

THE VIRGINIA STATE CORPORATION COMMISSION  
THE VIRGINIA STATE BAR ADMINISTRATIVE LAW SECTION  
THE MARSHALL-WYTHE SCHOOL OF LAW AT THE COLLEGE OF WILLIAM & MARY

*present*

The Thirty-Second National Regulatory Conference

**“The Changing Regulatory World: Taking Stock of the  
Past 10 Years While Looking to the Future”**

May 15-16, 2014  
Marshall-Wythe School of Law  
The College of William & Mary  
613 S. Henry Street  
Williamsburg, Virginia 23185

# THE THIRTY-SECOND NATIONAL REGULATORY CONFERENCE

**Thursday, May 15, 2014**

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

8:30 a.m.      **WELCOME:** The Honorable Judith Williams Jagdmann, 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

Samuel R. Brumberg, Chair  
Administrative Law Section, Virginia State Bar

9:00 a.m.      **Cyber Security: Are We Prepared?**

Cyber technology today is dynamic, complex, interconnected and global, where the actions of independent entities or actors can have a wide adverse impact. Joel Brenner, a former top-level National Security Agency insider and subject matter expert, will deliver a concise “Threat Briefing” and facilitate discussion of what is coming and how and if we are prepared to meet these dynamic challenges.

*Moderator:*      Joel F. Brenner, Principal  
Joel Brenner, LLC

10:15 a.m.      **BREAK**

10:30 a.m.      **The Challenges of New Technologies: Beginning of the End or End of the Beginning?**

This panel will explore how new technologies such as distributed generation and microgrid are challenging the public utility regulatory model and how regulators, the utility industry, developers of the new technologies and consumer representatives view these technologies as impacting and potentially transforming the regulated utility. The panel will include discussion of the role of regulation in addressing the challenges of new technologies.

*Moderator:*      **Robert F. Caldwell**, Vice-President, Renewable Generation Development  
Duke Energy

*Panelists:*      **The Honorable Susan Bitter Smith**, Commissioner  
Arizona Corporation Commission

**Paula M. Carmody**, People’s Counsel  
Maryland Office of the People’s Counsel

**Ivan Urlaub**, Executive Director  
North Carolina Sustainable Energy Association

Noon

**LUNCH**

*Trinkle Hall, College of William & Mary  
(transportation provided)*

1:30 p.m. **The Past & Future of Electric Cooperatives**

Electric cooperatives began during the New Deal era to bring electricity to rural America, have evolved, and now include both small rural utilities and larger, more suburban electric distribution companies. As the industry continues to evolve, this panel will examine and discuss where the cooperatives have been, what the future holds, and what the right level of regulation is for these unique utilities.

*Moderator:* **James P. Guy, II, Esq.**, LeClairRyan

*Panelists:* **Jay Morrison**, Vice-President, Regulatory Issues  
National Rural Electric Cooperative Association

**Richard M. Feathers**, Vice-President, Associate General Counsel  
North Carolina Electric Membership Corporation

**The Honorable Stan Wise**, Commissioner  
Georgia Public Service Commission

**Kent L. Singer**, Executive Director  
Colorado Rural Electric Association

3:00 p.m. **BREAK**

3:15 p.m. **Transmission Planning: Implementation of FERC Order 1000**

Virginia's two largest investor-owned electric utilities joined PJM approximately a decade ago. FERC's Order 1000, issued in 2011, now mandates changes to the landscape of regional transmission planning. FERC Order 1000 requires regional transmission operators such as PJM to consider multi-driver projects and generally promotes competition in transmission planning. PJM made its compliance filing on October 25, 2012, and that filing is pending before FERC. To date, PJM and others have taken steps to execute the directives of FERC Order 1000 and this panel will discuss that implementation. Participants will represent perspectives from the regional transmission operator, investor-owned utility, merchant transmission, state utility commission and environmental/public policy.

*Moderator:* **Steven R. Herling**, Vice-President, Planning, PJM Interconnection, LLC

*Panelists* **The Honorable Dallas Winslow**, Chairman  
Delaware Public Service Commission

**Nina McLaurin**, FERC Policy Development Director, Duke Energy

**Allison Clements**, Director-Sustainable FERC Project  
National Resources Defense Council

**Robert L. Mitchell**, CEO, Atlantic Wind Connection

4:45 p.m. **Program adjourns 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  
Everyone attending the National Regulatory Conference is cordially invited to this reception.*

## Friday, May 16, 2014

8:00 a.m. **BREAKFAST**

*Marshall-Wythe School of Law*

8:30 a.m. **PJM's Organized Markets – How Successful?**

The PJM organized markets have now been operating for several years. This panel will focus on how those markets, including the Capacity Market and Energy Market, have performed. The Capacity Market has undergone significant change with increased Demand Response participation from such players as Curtailment Services Providers (CSPs), renewables, new natural gas generation and imports. Key questions to be addressed include whether or not new resources have been procured when and where they are needed. With the changing fuel mix in PJM including more reliance on natural gas and renewables and the many coal generating units being retired another key issue to be addressed for the Energy Market is whether or not recent market volatility will be sustained into the future or is it only temporary due to the extreme recent weather. Participants will represent perspectives from the regional transmission organization, state commission, market monitor, generator and curtailment services provider.

*Moderator:* **The Honorable Lawrence Brenner**, Commissioner  
Maryland Public Service Commission

*Panelists:* **Andrew L. Ott**, Executive Vice President - Markets  
PJM Interconnection, LLC

**Dr. Joseph E. Bowring**, President  
Monitoring Analytics, LLC

**Katie Guerry**, Senior Director of Regulatory Affairs  
EnerNOC, Inc.

**Jason Barker**, Director, Wholesale Market Development  
Exelon Business Services

10:15 a.m. **BREAK**

10:30 a.m. **The Ethics of Email and Social Media: A Top Ten List**

With the overwhelming use of email and social media both in and outside the workplace that will only continue to expand in the future, Thomas E. Spahn, a Partner at the McGuireWoods law firm, and nationally known expert on ethics, will lead an interactive session entitled the *Ethics of Email and Social Media: A Top Ten List*. This informative and entertaining program will use hypotheticals to explore the unique and quickly evolving issues involving the widespread use of electronic communications such as email and social media including communications with clients, communications with adversaries, discovery matters, marketing and other topics.

*Moderator:* **Thomas E. Spahn**, Partner, McGuireWoods, LLP

12:30 p.m. **ADJOURNED**

*The program will be submitted for at least 9.0 hours of Virginia Continuing Legal Education (CLE) credit, including 2.0 hours of ethics credits*

## PROGRAM COMMITTEE

**Kristian M. Dahl, Esq.**  
**McGuireWoods, LLP**  
**Vice-Chair, VSB Administrative Law Section**  
**Program Committee Chairman**

**Samuel R. Brumberg, Esq.**  
**VA, MD & DE Association of Electric Coops**  
**Chair, VSB Administrative Law Section**

**Ashley Beuttel Macko, Esq.**  
**State Corporation Commission**  
**Secretary, VSB Administrative Law Section**

Meera Ahamed, Esq.  
Washington Gas Light Company

A. Ann Berkebile, Esq.  
Virginia State Corporation Commission

Timothy E. Biller, Esq.  
Hunton & Williams, LLP

C. Mitch Burton, Jr., Esq.  
Office of the Attorney General

K. Beth Clowers, Esq.  
Virginia State Corporation Commission

Philip R. "Duke" de Haas, Esq.  
Troutman Sanders, LLP

Raymond L. Doggett, Jr., Esq.  
Virginia State Corporation Commission

Matthew A. Faulconer  
Rappahannock Electric Cooperative

Brian R. Greene, Esq.  
GreeneHurlocker, PLC

Allison L. Held, Esq.  
Virginia State Corporation Commission

Eric W. Hurlocker, Esq.  
GreeneHurlocker, PLC

Alisson P. Klaiber, Esq.  
Virginia State Corporation Commission

Matthew G. LaRocque  
PJM Interconnection, LLC

Susan D. Larsen  
Virginia State Corporation Commission

Anne Louise Mason, Esq.  
Capital One

Charlotte P. McAfee, Esq.  
Dominion Resources Services, Inc.

Frederick D. Ochsenhirt, Esq.  
Virginia State Corporation Commission

William T. Reisinger, Esq.  
Office of the Attorney General of Virginia

James G. Ritter, Esq.  
Christian & Barton, LLP

Cliona M. Robb, Esq.  
Christian & Barton, LLP

Elaine S. Ryan, Esq.  
McGuireWoods, LLP

Howard M. Spinner  
Northern Virginia Electric Cooperative

Duront A. Walton, Jr.  
Virginia Telecommunications Industry Association

Mark O. Webb, Esq.  
Dominion Resources Services, Inc.