# **Energy Unleashed:**

Infrastructure, Innovation & Policy Integration

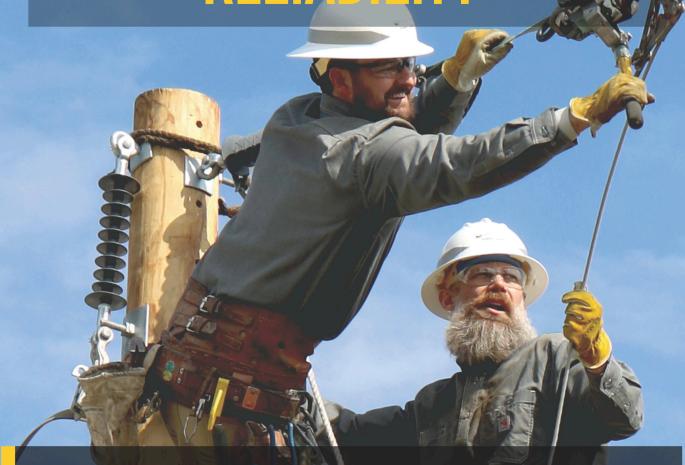
Conference Schedule and Program

MAY 1-2, 2025 Marriott Marquis Washington, DC



#### **America's Electric Cooperatives**





America is at an energy crossroads. Critical generation resources are being retired faster than they can be reliably replaced. At the same time, electricity demand is surging as data centers and new manufacturing plants come online. **Smart energy policies that keep the lights on are more important than ever.** 

A pro-energy future for America hinges on three things: addressing skyrocketing demand, removing regulatory burdens and promoting the long-term well-being of rural communities.

That's why America's electric co-ops are fighting for smart energy policies that prioritize reliability and affordability for all.



Learn more: electric.coop



CONOR B. WARD EBA PRESIDENT 2024 - 2025

Dear Annual Meeting and Conference Attendees,

Welcome to the 2025 EBA Annual Meeting and Conference. This year's theme is *Energy Unleashed: Infrastructure, Innovation & Policy Integration*. The programs and speakers lined up over the next two days will offer a remarkable opportunity to discuss the pressing energy issues of the day, and I am particularly pleased to welcome FERC Commissioner Judy Chang as our opening keynote speaker.

On behalf of the Board of Directors and the entire EBA membership, I would also like to thank our Professional Education Council leaders for organizing another outstanding event. This year's Co-Chairs are Joe Fagan (Day Pitney) and Victoria Lauterbach (Gibson, Dunn & Crutcher), and the Co-Vice Chairs are Diana Jeschke (Linklaters) and Lamiya Rahman (Blank Rome). Working closely with numerous session coordinators, moderators, and speakers, these leaders have generously volunteered their time and talents in preparation of today's program. It is through their work that the EBA continues to serve as the premier platform for learning about the legal, commercial, policy, and practical issues facing the energy industry.

As my term as EBA President draws to a close, I would like to thank all of you for supporting the EBA through your membership, your hours of volunteer leadership, your event attendance, and your generous sponsorship. Your engagement, and your commitment to the professional development of the energy bar, is what makes the EBA the preeminent energy law association for the U.S. and Canada.

Lastly, thank you for joining us for what promises to be an educational and thought-provoking event.

I hope you enjoy the program.

Conor Ward

Conor Ward

President, Energy Bar Association

#### **GENERAL INFORMATION**

#### WIFI

Network: MarriottBonvoy\_Conference

Password: EBA2025

# CLE INFORMATION AND REQUIREMENTS

To receive CLE credit, attorneys must sign in **each day** at the CLE table near registration. New York attorneys must also sign out each day.

In the days following the event, you will receive an email from the ABA containing a link to the Affidavit of Attendance. Complete and submit this online form to receive credit.

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.

# CONFERENCE RESOURCES AND MATERIALS

All Conference handouts and presentations are available in the online **Conference Resource Center**. Visit the URL shown below, or scan the QR Code, and enter the password: **AM2025** 

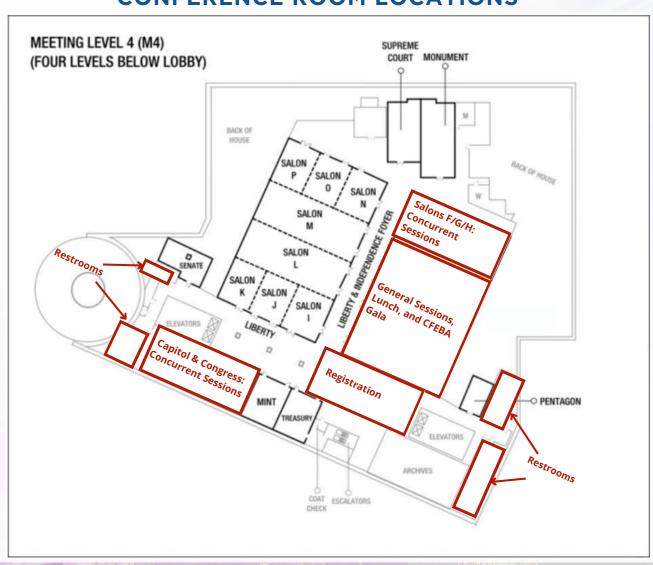


https://www.eba-net.org/home/2025-annual-meeting-and-conference-resource-center/

#### **MOTHER'S ROOM**

A mother's room is available. For information, please see an EBA staff person at the registration desk.

#### **CONFERENCE ROOM LOCATIONS**



#### **ASK AN ATTENDEE!**



Todd Mullins
Partner,
McGuireWoods LLP

#### Which speaker(s) caught your eye on the AM25 program agenda?

I was of course proud to see colleagues from my firm on the agenda, but was definitely intrigued by the in-house counsel panel. One gap in my legal career journey is that I never served in-house at a company, and I think it will be great for outside practitioners to hear these panelists pull back the curtain on a "day in the life."

#### What is your favorite part about being an EBA member?

There are two universal truths about any EBA event, in my experience: you always learn new and useful things and you always see people you were glad to see.

#### Are there any AM25 special events you're excited about - and why?

The CFEBA Gala. It is always a very nice event where one sees a lot of old friends in the bar (and at the bar). Plus, you can contribute to a worthy cause.



Monique Watson
Partner — Energy
Regulation,
Vinson & Elkins LLP

#### What topics are you most looking forward to hearing about at AM25?

I am most looking forward to "The Intersection of Policy and Reality - How Will States Meet Increasing Demands for Energy, Infrastructure and Decarbonization Goals?" The topic is timely and relevant. I also anticipate hearing the panelists' insights on the recent executive order regarding state and local climate laws. I also am excited to hear FERC Commissioner Chang's keynote address to learn more about her approach to governing and her insights regarding the many issues on FERC's plate.

#### What is your favorite part about being an EBA member?

The relationships I have formed from serving on committees, participating in programs, and attending EBA events. My EBA membership has opened doors for my professional growth, networking, and leadership opportunities, and allowed me to meet and learn from other people working in all aspects of energy law and as energy professionals. I love EBA's Energy Law Academies that educate me when I need a refresher on an area of energy law or need to learn a new area of energy law. Overall, the value of EBA has been even greater than I expected.



Jean-Luc Kreitner
Trial Attorney,
FERC

#### What topics are you most looking forward to hearing about at AM25?

With so many great sessions planned, it's hard to choose, but the panels on EPAct 2005, Future-Proofing Against Extreme Weather, State Infrastructure Projects and Decarbonization Goals, and Data Centers look particularly interesting. Each one of those feels timely for its own reason, and the panelists involved all have exemplary backgrounds.

#### What is your favorite part about being an EBA member?

The community and the practice insights. I can't imagine another practice area having a greater level of good sportsmanship, and EBA's informational materials have consistently proven useful in my practice.



Jackie Triggs Associate, White & Case LLP

#### What topics are you most looking forward to hearing about at AM25?

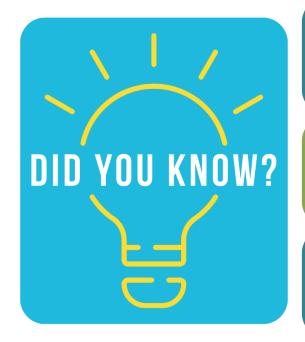
I'm excited to be moderating a discussion with Kim Smaczniak on behalf of the EBA Young Lawyers Council: "Targeting Your Next Move: Strategies & Branding," which is a key focus for both YLC and EBA members at large in the current job market. I'm also looking forward to the In-House Counsel: Day in the Life panel to gain additional insight on our clients' day-to-day roles and how we can continue to provide the best outside counsel support for their advancement.

#### What is your favorite part about being an EBA member?

As a young energy professional, the opportunity to network with both my peers and mentors in the energy professional community is invaluable. The connections I've formed through the EBA continue to enrich my practice and knowledge base. Additionally, there is no other professional organization that aligns more fully with my practice from an educational standpoint than the EBA and in an ever-evolving regulatory landscape, those resources are critical.



# Americans for a Clean Energy Grid





Modest investments in interregional transmission capacity would have yielded nearly **\$100 million in benefits** during Winter Storm Elliott in 2022.

We need to increase interregional transmission capacity by 114% to meet moderate load growth in the coming years.





Building new transmission lines would generate \$300 a year in net savings on household electricity bills, after accounting for development costs.

# 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 2025 Annual Meeting & Conference program.



Joseph Fagan
Co-Chair
Day Pitney LLP



Victoria Lauterbach Co-Chair Gibson, Dunn & Crutcher LLP



**Diana Jeschke**Co-Vice Chair *Linklaters LLP* 



**Lamiya Rahman**Co-Vice Chair
Blank Rome LLP



#### Energy Law Academy

The **EBA Energy Law Academy** focuses on the core legal and regulatory concepts and basic industry fundamentals that every energy law practitioner needs for success. Each year, EBA volunteers present 2-3 courses live in locations around the country. All courses are available for purchase in EBA On-Demand.

#### **Training Passes**

Individual and corporate training passes are available to provide access to all Energy Law Academy content at a significant discount.

### Curriculum

#### **Required Core Courses**

101: FERC Regulation of Natural Gas

102: Electricity and Electric Rate Regulation

103: Federal Oil Pipeline Regulation

#### **Plus One Core Elective**

104: Cost-of-Service Ratemaking

105: Cybersecurity in the Energy Industry

#### **Plus Three General Electives**

106: Electric Industry Technology for Lawyers

107: Energy Trading 108: Environmental Law

109: Introduction to Hydropower

110: Electric Reliability 201: Energy Finance

202: Introduction to PURPA

https://www.eba-net.org/energy-law-academy/





### 8:00 AM - 8:45 AM: REGISTRATION & BREAKFAST Independence Ballroom Foyer

# 9:00 AM - 9:30 AM: Welcome and Opening Keynote Remarks Independence Ballroom - Salons A/B/C/D/E

#### The Honorable Judy W. Chang, FERC Commissioner

Judy Chang joined the Federal Energy Regulatory Commission as a Commissioner in July 2024. Commissioner Chang is an energy economics and policy expert with more than 20 years of experience working with energy companies, trade associations and governments on regulatory and financial issues, particularly as they relate to investment decisions in electric transmission, clean energy and energy storage. She is the former Undersecretary of Energy and Climate Solutions for Massachusetts, a role in which she led efforts to set policies across the Commonwealth's energy sector and align strategies and plans to meet legal requirements for climate change mitigation.



#### 9:30 AM - 10:55 AM: GENERAL SESSION 1

# Honorable Kevin J. McIntyre - General Session: Trump 2.0 Energy Outlook Independence Ballroom - Salons A/B/C/D/E

This panel will explore President Donald J. Trump's energy policies and priorities, as well as how Congress and newly established administrative bodies may work to implement them. The discussion will also address the key factors shaping the President's energy agenda and congressional perspectives on how best to support it, including the nation's Al-related energy consumption and the potential implications of tariffs.

- Ryan M. Bernstein, Senior Vice President, Federal Public Affairs, McGuireWoods Consulting LLC, Counsel, McGuireWoods LLP
- David Martin Connelly, Partner, McGuireWoods LLP
- Rep. Julie Fedorchak, Representative, ND, U.S. House of Representatives
- Alexander Fitzsimmons, Chief of Staff, Office of the Secretary, U.S. Department of Energy

#### 11:10 AM - 12:20 PM: CONCURRENT SESSIONS

# Concurrent 1A: State Energy Policy in 2025 Independence Ballroom - Salons F/G/H

This session will focus on how state policy makers, agencies, and energy law practitioners are looking at their role in achieving state energy policy goals in an environment where the federal government is heavily focused on the expansion of American oil and gas. Panelists will discuss ways their approaches to energy policy and regulation are likely to change to respond to federal energy actions and what tools they view as essential to making progress on their state's policy goals, such as but not limited to decarbonization targets, renewable and alternative energy goals, and construction of large infrastructure projects such as offshore wind and transmission expansion.

- Hon. Philip L. Bartlett II, Chair, Maine Public Utilities Commission
- Meghan Conklin, Chief Sustainability Officer to Governor Wes Moore, State of Maryland
- Melinda Warner (Moderator), Associate, Vinson & Elkins LLP

# Concurrent 1B: Commercializing Innovation: Bringing Emerging Energy Technologies to Market Capitol/Congress

This panel will explore the opportunities and challenges associated with bringing nascent and developing energy technologies to market at utility-scale. Panelists will discuss the technological, financial, regulatory, and permitting factors at play that can facilitate (or hinder) support for new technologies.

- Lucy Darago, Ph.D., Chief Commercial Officer, XGS Energy
- Joel Newton, Vice President, Regulatory Law, Bloom Energy
- Brian Weeks, P.E., Senior Director, R&D Business Development, GTI Energy
- Vanessa Z. Chan, Ph.D. (Moderator), Vice Dean, Innovation & Entrepreneurship, Jonathan & Linda Brassington Professor of Practice, University of Pennsylvania | School of Engineering

#### 12:30 PM - 2:00 PM: LUNCHEON

Independence Ballroom - Salons A/B/C/D/E

#### 2:15 PM - 3:25 PM: CONCURRENT SESSIONS

# Concurrent 2A: Are Resource Adequacy Markets Adequate? Independence Ballroom - Salons F/G/H

The panel will explore the significant changes in organized market resource adequacy constructs and will compare and contrast with the manner in which resource adequacy needs are being addressed in non-market regions. Significant load growth, changing resource mixes, the role of state commissions vs. RTOs, and recent FERC filings will all be explored.

- Adam Keech, Vice President Market Design & Economics, PJM Interconnection
- Zakaria Joundi, Executive Director, Market & Grid Strategy, Midcontinent Independent System Operator Inc.
- Pamela Sporborg, Director of Transmission and Market Strategy, Portland General Electric
- Dr. Kathleen Spees (Moderator), Principal, The Brattle Group Inc.

# Concurrent 2B: In-House Counsel: A Day in the Life Capitol/Congress

In this session, attendees will learn what in-house lawyers tend to do themselves versus what they staff out to firms, how they interact with their outside counsel, how they build relationships and work with their internal clients, and how an in-house professional can advance and develop within their company. This panel will also discuss the differences between in-house counsel, regulatory affairs, and compliance positions, and what it is like to move over to the mythical "business side" of the company after working as a lawyer.

- Meredith Berger Chambers, Chief Legal Officer, EDP Renewables North America LLC
- Chris Heywood, Senior Counsel, BP America Inc.
- Molly Suda, Associate General Counsel, Duke Energy
- Cheri M. Yochelson, Assistant General Counsel, Federal Regulatory, Dominion Energy Services
- Mona Tandon (Moderator), Partner, Van Ness Feldman LLP

#### 3:25 PM - 3:50 PM: Breakout Session

LeDroit Park (Level M3)

#### **Targeting Your Next Move: Strategies & Branding**

Join EBA's Young Lawyers Council for this breakout session with Kim Smaczniak focused on job transitions, broader career planning, and how to establish a personal brand.

#### 3:50 PM - 5:00 PM: CONCURRENT SESSIONS

### Concurrent 3A: NEPA's Shifting Landscape Independence Ballroom - Salons F/G/H

This panel will discuss recent developments that could have far-reaching effects on how federal agencies, including FERC and DOE, conduct environmental reviews under the National Environmental Policy Act (NEPA), both generally and with respect to climate change issues in particular.

- Benjamin Chagnon, Senior Counsel, Strategic Legal Advocacy, Earthjustice
- Meghan Greenfield, Partner, Jenner & Block LLP
- Laura Smith Morton Partner, Perkins Coie LLP
- Jorge Roman (Moderator), Environmental and Energy Associate, Bassman, Mitchell, Alfano & Leiter Chtd.

# Concurrent 3B: Future-Proofing Against Extreme Weather: Strategies and Insights Capitol/Congress

Recent extreme weather events, particularly Winter Storms Uri and Elliott, have highlighted significant vulnerabilities in the bulk electric system's ability to withstand and recover from severe conditions. This panel will delve into the critical insights gained from these events and examine the proactive measures being implemented by the electric and natural gas industries to bolster weather preparedness. The panel will also address ongoing challenges and potential barriers to achieving comprehensive weather preparedness in the energy sector. This discussion will provide valuable insights into the industry's evolving approach to maintaining a reliable and resilient power supply in the face of increasingly extreme weather events.

- Scott I. Aaronson, Senior Vice President | Energy Security & Industry Operations, Edison Electric Institute
- Lauren A. Perotti, Assistant General Counsel, North American Electric Reliability Corporation
- Andrew Ritter, Jr., Vice President Regulatory & Legislative Affairs, Range Resources Corp.
- Catherine J. Webking (Moderator), Partner, Spencer Fane LLP



# <u>Special Event</u>: Charitable Foundation of the Energy Bar Association (CFEBA) Annual Fundraising Gala

Thursday, May 1 | 5:00 - 8:30 PM

At this year's event, we will be honoring the 2025 CFEBA Grant recipients: Empowering Sierra Leone, Hope for Ukraine, and Footprint Project. The event will begin with a cocktail reception, followed by a seated dinner with presentations by representatives from CFEBA.

The support of EBA members and their organizations is critical to ensuring that the CFEBA can continue to support energy-related charitable activities this year and in the future!

Don't have a ticket yet? Visit the registration desk to purchase!



Open your phone's camera and scan the QR code to **Donate Now** to the CFEBA!



Gibson Dunn is proud to support the 2025 Energy Bar Association Annual Conference.

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### 8:00 AM - 8:45 AM: REGISTRATION & BREAKFAST Independence Ballroom Foyer

#### 9:00 AM - 10:25 AM: GENERAL SESSION 2

#### General Session 2 - EPAct 2005 at Twenty: Looking Back (and Ahead) at the Long-Term Impacts of the Defining Energy Law of the Early 2000s Independence Ballroom - Salons A/B/C/D/E

Join us for a dynamic discussion on the impact and legacy of the Energy Policy Act of 2005 (EPAct). Signed into law by President George W. Bush, EPAct aimed to address rising energy costs and reduce dependence on foreign energy by incentivizing and financing various types of energy production. Notably, it repealed the Public Utility Holding Company Act of 1935 and expanded FERC's authority to combat energy market manipulation. This panel will explore the ongoing legal and policy debates surrounding the law's provisions and how it continues to shape the energy landscape today.

- Robert E. Gramlich, Founder & President, Grid Strategies LLC
- Hon. Suedeen G. Kelly, Partner, Jenner & Block LLP
- Jeremy Medovoy, Partner, McGuireWoods LLP
- David T. Doot (Moderator), Of Counsel, Day Pitney LLP

#### 10:50 AM - 12:00 PM: CONCURRENT SESSIONS

# Concurrent 4A: The State of States in Transmission Proceedings Independence Ballroom - Salons F/G/H

From transmission planning to siting, this panel examines the varying roles of state entities in federal proceedings to determine planning processes, project selection, cost allocation, and whether a project is needed. We will further dig into long-term regional transmission planning under FERC Order Nos. 1920 and 1920-A, what it means in practice for state commissions, whether there is a gap around how local transmission is planned – and how it all fits into the transmission framework under federal law.

- Regine Baus, Legal Counsel, Federal Energy Regulatory Commission, Office of Chairman Mark C. Christie
- Hon. Sarah Freeman. Commissioner. Indiana Utility Regulatory Commission
- **Aubrey Johnson**, *Vice President, System Planning and Competitive Transmission*, Midcontinent Independent System Operator Inc.
- Gretchen Kershaw, Chief Operating Officer and Vice President of Strategy, Grid Strategies LLC
- Karen Bruni (Moderator), Partner, Steptoe LLP

# Concurrent 4B: So, You Want to Use ADR to Resolve An Energy Dispute? Ethical Obligations and Best Practices Capitol/Congress

Join this panel of distinguished judges and alternative dispute resolution (ADR) professionals to learn what types of energy industry disputes are amenable to ADR, the legal and ethical obligations and consideration for neutrals and attorneys representing parties in ADR proceedings and best practices for neutrals and attorneys representing parties in ADR proceedings?

- Judge Susan G. Braden (Ret.), Former U.S. Court of Federal Claims Chief Judge, FedArb
- Judge Michael Cianci, Former U.S. Administrative Law Judge, Cianci Mediation Group
- Judge Judith K. Fitzgerald (Ret.), Former U.S. Bankruptcy Judge, Tucker Arensberg PC
- Robert Fleishman (Moderator), Energy Resolve LLC

# 12:15 PM - 1:45 PM: LUNCH & 2025 EBA ANNUAL MEETING & ELECTIONS Independence Ballroom - Salons A/B/C/D/E

#### 2:00 PM - 3:10 PM: CONCURRENT SESSIONS

# Concurrent 5A: The Intersection of Policy and Reality – How Will States Meet Increasing Demands for Energy, Infrastructure and Decarbonization Goals? Independence Ballroom - Salons F/G/H

Increasing demand for energy is being fueled by data centers, population growth, EVs, and manufacturing. During this panel, we will discuss how entities across the value chain are attempting to balance the need to decarbonize our energy systems with the need to fuel our growing economy. We will explore the roles of states, regulators and other policy makers in making sure that energy remains in abundant supply; that we have the necessary infrastructure to deliver it where it's needed; and, ultimately, how we can make sure that our renewable goals are realistic in supporting the energy future. Legal issues to be addressed include but are not limited to permitting reform, clean water act, certificate policy statement, and environmental and/or emissions regulations.

- **Derek Bandera**, *Executive Director*, *Federal Regulatory Affairs*, Midcontinent Independent System Operator Inc.
- Hon. Allison Clements, ASG Partner, 804 Advisory, LLC Appleby Strategy Group
- Travis Kavulla, Vice President, Regulatory Affairs, NRG Energy Inc.
- Dena E. Wiggins (Moderator), President and CEO, Natural Gas Supply Association

# Concurrent 5B: Recent Developments in Nuclear Energy Law and Policy Capitol/Congress

Nuclear energy is one of the technologies at the forefront of discussions on combating climate change and meeting carbon emission reduction goals. The panel will explore recent legal, regulatory and policy developments in the commercial nuclear power industry.

- David O. Dardis, Executive Vice President and Chief Legal and Policy Officer, Constellation Energy
- Ray P. Kuyler, Deputy General Counsel, Westinghouse Electric Company
- Scott A. Vance, Vice President for Corporate Governance; General Counsel, Energy Northwest
- Ellen C. Ginsberg (Moderator), Senior Vice President, General Counsel and Corporate Secretary, Nuclear Energy Institute

# General Session 3 - Data Centers: Customer Impact, Legal Standards, and Financial Assurances

Independence Ballroom - Salons A/B/C/D/E

Join us for a lively discussion around the retail ratemaking and customer-impact dimensions of data centers. In a debate-style format, panelists will argue the role of states and how to best address retail rate and cost allocations associated with serving large-load customers, as well as whether data centers should be a separate customer class and the proper conceptual/legal standards and measurement for allocating costs between customers and data centers. We will debate the basis on which utilities should prioritize scarce load interconnection slots as well as the question of what financial assurances should be required from large load customers and the wisdom and limits of such requirements.

- Christopher J. Ayers, Executive Director, Public Staff North Carolina Utilities Commission
- Mason Emnett, Senior Vice President, Public Policy, Constellation Energy Generation LLC
- Brian George, U.S. Federal Lead, Global Energy Market Development and Policy, Google
- Cynthia L. M. Holland, Associate General Counsel, Exelon Corp.
- Hon. Emile C. Thompson, Chairman, D.C. Public Service Commission
- Craig Glazer (Co-Moderator), VP, Federal Government Policy, PJM Interconnection LLC
- Dr. Peter Fox-Penner (Co-Moderator), Principal, The Brattle Group

# Powering growth

As one of the nation's premier energy companies, WEC Energy Group is dedicated to powering our communities by providing electricity and natural gas to 4.7 million customers in Wisconsin, Illinois, Michigan and Minnesota. We have the operational expertise and financial resources to serve the Midwest's energy needs safely and reliably — now and for many years to come.

WEC Energy Group is a proud sponsor of the Energy Bar Association's 2025 Annual Meeting and Conference.



#### **Diversity and Inclusion Champion**

This award is given to an EBA Member who has shown unequivocal support of EBA's Diversity and Inclusion (D&I) program with sustained efforts toward the active promotion of diversity and inclusion within the Association and legal profession. This year, EBA is pleased to present the **2025 Diversity and Inclusion Champion Award** to Matthew R. Rudolphi, for actively promoting and instilling a culture of acceptance within the energy bar.

An EBA Past President, ABA Delegate, and prior CFEBA and FELJ Board Member, Matt had an instrumental role in defining what diversity and inclusion meant in the context of EBA and its mission, and in creating an aligned formal policy. His nominator remarked, "As EBA President, Matt was instrumental in ensuring the policy moved from aspiration to action, producing a much broader spectrum of energy expertise showcased at our Annual and Mid-Year meetings. He has been a champion of diversity and inclusion and has provided instrumental leadership for the EBA and beyond in promoting these ideals"



MATTHEW R. RUDOLPHI

Partner

THOMPSON COBURN LLP

#### **Jason F. Leif Chapter Service Award**

In 2018, the Energy Bar Association created the Jason F. Leif Chapter Service Award in memory of Jason F. Leif, a past EBA President, a past President of the Houston Chapter of the EBA, and a motivating force in the revitalization of the Houston Chapter. This award recognizes exemplary long-term service by an EBA member to one or more of EBA's eight chapters.

We are pleased to present the **2025 Jason F. Leif Chapter Service Award** to Michael J. Messonnier, Jr. He is a long-standing, actively engaged Southern Chapter Board Member and has held all officer positions in the Southern Chapter, culminating in his Presidency for the 2021-2022 board year.

Michael has continually sponsored and/or hosted the Southern Chapter Annual Spring Conference. His nominator writes, "Michael has always been a key facilitator of high caliber conference content and speakers. Through his many leadership roles and guidance, he is one of several remarkable pillars of the Southern Chapter and deserves to be recognized."



MICHAEL J. MESSONNIER, JR.

Counsel

HUNTON ANDREWS KURTH LLP



Our FERC team combines decades of regulatory leadership with a forward-looking approach to the energy challenges of today — and tomorrow. From transmission to market reform, we help clients navigate complexity and shape the future of energy.

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