IN MEMORIAM: KENNETH WILLIAMS

Many older members of the Energy Bar Association remember Ken Williams with tremendous respect and fondness. He is one of the "greats" in the history of the Federal Power Commission (FPC) and the Federal Energy Regulatory Commission (FERC). Ken became Director of Pipeline and Producer Regulation at the FERC not long after it was created in 1977 and was deeply involved in the implementation of the Natural Gas Policy Act of 1978 (NGPA). Prior to the NGPA's enactment, the gas industry in the US had gone through periods of gas curtailments in the interstate markets even though there were plentiful gas supplies in the intrastate markets in the production states such as Texas. Ken was a veteran of gas allocation battles decided by the FPC.

Following the enactment of the NGPA, Ken not only worked to address some continuing gas shortage issues but also supported the Commissioners in opening up gas markets to prevent shortages in the future. These efforts led to the more market-oriented regulatory schemes in the 1980s and 1990s which form the basis for FERC's regulation of the gas pipeline industry today.

To many energy lawyers who started their careers at the FERC, Ken was our first client. He was also our mentor who taught us about the workings of the natural gas industry and its many cross factions that produced benefits to the American public. He was a "hands-off" client who gave his attorneys wide berth to reach the results desired by him for the Commission.

After a 4-year stint in the U.S. Navy, Ken joined the FPC in 1957 as an economist. He rose through the ranks in the Bureau of Natural Gas, first in the Pipeline Division and then in the Pipeline and Producer Rate Division, being involved in many of the area and nationwide producer rate proceedings that were spawned by the Supreme Court's decision in *Phillips Petroleum Co. v Wisconsin* in 1954. He was also involved in many gas pipeline rate proceedings throughout his career.

When the FERC was created in 1977, Ken became Deputy Director of the Office of Pipeline and Producer Regulation (OPPR). In 1979, he become Director of OPPR, a position he held until he retired from FERC in 1986. Ken was the first director of a technical office chosen from among the ranks of the Commission's professional staff. Previous directors were political appointees.

Ken was a trusted advisor to many of the FPC and FERC commissioners, particularly during the energy crises in the 1970s and during the shift away from traditional regulation in the 1980s, especially over natural gas production. During his tenure with the FERC, Ken was delegated authority by Commission regulation and had to decide many petitions for "staff adjustments" to the FERC's regulations. While at the FERC, many Energy Bar Association attorneys wrote and defended on appeal the staff adjustments rendered by Ken in the areas of priorities in gas curtailment plans and producer price categories. Ken was involved in helping the Commission wade through the knotty issue whether area rate clauses in natural gas producer sales agreements were triggered by the higher producer prices authorized in the NGPA. He was also involved in the issue of the pricing of the pipelines' own gas production in light of the enactment of the NGPA, an issue that was ultimately decided by the Supreme Court in *Public Service Commission of the State of New York v Mid-Louisiana Gas Company* in 1986.

Upon retiring from FERC in 1986, Ken was one of the founding members of what is now Brown, Williams, Moorhead & Quinn, an energy consulting firm

operating primarily in the pipeline rate area. Ken fully retired from his consulting firm in 2007.

Ken was a graduate of Western Kentucky State College (now Western Kentucky University). He also did graduate work in economics at Cornell University.

Ken passed away on December 31, 2020, surrounded by his family and is survived by Pat, his wife, their three sons, and many grandchildren and great-grandchildren. Ken and his family were long-time residents of Silver Spring. He will be missed.