEXIS services.

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## **EDITOR-IN-CHIEF'S PAGE**

“Fellow citizens, we cannot escape history.”

- Abraham Lincoln, Annual Message to Congress, December 1, 1862

It is indeed an historical time in the annals of energy law in the United States. After years of fits and starts, the U.S. Congress finally passed comprehensive energy legislation. The Energy Policy Act of 2005 (EPAct 2005) is a watershed event, representing the most sweeping changes to the Federal Power Act and the electricity industry since the New Deal over seventy years ago.

As a result, a number of articles in this edition of the Journal address significant provisions of EPAct 2005. We begin with a retrospective on the Public Utility Holding Company Act (PUHCA) of 1935 and a view of how things might change in the wake of its repeal in EPAct 2005 and new statutory provisions regarding merger review. There are articles addressing EPAct 2005's amendments to the Public Utility Regulatory Policies Act, the legal and regulatory issues associated with a hydrogen economy, and developments in Regional Transmission Organizations and Independent System Operators. Finally, we are pleased to present articles on the history of the North American Energy Standards Board and a possible analogue to OPEC in the increasingly global natural gas industry, namely the Organization of Gas Exporting Countries (OGEC).

The 60th year of the Energy Bar Association (formerly the Federal Power Bar Association and the Federal Energy Bar Association) finds us in the midst of our second leadership transition on the Editorial Board. After setting the “gold standard” as the Journal’s Editor-in-Chief for more than twenty five years, Bill Mogel passed the reins to Clint Vince. Having served as the Energy Bar Association’s President in 1999–2000 and the Journal’s Executive Editor for one and one-half years under Clint’s leadership, I am honored now to serve the Association as the new Editor-in-Chief.

I hope to continue in the fine tradition of those who proceeded me, and look with excitement to the future. Harvey Reiter has agreed to serve as our new Executive Editor and the Journal is fortunate to have a stellar Editorial Board consisting of some of the finest energy lawyers and practitioners in the United States and abroad, along with the excellent support of the students at the University of Tulsa College of Law.

The tradition continues.

Robert S. Fleishman  
Editor-in-Chief

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