The Thirteenth National Regulatory Conference

presents

*State Regulatory Aspects of the Emerging Competition In Energy Markets*

at

Marshall-Wythe School of Law
The College of William and Mary

May 8-9, 1995
Williamsburg, Virginia
Administrative Law Section, Virginia State Bar
State Corporation Commission of Virginia
Marshall-Wythe School of Law

Present

STATE REGULATORY ASPECTS
OF
THE EMERGING COMPETITION IN ENERGY MARKETS

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THE COLLEGE OF WILLIAM AND MARY
WILLIAMSBURG, VIRGINIA

PROGRAM

Monday, May 8, 1995

8:00 - 8:45 a.m. REGISTRATION AND CONTINENTAL BREAKFAST

8:45 - 9:00 a.m. WELCOME

The Honorable Preston C. Shannon, Chairman State Corporation Commission of Virginia

Deborah V. Ellenberg, Chair
Administrative Law Section
Virginia State Bar

Thomas G. Krattenmaker, Dean
Marshall-Wythe School of Law
The College of William and Mary

9:00 - 9:45 a.m. KEYNOTE ADDRESS

The Honorable Thomas J. Biley, Jr.
Chairman, Commerce Committee
U.S. House of Representatives
FINANCIAL IMPLICATIONS OF THE NEW COMPETITION

The emerging competition in energy markets will have a profound effect on the manner in which electric and gas utilities finance their capital and operating needs. Our first panel will address these important financial issues facing utilities, investors, regulators and customers.

Moderator:

Dr. Charles F. Phillips, Jr.
Robert G. Brown Professor of Economics
Washington & Lee University

Panelists:

William K. Perrin
Managing Director
Furman Selz Incorporated

Susan E. Stratton
Director Electric Utility Division
Public Service Commission of Wisconsin

Anthony F. Earley, Jr.
President and Chief Operating Officer
The Detroit Edison Company

10:45 - 11:00 a.m.  BREAK

11:00 - 12:30 p.m.  THE ROLE OF THE REGULATORY COMPACT IN A COMPETITIVE ENVIRONMENT

The traditional notion of the "regulatory compact" may be losing currency in the face of such competition-driven concepts as retail wheeling and bypass. Panelists representing a spectrum of stakeholders will discuss the viability of universal service and exclusive franchise in the new competitive marketplace.
Moderator:

Charles H. Koch, Jr.
Dudley Woodbridge Professor
Marshall-Wythe School of Law

Panelists:

R. Daniel Carson, Jr.
Vice President
Appalachian Power Company

Paul Buckley
Deputy People’s Counsel
Maryland People’s Counsel

James C. Dimitri
Senior Counsel
State Corporation Commission of Virginia

Robert A. O’Neil
Miller, Balis & O’Neil, P. C.

Gary L. Groner
Supply Manager - Materials
Allied-Signal, Inc.

12:30 - 2:00 p.m.  LUNCHEON - CASCADES RESTAURANT
Colonial Williamsburg
(Transportation provided)

2:00 - 3:15 p.m.  HOW STATE ENERGY REGULATION WILL BE AFFECTED BY EVOLVING PRINCIPLES OF FEDERALISM

Recent developments have focused renewed attention on the proper role of the states as the FERC fashions new policies designed to foster competition on a national scale. This panel will discuss how participants in a more competitive energy marketplace will be affected by future evolution of the relationship between state and federal regulators.

Moderator:

John D. Sharer
Christian, Barton, Epps, Brent & Chappell
Panelists:

Leon Lowery  
Assistant to the Director  
Office of Electric Power Regulation  
Federal Energy Regulatory Commission

The Honorable Allyson K. Duncan  
Commissioner  
North Carolina Utilities Commission

James B. Rouse, Associate Director  
Energy Policy & State Affairs  
Praxair, Inc.

Gary J. Lavine  
Senior Vice President  
Niagara Mohawk Power Corporation

3:15 - 3:30 p.m.  
BREAK

3:30 - 4:45 p.m.  
LESSONS FOR ELECTRIC UTILITIES FROM THE NATURAL GAS EXPERIENCE

The first day’s final panel will discuss lessons learned by participants in the restructuring of the interstate natural gas industry that have application as efforts are made to restructure wholesale and retail electric markets.

Moderator:

The Honorable Theodore V. Morrison, Jr.  
Commissioner  
State Corporation Commission of Virginia

Panelists:

David A. Brune  
General Counsel  
Baltimore Gas & Electric Co.
Tuesday, May 9, 1995

8:00 - 8:45 a.m.  CONTINENTAL BREAKFAST

8:45 - 9:30 a.m.  ADDRESS

Dr. Richard J. Pierce, Jr.
Paul J. Kellner Professor of Law
Columbia University

9:30 - 11:00 a.m.  REGULATORY PLANNING VS. MARKET ALLOCATION IN A
COMPETITIVE ENERGY MARKETPLACE

Many participants in the state regulatory process fear that the emphasis on planning that fostered DSM and IRP initiatives in many states will be lost to the extent competition replaces regulation in the future. Others say this is exactly what should occur. Our first panel of the second day will present a diverse range of opinions within the context of this continuing debate.

Moderator:

The Honorable Hullihen Williams Moore
Commissioner
State Corporation Commission of Virginia

Panelists:

Ripley Newcomb
Director
Market Analyst & Planning
Virginia Power

Jeffrey M. Gleason
Staff Attorney
Southern Environmental Law Center
Randall J. Falkenberg  
Principal and Vice President  
J. Kennedy & Associates, Inc.

Andrew J. Sonderman  
General Counsel and Secretary  
Columbia Gas Distribution Companies

11:00 - 11:15 a.m.  BREAK

11:15 - 12:30 p.m.  IMPLICATIONS OF UTILITY COMPETITION IN RELATED BUT UNREGULATED MARKETS

In recent years, electric and gas utilities have sought to leverage their knowledge and experience for the benefit of their core market customers through direct competition in related but unregulated energy markets. Our final panel will discuss the implications these developments may hold for utilities and their regulators, ratepayers and competitors.

Moderator:

Louis R. Monacell  
Christian, Barton, Epps, Brent & Chappell

Panelists:

Russell Gifford  
President, CNG Energy Services

Thomas L. Caviness  
Vice President, Eastern Division  
Virginia Power

Kelly Signs  
United States Department of Justice  
Antitrust Division
Program Committee:

Stephen H. Watts, II
McGuire, Woods, Battle & Boothe, L.L.P.
Vice Chair, Administrative Law Section
Virginia State Bar

Eric M. Page
Thorsen Page & Marchant

Michael J. Quinan
Woods, Rogers & Hazlegrove, P.L.C.

Louis R. Monacell
Christian, Barton, Epps, Brent & Chappell

John D. Sharer
Christian, Barton, Epps, Brent & Chappell

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