After five major storms in the past eighteen months, now combined with cyber- and other threats, the operation of electric, gas and telecommunications utilities has become an increasingly difficult task. This provides both risk and opportunity to the industry, and demands that industry stakeholders ask hard questions and make tough decisions. As we move into 2013 and beyond, this year’s NRC asks one of those hard questions—“What if?”
8:00 a.m. REGISTRATION and BREAKFAST  
Marshall-Wythe School of Law

8:30 a.m. WELCOME: The Honorable James C. Dimitri, Chairman  
Virginia State Corporation Commission  

Davison M. Douglas, Dean and Arthur B. Hanson Professor of Law  
The Marshall-Wythe School of Law, The College of William & Mary  

Louis R. Monacell, Chair  
Administrative Law Section  
Virginia State Bar

8:45 a.m. Energy Assurance in a post-Sandy World  

Hurricane Sandy demonstrated how critical energy assurance plans are. These plans are designed to enhance communication and coordination among government departments, citizens, and private industry energy stakeholders so that all may be better prepared for potential energy and communications disruptions, and so that the government can assure that essential functions and services within the impacted area can be maintained during a disruption. Our panel will address this from a national, statewide, and local government perspective. How prepared are we now, and what can we do to be better prepared in the future?

Moderator: Michael M. Cline, State Coordinator  
Virginia Department of Emergency Management  

Panelists:  
The Hon. Mary-Anna N. Holden, Commissioner  
New Jersey Board of Public Utilities  

George Hagerman, Senior Research Associate  
Virginia Tech Advanced Research Institute  

Alice Lippert, (Acting) Deputy Assistant Secretary  
Office of Electricity Delivery & Energy Reliability  
U.S. Department of Energy

10:15 a.m. BREAK

10:30 a.m. The Current State of Cybersecurity for Public Utilities  

The threat to critical infrastructure from bad actors in cyber space makes headlines almost daily. At the same time, a path to ensuring the protection of the public health and safety from this cyber threat has yet to be agreed on. Many commenters fear that Congress will not act unless and until the occurrence of a “Cyber Pearl Harbor.” In light of the dim prospects for legislative action, President Obama issued an Executive Order in February that directs the creation of a voluntary cybersecurity program for critical infrastructure owners and operators. The order requires federal agencies to report to the President on whether existing law could be leveraged to implement mandatory cybersecurity requirements.
As some kind of regulation to address critical infrastructure cybersecurity appears to be increasingly likely, this panel will explore what the threat to critical infrastructure really looks like. Our panel will discuss what role voluntary and, in the case of the electric industry, mandatory cybersecurity regulation plays in the experience of various industry members, taking into consideration issues such as federalism, small business finance, and the regulatory role of the federal government. Panelists will draw on their experiences in the electric and telecommunications industries.

**Moderator:** Barry R. Lawson, Associate Director, Power Delivery and Reliability
National Rural Electric Cooperative Association (NRECA)

**Panelists:**
- Miles Keogh, Director, Grants and Research
National Association of Regulatory Utility Commissioners
- Marcus Hans Sachs, PE, Vice-President, National Security Policy
Verizon Communications
- Mark Engels, Director - Enterprise Technology Security and Compliance
Dominion Resources Services, Inc.
- Fred Hintermister, Cybersecurity Specialist, ES-ISAC
North American Electric Reliability Corporation

Noon
**LUNCH**
*Trinkle Hall*
College of William and Mary
*(Transportation provided)*

1:30 p.m.  *A New Era? How Coming EPA Regulations May Change Our Energy Future*

This panel will focus new and potential EPA air, ash and water regulations and the effect that these regulations will have on existing and future carbon-based generation sources. A utility industry leader will discuss the effect of these regulations on the electric utility industry, system reliability, customer rates, and associated issues raised for public utility regulators. The panel will also address policy drivers for the EPA regulations and any offsetting public benefits customers will see from these new regulations. The panel will discuss the interplay between the cost of EPA regulations on existing coal plants and the rise of natural gas as a generation fuel source, and an expert will discuss forecasts of natural gas supplies and continued low gas prices as the electric industry brings new natural gas plants on line and natural gas exports increase.

**Moderator:** Patrick R. Baker, Assistant Professor of Law
Appalachian School of Law

**Panelists:**
- John McManus, Vice President of Environmental Services
American Electric Power Company
- Michael L. Goo, Associate Administrator for the Office of Policy
U.S. Environmental Protection Agency
- Christopher B. McGill, Vice-President Policy Analysis
American Gas Association

3:00 p.m.  **BREAK**
3:15 p.m.  **Grid Reliability: What if the changing balance of electric generation fuel resources impacts the reliability of the electric grid and increases costs to customers?**

The landscape for fuel resources is changing with decreased coal-fired generation due to retirements and increased natural gas-fired generation due to the shale-gas “revolution”. In addition, renewable-based generation, often intermittent and non-dispatchable, is being added to the electric grid with potential greater frequency in the future. This panel will explore the effect of this changing fuel landscape on the reliability of the electrical grid as well as the cost of electricity to consumers. The panel will consider cost recovery issues for investments necessary to add renewable and natural gas-based generation to the grid from both a public policy and reliability perspective. In this context, the panel will touch on the impacts on transmission planning and compare a state agreement approach to a multi-driver approach and the appropriate cost allocation for transmission investment among multiple states. The panel will also discuss the impact of changing fuel resources on capacity markets with a focus on PJM’s Reliability Pricing Model and the volatility and short-term nature of the market.

**Moderator:**  Steve Herling, Vice-President Planning  
PJM Interconnection, LLC

**Panelists**  
The Hon. Dallas Winslow, Chairman  
Delaware Public Service Commission

Bruce Bureat, Executive Director  
Mid-Atlantic Renewable Energy Coalition

August Wallmeyer, Executive Director  
Virginia Independent Power Producers, Inc.

4:45 p.m.  Program Ends for the Day

_Immediately following the conclusion of the first day, members of the Administrative Law Section of the Virginia State Bar will hold their annual meeting to elect officers._

5:45 – 7:45 p.m.  **COMMISSIONERS’ RECEPTION**  
William & Mary Alumni House  
(Located on campus directly across from The Hospitality House)

Everyone attending the National Regulatory Conference is cordially invited to this reception.
Friday, May 17, 2013

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

8:30 a.m.  Gas & Electric Coordination: Reliable Generation in Good Weather, Bad Weather and Interrupting Events

With growth in the use of natural gas to generate electricity, issues arise as to whether the supply and delivery of natural gas and the generation of electricity are sufficiently coordinated to assure reliability of supply. How does the issue of gas-electric coordination interact with forthcoming New Source Performance Standards for generation sources and the subsequent standards that must be issued under 111(d) of the Clean Air Act? Is there a need to mandate dual fuel, expansion of existing gas infrastructure, firm transportation contracts or other mechanisms to ensure generation reliability? Is better coordination of communications and operations between gas pipelines, Regional Transmission Operators, and electric generators both necessary and feasible?

Moderator:  Dr. Paul M. Sotkiewicz, Chief Economist  
PJM Interconnection, LLC

Panelists:  John Williamson, Chairman of the Board  
Roanoke Gas

John C. Richardson, Director, Business Development  
Columbia Pipeline Group

Curry D. Aldridge, VP Origination & Commercial OP (VPOC)  
Tenaska Power Services

10:00 a.m.  BREAK

10:15 a.m.  Ethics Jeopardy!

The stage is set for another epic round of this annual battle to remain in good standing. Testing their knowledge of the Virginia Rules of Professional Conduct, contestants will face a variety of legal ethics questions, including questions related to practice before the SCC. Unlike the television game show, this version of Jeopardy! will feature discussion about the questions, and members of the audience are encouraged to participate.

Moderator:  Barbara B. Saunders, Assistant Ethics Counsel  
Virginia State Bar

12:15 p.m.  PROGRAM CONCLUDES
The program will be submitted for 9.5 hours of Virginia Continuing Legal Education (CLE) credit, including 2.0 hours of ethics credit.

**PROGRAM COMMITTEE**

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