Agenda

Pennsylvania Public Utility Commission (PUC) Practice and Procedures — *J. Nase*

- PUC procedures – hearings before administrative law judges and review by the Commission
- Formal complaints, applications, rate cases and formal investigations
- Settlements and mediation
- Informal complaints and informal investigations
- Damage Prevention Committee

Energy Project Siting and Development — *L. Berkstresser*

- Transmission planning
- PJM
- FERC Order 1000
- Reliability
- Market efficiency
- State siting process

Alternative Ratemaking at the PUC — *D. Ryan*

- Events leading up to passage of alternative ratemaking legislation in PA
- Alternative rates and rate mechanisms
  - Decoupling mechanisms
  - Performance-based rates
  - Formula rates
  - Multiyear rate plans
- PA PUC Final Policy Statement Order
- Impact on traditional ratemaking for utilities
- Impact on utilities' energy efficiency and conservation (EE&C) and distributed generation efforts

Understanding Utility Easements and Rights of Way — *R. Bowman*

- Current laws and regulations on utility rights of way
- Types of utilities affected: electric, water, sanitary sewer, storm sewer, natural gas, telecommunications
- Basis for and definition of the easement
- Risks for junior owners in encroachments and interferences
- Maintenance
- Environmental issues
- Do any utilities have eminent domain rights?

The Ethics of Accessing a Utility Easement — *R. Bowman*

- Duty to disclose
- Ensuring client understands what is being asked/given
- What happens if a client refuses a request for an easement?
- Duty of good faith
- Conflicts of interest

National Pollutant Discharge Elimination System (NPDES) Construction Storm Water Permitting — *S. Hann*

- NPDES program overview
- Construction stormwater permit requirements
  - Changes to PAG-02 Permitting
- Construction stormwater compliance and enforcement

Issues in Pennsylvania Energy and Electric Utility Regulation
Live, Interactive Webinar - Friday, March 19, 2021

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Learning Objectives

You'll be able to:

Understand Pennsylvania Public Utility Commission practice and procedures, including formal complaints, applications, rate cases, and formal investigations.

Discuss energy project siting and development, including transmission planning.

Examine alternative rates and rate mechanisms, including decoupling mechanisms, performance-based rates, formula rates, and multiyear rate plans.

Comply with current laws and regulations on utility rights-of-way.

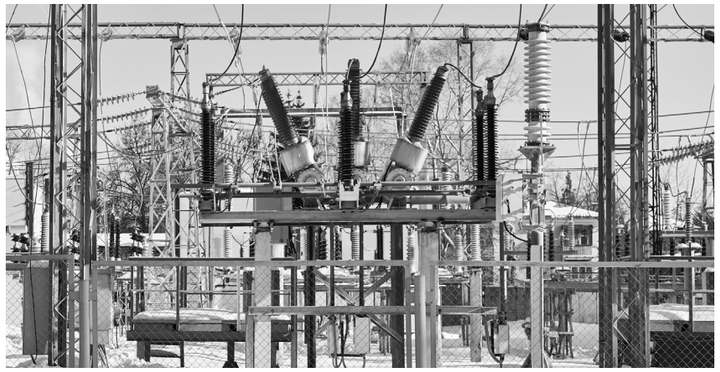
Understand changes to PAG-02 construction stormwater permitting.

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Issues in Pennsylvania Energy and Electric Utility Regulation

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Review Pennsylvania Public Utility Commission practice and procedures

Examine energy project siting and development

Discuss alternative ratemaking at the PUC

Explore utility easements and rights-of-way and the ethics of accessing a utility easement

Learn about changes to Pennsylvania construction stormwater permitting

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Faculty

Jonathan Nase is a member in the Harrisburg Office of Cozen O'Connor P.C., where his practice focuses on public utility law and administrative law. He has experience representing utilities, municipalities and municipal authorities in rate cases, mergers and acquisitions, energy efficiency and conservation proceedings, formal complaints and other matters. Before joining Cozen O'Connor, Mr. Nase worked for the Pennsylvania Public Utility Commission, including eight years as the Deputy Director – Legal of the Office of Special Assistants.

Lindsay A. Berkstresser is an associate in Post & Schell P.C.'s Energy & Utilities Practice Group, where she represents energy companies in regulatory matters arising under federal and state laws before the Federal Energy Regulatory Commission (FERC), Pennsylvania Public Utility Commission (PAPUC) and appellate courts. Ms. Berkstresser counsels natural gas, electric and water utilities and oil pipeline companies on ratemaking, energy project siting and development, tariff and contract provisions, administrative litigation, and transactional matters. She also advises clients on regulatory compliance issues and newly enacted and pending legislation.

Devin T. Ryan is a principal in Post & Schell P.C.'s Energy and Utilities Practice Group. He represents electric, natural gas, water, and transportation network companies in a variety of proceedings before the Pennsylvania Public Utility Commission, including base rate proceedings, rulemaking proceedings, customer complaint proceedings, energy efficiency and conservation plan proceedings, application proceedings initiated under Section 1102 of the Public Utility Code, and purchased gas cost cases. Mr. Ryan has also practiced before the Commonwealth Court of Pennsylvania and the Federal Energy Regulatory Commission concerning energy and public utility-related matters.

Rebecca A. Bowman, Esq., P.E. is a sole proprietor, practicing in dispute resolution, estate planning, civil engineering, real estate, legal services, strategic development, and training. She is experienced in dispute resolution, estate planning and administration, engineering design and forensic analysis, construction/project management, real estate, small business start-up, employment law, and nonprofit support. She is a registered professional engineer and a certified arbitrator and mediator. Mrs. Bowman writes a column for the *PE Reporter*, "Risky Business," and she lectures for the Community College of Allegheny County, Pennsylvania State University, the Washington County Bar Association, the Pennsylvania Society of Professional Engineers and others. She earned her B.S. degree in Civil Engineering from the University of North Dakota, her M.B.A. degree from Oklahoma University, and her J.D. degree from Duquesne University. She recently joined the National Society of Professional Engineers as their Senior Director of Ethics and Professional Practice.

Steven A. Hann is a principal at the Pennsylvania law firm of Hamburg, Rubin, Mullin, Maxwell & Lupin, where he focuses his practice on environmental and municipal law, and chairs the firm's Environmental Law Department. He represents a diverse client base, including municipalities, municipal authorities, business entities, individuals, builders and developers. Mr. Hann handles all facets of environmental litigation with government agencies and private parties. He also advises clients on regulatory and compliance issues, environmental permitting, environmental issues arising in business and real estate transactions, and land use and zoning issues. In addition to his environmental law practice, he has a sophisticated practice in the area of municipal law, with a specific emphasis on municipal authorities. Mr. Hann recently litigated the well-publicized case involving the Chesapeake Bay TMDL, the most extensive TMDL ever developed in the United States. This case was ultimately appealed to the United States Supreme Court. He has also litigated numerous water quality cases in Pennsylvania, including those involving NPDES permits and TMDLs, and the recovery of attorneys' fees.

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Additional Learning

Issues in Ohio Energy and Electric Utility Regulation

Live, Interactive Webinar
Thursday, March 25, 2021 | 8:30 am - 3:20 pm EDT

Agenda Highlights:

Public Utilities Commission of Ohio (PUCO) Rules of Practice and procedure
Recent Supreme Court of Ohio Decisions
Hot Topics
Ohio Power Siting Board
Distributed Solar
Utility Scale Solar Projects: Environmental and Real Estate Considerations

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Issues in Pennsylvania Energy and Electric Utility Regulation

Live, Interactive Webinar - Friday, March 19, 2021

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