Agenda

Maine Public Utilities Commission (PUC) Rules of Practice and Procedure and Guidance Documents — *W. Harwood*
- PUC hearing procedures
- Review of PUC guidance documents
- PUC informal procedures – mediation etc.
- Formal complaints

PUC Jurisdiction, Authority Oversight — *W. Harwood*
- Jurisdiction over generation and transmission facilities
- Approval options for generation facilities
- Jurisdiction over service areas
- Issues outside PUC jurisdiction

Power Line Planning, Regulation and Construction — *J. des Rosiers*
- Transmission categories, planning and cost recovery
- PUC CPCN standard, filing, and process
- Non-wires alternatives
- Other federal, state and local permitting requirements
- Public outreach and opposition

State Endangered and Threatened Species Review, When and How — *J. Thaler, H. Kenyon*
- Maine's endangered and threatened species
- Federal Endangered Species Act
- When and how the act applies
- Conservation and environmental review

National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permitting and Online Permitting Process — *S. Anderson*
- NPDES program overview
- Construction stormwater permit requirements
- Construction stormwater compliance and enforcement
- Requesting authorization online

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Issues in Maine Energy and Electric Utility Regulation
Live, Interactive Webinar - Thursday, April 22, 2021

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Learning Objectives

You'll be able to:

Identify PUC hearing procedures and review guidance documents.

Explore PUC jurisdiction over generation and transmission facilities, and service areas.

Examine transmission categories, planning, and cost recovery for construction of power lines.

Discuss the impact of electric facilities on Maine's endangered and threatened species under the Federal Endangered Species Act.

Understand construction stormwater permit requirements and compliance/enforcement.

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Issues in Maine Energy and Electric Utility Regulation

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Analyze PUC rules of practice and procedure and review guidance documents

Discuss PUC jurisdiction and authority oversight

Examine power line planning, regulation, and construction

Understand utility impacts on Maine's endangered and threatened species

Review NPDES construction stormwater permitting requirements and procedures

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Faculty

William Harwood *Senior Counsel Attorney at Verrill*
Mr. Harwood has represented electric, gas, water, and telecommunications companies in more than 50 major cases before the Maine Public Utilities Commission (PUC) and Federal Energy Regulatory Commission (FERC), including rate cases, prudence investigations, management audits, merger approvals, requests for Certificates of Public Convenience and Necessity, and rulemaking proceedings. He counsels utilities on proactive strategies to both anticipate regulatory developments and efficiently manage the regulatory process. Mr. Harwood was actively involved in the restructuring of the Maine electric utility industry, including the representation of utilities in the sale of their generating assets, recovery of stranded costs, and providing standard offer (default) service. He has represented developers of new transmission lines in securing Certificates of Public Convenience and Necessity and wind developers in negotiating Interconnection Agreements and securing adequate transmission capacity for delivery of the output. Mr. Harwood has served as Adjunct Professor of Law at the University of Maine School of Law, teaching utility regulation and administrative law.

Jared des Rosiers *Attorney and Partner at Pierce Atwood*
Mr. des Rosiers' practice focuses on complex energy regulation, infrastructure development and siting, and litigation matters before the Maine Public Utilities Commission (MPUC), the Federal Energy Regulatory Commission (FERC), and state and federal courts around the country. In each case, he strives to develop a comprehensive strategic plan for success in collaboration with his clients and then to efficiently implement that plan through advocacy, negotiation and creativity. When litigation is necessary, Mr. des Rosiers uses discovery, witness preparation, motion practice, and trial, as necessary. He has broad experience on energy regulatory, siting, and investigation matters including representation of clients with respect to issues of transmission development and siting, rate recovery and design, ISO/RTO participation and market design, enforcement investigations, power purchase agreement disputes, and smart grid implementation. In recent years, Mr. des Rosiers has been the lead attorney for two of the largest transmission projects in New England. He is also a member of the firm's Management Committee and is the Energy Practice Group Leader.

Jeff Thaler *Attorney and Professor at University of Maine School of Law*
Mr. Thaler is a long-time Maine environmental and energy attorney who currently is a Professor of Practice at the University Of Maine School Of Law, as well as Project Counsel for the University of Maine System's deepwater offshore wind energy projects. Before joining the University in 2011, he developed over several decades a wide-ranging legal practice focused on environmental and energy permitting, compliance, enforcement, and litigation. He also works on litigation for clients with commercial and professional negligence disputes, and on insurance coverage, personal injury and toxic tort problems. Mr. Thaler is a co-founder and former President of the Environmental and Energy Council of Maine, and co-founder and former President of the American College of Environmental Lawyers, which consists of the leading environmental and energy attorneys in the U.S.

Heather Kenyon *Student at University of Maine School of Law*
Ms. Kenyon is a second-year student at University of Maine School of Law who will be pursuing career in environmental practice and policy work upon graduation. Her endangered species work includes collecting data, as a scientific scuba diver, on the health of the Florida Keys coral reef in general, and specifically the endangered Staghorn Coral. Ms. Kenyon spent the summer of 2020 interning with Ivy Frignoca at Friends of Casco Bay, where she continued to combine science and law. She hopes to continue diving into the intersection of environmental advocacy and legal policy in Maine communities.

Scott Anderson *Attorney and Partner at Verrill*
For energy infrastructure, mill operations, telecommunications facilities, large-scale retail, and environmental restoration, Mr. Anderson has worked to obtain development permits, resolved conflicts with interested parties and opponents, and helped fashion creative solutions to environmental and regulatory challenges. With a results-driven track record of getting projects up and running, he offers strategies on permitting and compliance that meet the clients' needs. Mr. Anderson also works with clients regarding disputes with state and federal regulatory authorities and other governmental entities. He has defended issued permits, successfully challenged governmental contract awards, and reversed election decisions by the Maine Secretary of State, and he has represented clients seeking to hold governmental agencies accountable for their actions.

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