The Virginia State Corporation Commission
The Administrative Law Section of the Virginia State Bar, and
The Marshall-Wythe School of Law

present

THE EIGHTEENTH NATIONAL REGULATORY CONFERENCE

CUSTOMER CHOICE:
READY OR NOT HERE IT COMES

May 8 – 9, 2000
Marshall-Wythe School of Law
The College of William and Mary
Williamsburg, Virginia
THE EIGHTEENTH NATIONAL REGULATORY CONFERENCE

CUSTOMER CHOICE: READY OR NOT HERE IT COMES

Monday, May 8, 2000

8:00 a.m.  REGISTRATION AND CONTINENTAL BREAKFAST  Marshall-Wythe School of Law

8:45 a.m.  WELCOME: Edward L. Pettrini, Chair, Administrative Law Section
           Virginia State Bar

           W. Taylor Reveley, Dean,
           Marshall-Wythe School of Law
           The College of William and Mary

           Hullihen Williams Moore, Chairman
           Virginia State Corporation Commission

9:00 a.m.  KEYNOTE ADDRESS: Leonard S. Hyman
           Salomon Smith Barney, Inc.

10:00 a.m.  BREAK

10:15 a.m.  "ELECTRIC CHOICE COMES TO VIRGINIA – A New World for Energy Providers and
            Users"
            This panel of industry participants from outside Virginia will discuss the issues driving whether
            customers will want to exercise their legal right to buy from competitive energy providers. They will
            share illustrative examples from Pennsylvania, Maine, and New York and lessons learned from those
            states.

            Moderator: JoAnne Lewis Nolte
            Penn, Stuart & Eskridge

            Panelists:
            William M. Nugent, Commissioner
            Maine Public Utilities Commission

            Theresa A. Flaim, Ph.D., Vice President, Strategic Planning
            Niagara Mohawk

            Brian Crowe, Director, Customer Choice
            PECO Energy

            John Hanger, President and CEO
            Citizens for Pennsylvania’s Future

12:00 Noon  LUNCHEON  University Center, Chesapeake
             Room A, College of William and Mary (transportation provided)
"STRANGE BEDFELLOWS – Mergers and Strategic Alliances in the Restructuring Utility Industries"
This panel will examine the circumstances and incentives driving the current trend toward mergers and alliances in the telecommunications and energy industries. Speakers will address the advantages and pitfalls of these strategies, and assess the extent to which results have matched some very optimistic expectations. Panelists include a senior executive of a merged and merging telecommunications company, the executive in charge of strategic alliances for a major energy company, and a professor of business administration with substantial experience in utility alliances.

*Moderator:* James Patrick Guy II,
*LeClair Ryan, P.C.*

*Panelists:*
C. K. “Chip” Casteel, Jr., Regional Executive – Public Policy
MCI Worldcom

*Greg J. Kennedy, Managing Director*
Reliant Energy

*Robert E. Spekman, Professor*
Darden School of Business, UVA

3:15 p.m.  BREAK

3:30-5:00 p.m.  "SAFE HARBOR OR UNCHARTED WATERS? antitrust, market power, and regulatory oversight"
The introduction of customer choice, and the accompanying removal of direct government controls, creates new challenges and uncertainties for incumbents, new entrants, consumers, and regulators alike. As this new competitive framework takes shape, business structures and practices will evolve to capture the benefits of competition. At the same time, the shield of direct government regulation will give way to antitrust enforcement to protect markets and to correct market abuses. Market concentration, pricing, access, and behavioral issues are among the antitrust challenges that may present themselves in this new environment. The panelists will explore these and other issues associated with this transformation.

*Moderator:* Thomas B. Nicholson,
*Williams, Mullen, Clark & Dobbins*

*Panelists:*
Milton A. Marquis, Senior Counsel to the Assistant Attorney General
United States Department of Justice

*John C. Hilke, Ph.D., Economist and Electricity Project Coordinator*
Federal Trade Commission

*David L. Cruthirds, Senior Director and Regulatory Counsel*
DYNEGY, Inc.

*Mark T. Maassel, Vice President, Regulatory and Government Policy*
NiSource, Inc.

6:30-8:00 p.m.  COMMISSIONERS' RECEPTION
*Williamsburg Winery*  (transportation provided from hotel)

Everyone attending the National Regulatory Conference is cordially invited to this reception. Come and meet the Commissioners as well as the panelists and speakers on the conference program.
Tuesday, May 9, 1999

8:00 a.m.  CONTINENTAL BREAKFAST

9:00 a.m.  "FROM THE BACK OFFICE TO THE FRONT LINES"
This panel, made up of industry participants, will outline the required system and information flows necessary to achieve real competition; discuss the need for performance standards and penalties; and review the necessity for Commission or third-party testing of such systems. Illustrations will involve the telecom and energy industries.

Moderator: Alexander F. Skirpan, Jr.
Virginia State Corporation Commission

Panelists:
Mark A. Keffer, Chief Regulatory Counsel
AT&T

Lydia R. Pulley, Regulatory Counsel
Bell Atlantic

Nancy Hetrick, Director, US/Canada Government Affairs
Enron

David F. Koogler, Project Manager – Customer Choice for Virginia Power
Virginia Power

10:15 a.m.  BREAK

10:30 a.m.  "ETHICAL CHALLENGES OF RESTRUCTURING FOR LAWYERS - Lawyer/client loyalty in a rapidly evolving industry"
As clients converge, unbundle, merge, divest and restructure, and as new market entrants begin to seek experienced legal representation, how can the utility bar maintain the level of loyalty demanded by traditional utilities, afford competent, expert representation to new companies, avoid ethical conflicts, and continue to make a living? What are the ethical obligations of the utility bar to provide access to expert counsel to new entrants? What are the ethical obligations of utility lawyers to existing, but radically changing clients? Is industry restructuring full employment for utility lawyers or a shrinking box? -

Moderator: Harry M. Hirsch
Virginia State Bar

Panelists:
Robert E. Eicher, Esquire
Williams, Mullen, Clark & Dobbins

Stephen E. Williams, Esquire
McGuire, Woods, Battle and Boothe LLP

11:45 a.m.  PROGRAM CONCLUDES
The program has been approved for 7.0 Continuing Legal Education (CLE) credit and 1.5 Ethics credit. This conference is nonprofit so that the cost to registrants can be kept at a reasonable level.
PROGRAM COMMITTEE
Kodwo Ghartey-Tagoe, Esq.
McGuire, Woods, Battle & Boothe LLP
Vice Chair, Administrative Law Section

Edward L. Petrini, Esq.
Christian & Barton, L.L.P.
Chair, Administrative Law Section

James Patrick Guy II Esq.
LeClair Ryan, P.C.
Secretary, Administrative Law Section

John D. Sharer, Esq.
Dominion Resources Services, Inc.

Mark J. La Fratta, Esq.
McGuire, Woods, Battle & Boothe LLP

Judith Williams Jagdmann, Esq.
Deputy Attorney General
Office of the Attorney General

Thomas B. Nicholson, Esq.
Williams, Mullen, Clark & Dobbins

Hon. Alexander F. Skirpan, Jr.
State Corporation Commission

JoAnne Lewis Nolte, Esq.
Penn, Stuart & Eskridge

Anthony Gambardella, Esq.
Woods, Rogers & Hazlegrove
Immediate Past Chair
Administrative Law Section

CONFERENCE INFORMATION
- Parking is available at the Marshall-Wythe School of Law. Transportation is available to and from the Williamsburg Hospitality House.
- The number of registrants will be limited to 140. Registrations will be processed in the order of receipt.
- Registration fee: $200 per person. $185 for members of the Administrative Law Section of the Virginia State Bar.

RESERVATION INFORMATION
A block of rooms are being held at the Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia, 23185, (804) 229-4020.