

RACE TO EXCELLENCE!



The 35th Annual National Conference of Regulatory Attorneys
May 20-23, 2012 in Indianapolis, Indiana

Agenda and Schedule of Events

As of May 15, 2012

The NCRA will meet in the Coronation I and II meeting rooms (2nd floor) at Embassy Suites, unless otherwise noted.

Date / Time	Topic	Presenters & Meeting Rooms
Sunday, May 20, 2012		
2:30 p.m. to 3:30 p.m.	Subcommittee on Law	Ambassador I (2 nd floor)
3:30 p.m. to 4:30 p.m.	Subcommittee on ALJ	Ambassador I (2 nd floor)
4:30 p.m. to 5:30 p.m.	NCRA Alumni Association	Ambassador I (2 nd floor)
5:30 p.m. to 7:30 p.m.	Registration & Reception	Registration – main lobby (1 st floor) Reception – Consulate room (2 nd floor)
Monday, May 21, 2012		
6:30 a.m. to 9:30 a.m.	Breakfast buffet (for Embassy Suites guests)	Atrium – 1 st floor
9:00 a.m. to 9:15 a.m.	<i>Welcome to the Conference in Indianapolis!</i>	<p>Jim Atterholt, Chairman, Indiana Utility Regulatory Commission</p> <p>Illona Jeffcoat-Sacco, Chair, NARUC Subcommittee on Law</p> <p>Beth Roads, President 2012 Natl. Conf. of Regulatory Attorneys</p>

<p>9:15 a.m. to 10:15 a.m.</p>	<p><i>“Why Regulation Matters IV”</i></p> <p>Although the economy has improved since our last conference, it has not made a complete recovery. Dr. Kenneth Rose once again provides an explanation as to why the regulators matter. What have some been doing right, and what have others been doing wrong? What do we need to do in the future?</p>	<p>Kenneth Rose, Ph.D. – nationally recognized expert with more than twenty years of research experience in the structure, economics, and regulation of U.S. electricity markets.</p>
<p>10:15 a.m. to 10:30 a.m.</p>	<p>Break</p>	
<p>10:30 a.m. to 12:00 p.m.</p>	<p><i>“Gas Pipeline Safety Under Heightened State and Federal Scrutiny – Navigating the New Regulatory Landscape After San Bruno”</i></p> <p>On September 9th, 2010 a thirty inch gas transmission pipeline exploded in San Bruno, California (a San Francisco suburb). The explosion killed eight individuals, injured (some severely) 58 more, destroyed an entire neighborhood and resulted in a huge fire that was not brought fully under control for 24 hours. It took the local distribution company, Pacific Gas and Electric over one and one-half hours to completely shut off gas to the site.</p> <p>Presentations will discuss the circumstances leading up to the accident, the California response, the national response, and the implications and significance of this incident for gas safety across the United States and for gas ratepayers.</p>	<ul style="list-style-type: none"> • Jason Zeller, Assistant Chief Counsel for Transportation and Water, California Public Utilities Commission • Bill Boyd, Director, Pipeline Safety Division Indiana Utility Regulatory Commission • Claudia Earls, Divisional General Counsel, Northern Indiana Public Service Company • Annmarie Robertson, Senior Program Manager, Office of Program Development, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA)
<p>12:00 p.m. to 1:00 p.m.</p>	<p>Lunch – Speaker – <i>“20+ Years of Regulating”</i></p> <p>Ambassador II and III</p>	<p>David E. Ziegner, Commissioner (since 1990), Indiana Utility Regulatory Commission Treasurer, NARUC, Vice-chair, NARUC Comm. on Electricity</p>

For the Monday afternoon sessions from 1-4 p.m., there are two options:

- 1. The Harding St. Coal Plant Tour from 1-4 p.m. – government employees only**
- 2. Two panels – “Parting the Waters Within a Confluence of Issues” and “IP Interconnection”**

<p>1:00 p.m. to 4:00 p.m.</p>	<p><i>“Walk Through History of Coal Electric Generation”</i></p> <p>Just fifteen minutes from downtown Indianapolis, the Harding Street Coal Plant was initially constructed in 1930. What makes this plant unique is that, as technology improved, the older turbines were retired in place. As a result, this tour is a walk through the history of electric generation fueled by coal, from early turbines to modern environmental controls.</p>	<p>Meet at doors of Claypool Court (NW corner of Washington St. & Illinois Ave.)</p> <p>Indianapolis Power & Light – the investor-owned electric utility serving Marion County and some surrounding areas, including all of Indianapolis.</p>
<p>1:00 p.m. to 2:15 p.m.</p>	<p><i>“Parting the Waters Within a Confluence of Issues”</i></p> <ul style="list-style-type: none"> • Regulatory incentives to promote viability; • Pennsylvania’s Act 11; • The confluence of the energy and water industries; • An update on hydraulic fracturing; • Performance benchmarks • And more – <i>sure to be good to the last drop!</i> 	<p>Moderator:</p> <ul style="list-style-type: none"> • Cheryl Walker Davis, Director, Office of Special Assistants, Pennsylvania Public Utility Commission. <p>Panelists:</p> <ul style="list-style-type: none"> • Wendell Holland, Partner, Saul Ewing (former Chairman, Pennsylvania Public Utility Commission) • Susan Simms Marsh, Corporate Counsel, Pennsylvania American Water Company • Louise Fink Smith, Assistant Counsel, Pennsylvania Public Utility Commission
<p>2:15 p.m. to 2:30 p.m.</p>	<p>Break</p>	

2:30 p.m. to 3:45 p.m.	<p><i>“IP Interconnection”</i></p> <p>On October 27, 2011, the FCC released its long-awaited order reforming both the USF and Inter-carrier Compensation (ICC) regimes. The 759 page reform order not only charts a new path for inter-carrier compensation but teed up several critical topics for additional comment in a <i>Further Notice of Proposed Rulemaking</i>, including carrier-to-carrier interconnection of IP networks, or IP Interconnection. Industry experts representing a number of key sectors will help explain this important issue. Panelists will explore several questions including, what steps should the FCC take to increase incentives for IP interconnection where it is most efficient, what is the appropriate legal framework for IP interconnection arrangements, what is the scope of services to be included under such arrangements, and what standards of good faith and enforcement mechanisms should be adopted by the FCC?</p>	<p>Moderator:</p> <ul style="list-style-type: none"> • Lisa R. Youngers, Vice President and Assistant General Counsel, Federal Regulatory, XO Communications <p>Panelists:</p> <ul style="list-style-type: none"> • David Conn, Vice President, State Regulatory, T-Mobile USA • Labros Pilalis, Counsel to Commissioner James H. Cawley, Pennsylvania Public Utilities Commission (Invited) • Jeffrey Lanning, Assistant Vice President, Federal Regulatory, CenturyLink
3:45 p.m. to 4:00 p.m.	Break	
4:00 p.m. to 5:00 p.m.	<p><i>“Electric Alphabet Soup: FERC, NERC, EPA, CFTC....”</i></p> <p>In the changing, acronym-laden world of regional, interregional, and national electric and transmission issues, this presentation discusses emerging electric issues affecting local, state, and federal regulators.</p>	Susan Kelly, Senior Vice President of Policy Analysis and General Counsel, American Public Power Association (APPA).
5:45 p.m.; 6:15 p.m.; 6:45 p.m.	Bus shuttles to Reception & Dinner at Indianapolis Zoo	Meet at doors of Claypool Court (NW corner of Washington St. & Illinois Ave.)
6:00 p.m. to 7:00 p.m.	“Petting the Sharks!” Reception	Indianapolis Zoo – Oceans Exhibit
7:00 p.m. to 9:00 p.m.- ish	“Dining with Dolphins!”	Indianapolis Zoo – Dolphins Exhibit

8:15 p.m.; 8:45 p.m.; 9:15 p.m.	Bus shuttles back to Embassy Suites	
Tuesday, May 22, 2012		
6:30 a.m. to 9:30 a.m.	Breakfast buffet (for Embassy Suites guests)	Atrium (1 st floor)
8:00 a.m.	Buses to MISO in Carmel, IN	Meet at doors of Claypool Court (NW corner of Washington St. & Illinois Ave.)
<p>For the Tuesday morning sessions, the NCRA will be at MISO, lower level, meeting rooms Caitlin A, B, and C. Conference attendees will divide into three groups, and the presentations will rotate so that all attendees can participate in each.</p>		
9:00 a.m. to 10 a.m.	<p><i>“MISO & OMS History & Tour”</i></p> <p>As the first regional transmission organization (“RTO”), the Midwest Independent Transmission System Operator, Inc. (“MISO” – pronounced mayee-so) has a unique history and impressive control facilities, which conference attendees will tour (please bring a photo ID).</p> <p>The Organization of MISO States (“OMS”) is the state regional committee for states with utilities in the MISO footprint, from Montana to Michigan, and from Manitoba to Missouri.</p>	<ul style="list-style-type: none"> • Darlene Tolbert Phillips, Consulting Advisor – Government and Regulatory Affairs, MISO • Bill Smith, Executive Director of the Organization of MISO States (OMS)
10:00 a.m. to 10:15 a.m.	Break	
10:15 a.m. to 11:15 a.m.	<p><i>“RTO 101”</i></p> <p>An introductory course into the world of regional transmission organizations that provides an essential foundation to understanding the complexities of electricity transmission and related regulation.</p>	Greg Troxell, Assistant General Counsel, MISO

11:15 a.m. to 11:30 a.m.	Break	
11:30 a.m. to 12:30 p.m.	<p><i>“Do You Rule with an Iron Fist or a Velvet Glove?”</i></p> <p>The promulgation of rules is one of the key responsibilities of regulators – but how do YOU rule? This facilitated discussion will examine various rulemaking processes throughout the United States and the federal government and answer your questions of how to make your process better.</p> <p>In addition, you'll receive a compilation of responses by conference attendees on the rulemaking processes in their states and agencies.</p>	<p>Facilitator: Kari Bennett, Commissioner, Indiana Utility Regulatory Commission</p> <p>Participating: Susan Miller, Attorney-Advisor, Office of General Counsel, Federal Energy Regulatory Commission</p>
12:30 p.m.	Box Lunches / Addl MISO Facilities Tour (if needed)	
1:00 p.m. to 5:00 p.m.	<p>Breakout Sessions</p> <ul style="list-style-type: none"> • Indianapolis Motor Speedway • Wine Tasting & Brewery Tour 	
Wednesday, May 23, 2012		
6:30 a.m. to 9:30 a.m.	Breakfast buffet (for Embassy Suites guests)	Atrium (1 st floor)
8:00 a.m. to 9:15 a.m.	<p><i>“Phew! Having Gas Issues?”</i></p> <ul style="list-style-type: none"> • Distribution system improvement charge (DSIC) for natural gas distribution companies; • Ongoing challenges of regulating lost and unaccounted for gas; • PUC oversight of impact fees for unconventional gas well drilling; • Jurisdiction over gathering companies; state pipeline siting challenges. • These and many more emanating issues will be ruminated. 	<p>Moderator:</p> <ul style="list-style-type: none"> • Cheryl Walker Davis, Director, Office of Special Assistants, Pennsylvania Public Utility Commission. <p>Panelists:</p> <ul style="list-style-type: none"> • Robert E. Burns, Principal Investigator & Research Specialist, Ohio State University. • David Screven, Assistant Counsel, Pennsylvania Public Utility Commission

9:15 a.m. to 9:30 a.m.	Break	
9:30 a.m. to 10:30 a.m.	<p><i>“Times They Are A-Changin’ – The FCC and Universal Service Fund Reform”</i></p> <ul style="list-style-type: none"> The FCC has made sweeping reforms of the Universal Service Fund. This panel will discuss the impact and implementation of these changes. 	<p>Moderator:</p> <ul style="list-style-type: none"> Larry S. Landis, Commissioner Indiana Utility Regulatory Commission <p>Panelists:</p> <ul style="list-style-type: none"> Joan T. Ellis, Staff Attorney, New Mexico Public Regulation Commission Robert Loube, Ph.D., Vice President Rolka Loube Saltzer Associates Robert J. DeBroux, Director – Federal Affairs, TDS Telecom Joseph Witmer, Assistant Counsel, Pennsylvania Public Utility Commission
10:30 a.m. to 11:00 a.m.	Break	
11:00 a.m. to 12:00 p.m.	<p><i>“What Keeps Me Awake at Night”</i></p> <p>An industry leader, a consumer advocate, and a state commission chairman give their perspective on important regulatory issues on the regional and national scene.</p>	<ul style="list-style-type: none"> Jim Atterholt – Chairman, Indiana Utility Regulatory Commission Jimmy Staton – Executive Vice President and Group CEO, NiSource Gas Transmission & Storage David Stippler – Utility Consumer Counselor, Indiana Office of Utility Consumer Counselor (OUCC)
12:00 p.m. to 1:00 p.m.	Lunch	Atrium (1 st floor)

1:00 p.m. to 1:30 p.m.	<p><i>“NARUC Update”</i></p> <p>Get the latest information on the filings and upcoming issues by the National Association of Regulatory Utility Commissioners (“NARUC”)</p>	Robin Lunt, Assistant General Counsel, National Association of Regulatory Utility Commissioners
1:30 p.m. to 2:30 p.m.	<p><i>“The <u>Other</u> Commission – How NOT to End Up in Front of the Disciplinary Commission”</i></p>	James J. Bell, Partner, Bingham Greenebaum Doll, LLP -- Practice includes attorney discipline defense
2:30 p.m. to 2:45 p.m.	Break	
2:45 p.m. to 3:45 p.m.	<p><i>“Ethics and the Allure of Social Media”</i></p> <p>Twitter, Facebook, Blogs, LinkedIn, etc., are the new tools in our lives. On the positive side, social media offers opportunities for networking, client development, and research. On the negative side, it presents new opportunities for the unwary to engage in professional misconduct.</p> <p>Through a number of comedic skits, we will explore the ethical challenges (e.g., <i>ex parte</i> communications, confidentiality, misrepresentation, appearances and influences on the decision-making authority) that present themselves in the context of social media “friending” relationships. We will also consider whether the Model Rules of Professional Conduct are clear enough to address the blurring line between our personal lives and our professional lives. Finally, we will consider what effect, if any, social media is having on the core values of professionalism.</p>	<p>Moderators:</p> <p>Michael Grant, Chief Administrative Law Judge, Hearings Division, State of Oregon Public Utility Commission</p> <p>Eve Moran, Attorney (former Illinois Administrative Law Judge; NCRA alumni)</p>
3:45 p.m. to 4:00 p.m.	Break	

4:00 p.m. to 5:00 p.m.	<p><i>“Energy Innovation and Regulation”</i></p> <ul style="list-style-type: none"> • Smart Meters and Regulatory Concerns • Current Solar Legal & Regulatory Issues – Special Concerns for Special Projects • Green Button: Spark Plug in the Engine of Innovation 	<p>Panelists:</p> <ul style="list-style-type: none"> • Linda R. Evers, Attorney, Chair of the Energy, Communication & Public Utility Group, Stevens & Lee. • Travis Murphy, Business Development Manger – Renewables, Johnson Melloh (Indianapolis International Airport Solar Project) • Cameron Brooks, Vice President, Policy, Tendril.
5:00 p.m.	Closing	Beth Roads, President, 2012 NCRA