

Managing the Modern Utility Rate Case Conference

February 13 & 14, 2006 | Las Vegas, Nevada
Alexis Park Resort & Spa



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A Comprehensive Two-Day Conference on

Managing the Modern Utility Rate Case

In Light of the 2005 Energy Policy Act

February 13 & 14, 2006

Las Vegas, Nevada

Alexis Park Resort & Spa

Credits: NV CLE 12 | CA MCLE 12.25 | WA CLE 12

Quick when/where: 8:30 a.m., 375 E. Harmon Ave.



8:00 Registration and Continental Breakfast

8:30 Introduction & Overview

Robert Bellemare, P.E., *Program Co-Chair*
President & CEO
Utilipoint International Inc. ~ Albuquerque, NM

Jack P. Fite, Esq., *Program Co-Chair*
White, Coffey & Fite, P.C. ~ Oklahoma City, OK

Katherine A. McDowell, Esq., *Program Co-Chair*
Stoel Rives LLP ~ Portland, OR

8:45 Regulatory Views of the Energy Policy Act's Primary Impact on the Modern Rate Case

The Hon. Marc Spitzer, Esq., *Commissioner*
Arizona Corporation Commission ~ Phoenix, AZ

9:30 Cost of Capital After Repeal of PUHCA - A View From the Credit Rating Agencies

What do the financial markets and rating agencies expect to happen? What are the expected impacts on cost of capital and calculation of cost of capital?

Richard W. Cortright, Jr., *Managing Director*
Standard and Poors ~ Washington, DC

10:15 Break

10:30 Mergers & Acquisitions After PUHCA

M&A after the repeal of PUHCA; update on FERC's new review process and the impact on rate savings

Katherine A. McDowell, Esq., *Program Co-Chair*

11:15 Regulatory M&A Filings - Tips and Strategies

Regulatory filings are more difficult now; what is the staff at FERC likely to be concentrating on and expecting in a filing

Joris M. Hogan, Esq.
Milbank, Tweed, Hadley & McCloy LLP ~ New York, NY

12:00 Lunch (on your own)

1:15 Pricing Issues and Cost of Service Principles Used to Establish Retail Rates

Actual Costs vs. Marginal Costs

Bryan J. Scott, *Vice President*
BBCI, LLC ~ Tulsa, OK

2:00 Innovative Rates and Demand Responses

After the 2005 Energy Act - DOE, FERC, states and utilities requirements

Bernie Neenan, *President*
Neenan Associates ~ Syracuse, NY

Robert Bellemare, P.E., *Program Co-Chair*

3:30 Break

3:45 Regulatory Treatment of New Technologies

Coal-fired generation: IGCC (Integrated Gasification Combined Cycle) and other new technologies; funding and rate issues

Eric Redman, Esq.
Heller Ehrman LLP ~ Seattle, WA

4:30 Rate Case Treatment of Fuel Costs

Fuel adjustment clauses; time differentiated rates

Ben Long, *President*
BBCI, LLC ~ Tulsa, OK

5:15 Reception Sponsored by Utilipoint International Inc.



About the Conference

LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

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"With rising fuel costs and increased investment in generation, transmission, and distribution infrastructure many utilities are for the first time in years facing rate case and regulatory issues that directly impact the bottom line. But they're finding that the playing field has changed in light of the 2005 Energy Policy Act and the repeal of PUHCA: the rules of the game are different. It's no longer just about cost of service and rate design. Technological advancements and cost reductions are making it possible for utilities to offer demand response and innovative pricing products. Regulators and customers are starting to demand these programs along with performance and generation portfolio standards. This conference will help energy professionals understand the new rate case environment and how to manage it to bring about win-win results for shareholders and customers."

~ Program Co-Chairs: Robert Bellemare, P.E., Jack L Fite, Esq., and Katherine A. McDowell, Esq.



8:30 Rate Case Issues Arising from Policies Favoring Cleaner Energy Supplies and Addressing Global Warming

Renewable portfolio standards; demand response programs; treatment of environmental investments

Douglas W. Smith, Esq.
Van Ness Feldman PC ~ Washington, DC

Issues involving proposals to regulate carbon emissions

David Harrison, Jr., Ph.D., MSc
Senior Vice President, Environment Group Head
NERA Economic Consulting ~ Boston, MA

Issues involving existing nuclear plants and proposals for new nuclear technologies

Jonathan A. Lesser, Ph.D.
Bates White LLC ~ Washington, DC

10:00 Break

10:15 Utility Views of the Energy Policy Act's Primary Impact on the Modern Rate Case.

Bryan Batson
Senior VP, Regulatory Affairs and Customer Service
AGL Resources Inc. ~ Atlanta, GA

11:00 Developing a Strategy for the New Risk Environment

Performance-based rates (PBR) or service quality standards; New rules, working with regulators to create customer options and measures that are truly valued by customers and effective in obtaining service quality results; understanding new technology risks

Eric Ackerman, Senior Manager of Regulatory Policy
Edison Electric Institute ~ Washington, DC

Richard A. Wight, Founder and President
Energy Market Solutions ~ Atlanta, GA

12:30 Lunch (on your own)

1:45 Regulators View of the Most Pressing Rate Case Issues

The Hon. Lee Beyer, Chairman
Public Utility Commission of Oregon ~ Salem, OR

William Froehlich, Director
Office of Administrative Litigation
Federal Energy Regulatory Commission ~ Washington, DC

The Hon. Gregory E. Sopkin, Chairman
Colorado Public Utilities Commission ~ Denver, CO

3:15 Adjourn

Upcoming Related Seminars:

Energy Markets and Regulation	Washington, DC	Mar. 16-17
Cyber & Infrastructure Security for Utilities	Arlington, VA	Apr. 27-28
Energy Strategies for Cities and Counties	San Francisco, CA	May 15-16
Buying & Selling Electric Power	Santa Fe, NM	Jul. 13-14
Energy In California	San Francisco, CA	Sep. 21-22

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Tuition: Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$795. For students and people in their job for less than a year, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00

p.m. on Tuesday, February 7, 2006. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Alexis Park Resort & Spa at 375 E Harmon Ave. in Las Vegas, NV 89109. Call the hotel directly at (800) 582-2228 for reservations at the special negotiated rate of \$139 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 12 NV CLE credits, 12.25 CA MCLE credits and 12 WA CLE credits. Law Seminars International is a State Bar of CA approved MCLE provider. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a VHS or DVD recording and the written course materials, is available for \$1005. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).

Faculty: Managing the Modern Utility Rate Case Conference

Robert Bellemare, *Program Co-Chair*, is president and CEO of Utilipoint International Inc. He has diverse management experience in startup business, sales and marketing, electric operations, and research and development. As former Managing Director of CSW Energy Services, Inc., he had full profit and loss responsibilities and led CSW's entry into states with newly deregulated electricity markets.

Jack P. Fite, *Program Co-Chair* is a partner with White, Coffey & Fite, P.C.

Katherine A. McDowell, *Program Co-Chair*, is Chair of the Energy Practice Group at Stoel Rives LLP. She has worked on a full range of energy regulatory issues, including traditional and performance-based ratemaking, utility mergers, sales and acquisitions and electric industry restructuring. She is listed in *The Best Lawyers in America*.

Eric Ackerman is Senior Manager of Regulatory Policy at Edison Electric Institute. He is chief strategist for utility distribution company issues and is an expert on issues involving cost of capital, resource procurement, rate unbundling, uniform business practices, provider of last resort service, metering and billing, performance-based regulation, and affiliate codes of conduct.

Bryan Batson is Senior Vice President, Regulatory Affairs and Customer Service at AGL Resources Inc., with executive oversight and coordination of all regulatory matters that impact the company's regulated utilities.

The Hon. Lee Beyer was appointed Chairman of the Oregon Public Utility Commission by Governor Kulongoski on Sept. 1, 2003 after having been appointed to the Commission in Sept. 2001. Prior to his appointment at the PUC, he served for over 10 years in the Oregon Legislature serving in both the Senate and House of Representatives.

Richard W. Cortright, Jr., Standard and Poors, is a Managing Director in Corporate and Government Ratings. As a team leader in the U.S. Utilities, Energy and Project Finance Ratings group, he is responsible for managing several analysts and maintaining the quality of credit ratings in the investor-owned utility,

public power and electric cooperative sectors.

William Froehlich is Director of the Office of Administrative Litigation at the FERC. He oversees the nearly 100-member Commission trial staff who represent the public interest in administrative proceedings at the commission.

David Harrison, Jr. is head of the NERA Economic Consulting (NERA) Environment Group. He directs projects in environmental economics and policy, climate change, natural resource damage assessment, energy policy, economic impact assessment, and transportation.

Joris M. Hogan, partner, Milbank, Tweed, Hadley & McCloy LLP, focuses his practice on mergers and acquisitions, involving both publicly traded and privately owned companies, including cross-border transactions.

Jonathan A. Lesser, Principal, Bates White, LLC, has more than 20 years experience working for electric utilities, government and academia as an economic consultant. Previously he was President of New England Economics Group, Director of Regulated Planning with the Vermont Dept. of Public Service, Senior Managing Economist at Navigant Consulting, Inc., and Senior Economist at Green Mountain Power.

Ben Long, is President of BBCI, LLC. He has many years of experience in the electric utility business, in pricing and costing, with a major emphasis on the development of special pricing programs for targeted market segments. Previously, he managed the Rate Department at Public Service Company of Oklahoma.

Bernie Neenan is President of Neenan Associates, an electricity market design and pricing consultancy. His utility experience includes administering a traditional, cost-based electric and gas rate book, developing and evaluating demand-side management programs, and designing and testing innovative retail pricing plans. He was recognized by EPRI's Innovator's Award program for his contributions to improving retail electricity pricing.

Eric Redman, shareholder, Heller Ehrman LLP, currently serves as lead lawyer for all types of electric

utilities, power and gas marketers, end-users, and independent power producers in a variety of power supply and rate matters, including: mergers and acquisitions; negotiating, drafting, and lobbying of the federal Northwest Power Act and other power sales and project statutes; representing clients on electric power industry restructuring and privatization matters; participating in development of new energy technologies; negotiating power sales contracts, bond resolutions, and related documents to secure financing of power generation and transmission projects.

Bryan J. Scott is Vice President of BBCI, LLC, where he focuses on pricing and marginal costing. His major emphasis is on the development of special pricing programs for retail customers, including developing RTP, Interruptible/Curtailable, and TOU programs for regulated electricity markets.

Douglas W. Smith joined Van Ness Feldman PC after serving as General Counsel to the Federal Energy Regulatory Commission. He also served as Deputy General Counsel for Energy Policy at the U.S. Department of Energy. He specializes in electricity, natural gas, and hydroelectric regulation as well as environmental, energy efficiency and renewable energy policy.

The Hon. Gregory E. Sopkin was appointed to chair the Colorado Public Utilities Commission (PUC) in 2003. He spent two years in private law practice with Gorsuch Kirgis LLP, representing energy and telecommunications utilities before the PUC and various courts.

The Hon. Marc Spitzer, Commissioner, Arizona Corporation Commission, served as a State Senator and was the Majority Leader sponsoring legislation that protects consumers from fraudulent schemes and public agencies from antitrust violations and bid rigging.

Richard A. Wight, Founder and President of Energy Market Solutions (EMS), centers his consulting practice on strategic positioning for utilities, in regulated and unregulated applications, as well as representing the voice of the customer and providing actionable solutions to meet both the utility's and the customer's needs.

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375 E Harmon Ave.
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Who Should Attend:

Public and private attorneys, in-house counsel, governmental officials, including regulatory agency representatives, as well as representatives of utilities, merchants and intervenor groups

This Seminar Addresses:

- *Policy Priorities: What to Expect from the Federal Regulatory Agencies*
- *State Authority, Policy Priorities, and Regulatory Approaches*
- *Filing Strategy Tips for Utilities*
- *Rate Case Issues Arising from Policies Favoring Cleaner Energy Supplies and Addressing Global Warming*
- *Rate Case Treatment of Fuel Costs*
- *Regulatory Treatment of New Technologies*
- *Regulator's Dream Panel*
- *Practical Tips for Dealing with Documents and Electronic Records*

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