THE VIRGINIA STATE CORPORATION COMMISSION
THE ADMINISTRATIVE LAW SECTION OF THE VIRGINIA STATE BAR
WILLIAM & MARY LAW SCHOOL

present

THE THIRTY-EIGHTH ANNUAL
NATIONAL REGULATORY CONFERENCE

May 26-27, 2021
THE THIRTY-EIGHTH NATIONAL REGULATORY CONFERENCE

Wednesday, May 26

8:30 a.m. Welcome

8:45 a.m. Understanding the Virginia Clean Economy Act (“VCEA”)
60 minutes

Passed last year, the VCEA will lead to the adoption of unprecedented amounts of renewable generation and energy storage in Virginia, with a mandate for the Commonwealth’s two largest utilities to achieve net-zero emissions in the next 25 to 30 years. The panel will discuss the purpose and implementation of the VCEA, and the opportunities and challenges presented by the new law.

Moderator: David J. DePippo
Senior Counsel, Dominion Energy Services, Inc.

Panelists: The Honorable Richard C. “Rip” Sullivan, Jr.
48th District, Virginia House of Delegates

Sarah Vogelsong
Environment and Energy Reporter, The Virginia Mercury

9:45 a.m. Break

10:00 a.m. The Pathways to Net Zero by 2045/2050
60 minutes

Panelists will discuss Virginia’s pathways to net zero with an ever-evolving portfolio of generation assets and the impact on grid resilience in light of current events.

Moderator: Andrew M. Vehorn
Vice President of Government Affairs
The Virginia, Maryland & Delaware Association of Electric Cooperatives

Panelists: Jesse D. Jenkins, PhD
Assistant Professor
Department of Mechanical and Aerospace Engineering and the Andlinger Center for Energy and Environment, Princeton University

Darlene Phillips
Executive Director, Operations Engineering Support
PJM Interconnection, LLC
11:00 a.m. **Break**

11:15 a.m. **The Interplay between the VCEA and Federal and State Policies, including the Regional Greenhouse Gas Initiative (RGGI).**

Panelists will explore the role of the VCEA in the broader framework of Virginia and Federal energy policies, including Virginia’s participation in RGGI.

**Moderator:** Will Cleveland  
Senior Attorney, Southern Environmental Law Center

**Panelists:**  
*Michael G. Dowd*  
Director, Air & Renewable Energy Division  
Virginia Department of Environmental Quality

*Kate Konschnik*  
Director, Climate and Energy Program  
Nicholas Institute for Environmental Policy Solutions, Duke University

12:15 p.m. Program concludes for the day. The legal ethics session will start at 1 p.m.

1-3 p.m. **Ethics**

**Thomas E. Spahn,** a Partner at the McGuireWoods law firm, and nationally known expert on ethics, will lead an informative and interactive session using challenging hypotheticals to address current ethical issues of interest to all attorneys.
Regional Roundup: The Impacts of FERC’s Minimum Offer Price Rule Expansion in PJM Interconnection

This panel will discuss the current status and future of PJM’s regional electric capacity market, following significant changes to its Minimum Offer Price Rule (MOPR). Panelists will address the impact of recent FERC orders expanding the MOPR to state-subsidized resources. The panel will also identify jurisdictional issues that are the subject of a pending appeal, including how FERC’s wholesale market jurisdiction intersects with State policies and jurisdiction over electric generation. The panel will also look to the future of PJM’s capacity market based on recent developments -- including a FERC technical conference on resource adequacy and capacity market workshops convened by PJM.

Moderator: D. Mathias Roussy, Jr.
Hearing Examiner, Virginia State Corporation Commission

Panelists:
- The Honorable Kimberly W. Duffley
  North Carolina Utilities Commission
- The Honorable Jason M. Stanek
  Maryland Public Service Commission
- Joseph E. Bowring, PhD
  President, Monitoring Analytics, LLC
  Independent Market Monitor for PJM
- Lisa Morelli
  Director – Market Design, PJM Interconnection, LLC
- Ted J. Murphy
  Partner, Hunton Andrews Kurth LLP

10:30 a.m. Break
Can Distributed Energy Resources and Storage Meaningfully Participate in the Wholesale Markets?

This panel will explore the options available for Distributed Energy Resources ("DERs") and Energy Storage participation in the wholesale marketplace. Panelists will discuss FERC's Orders 2222 (DER Participation in Wholesale Markets) and 841 (Storage Participation in Wholesale Markets), providing insight into wholesale marketplace entry requirements, barriers to entry, jurisdictional considerations and the pros and cons of each.

Moderator:  
Colleen Lueken, PhD  
Director of Market Analytics, Fluence – AES Energy Storage

Panelists:  
Scott Baker  
Senior Business Solution Analyst – Applied Innovation  
PJM Interconnection, LLC

Ricky Elder III  
Manager, Business Development-Energy Storage  
Dominion Energy

Michael Herbert  
Managing Partner/Co-Founder, Delorean Power LLC

Conference concludes

*PENDING - The program is seeking 8 hours of Virginia Continuing Legal Education (CLE) credit which includes 2.0 hours of ethics credits. - PENDING*
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