

Mid - Atlantic Conference of Regulatory Utilities Commissioners



22nd Annual Education Conference



June 25- 28, 2017
The Hotel Hershey
Hershey, Pennsylvania

CLE approval has been applied for in the following States:

New Jersey (Pending)

New York (13.50)

Ohio (14)

Pennsylvania (13.50)

West Virginia (Pending)

You must sign in at the MACRUC registration desk once to receive a certificate of attendance. The sign-in sheet and certificate for the Wednesday Ethics session will be inside the room.

Prize Drawings

Tickets will be dispensed upon entry to meeting room. You must be present to win.

Tuesday @ 8:30 a.m.

Wednesday @ 10:30 a.m.



Retail Energy Supply Association

RETAIL ENERGY CHOICE BENEFITS CONSUMERS

The Retail Energy Supply Association is a broad and diverse group of retail energy suppliers who share the common vision that competitive retail energy markets deliver a more efficient, customer-oriented outcome than the regulated utility structure.

For more information visit www.resa.org

Sunday, June 25, 2017

4:00 – 6:00 pm

Registration

Registration Desk

5:00 – 6:00 pm

Welcome Reception

Fountain Room

Monday, June 26, 2017

8:30 – 10:30 am

General Session

Welcome Remarks and National Anthem

President *Hon. Mary-Anna Holden, NJ*

National Anthem by *Jim Cagle*

Confirmation of MACRUC 2017-2018 Officers

Wholesale Power Markets: Are we at a Tipping Point

Ralph Izzo, Chairman, President, CEO, Public Service Enterprise Group

Taming the Bull....What Regulators Need to know to Understand Wall Street:

This general session will be an engaging and edgy discussion with 'Wall Street Insiders.' Participants will share their insights and thoughts on what Wall Street really looks for when they are reviewing commission decisions and actions in the regulatory landscape. Attendees will learn valuable information on how commissioner and commission staff actions (and statements) may affect the financial health of the industry. Attendees also will learn how industry performance, financial trends and regulatory initiatives are used in rating utilities.

Moderator: Hon. Diane Burman, NY

- Heike Doerr, Senior Principal Analyst, S&P Global Market Intelligence
- Steve Fleishman, Managing Director, Senior Utilities Analyst, Wolfe Research
- Anthony Ianno, Managing Director, Morgan Stanley
- Lesley Ritter, Assistant Vice President, Moody's Investment Service

Garden
Terrace
Ballroom

10:30 – 10:45 am

Networking Break

Foyer

10:45 – 11:45 am

Getting a Grip on a New Lifeline

Starlight
Ballroom

A - 1

In April 2016, the FCC issued its Lifeline Modernization Order (FCC 16-38) which expanded the program beyond its original goal of increasing low-income access to voice services to now cover broadband services. In doing so, the order made many changes to the program, including altering the eligibility criteria and carrier designation process. The agency also charged USAC with the ambitious goal of creating a national eligibility verifier to ensure that only truly eligible low-income consumers benefit from the program. Approximately thirty states have a consumer eligibility verification system already in place indicating to USAC their need to partner with States. However, many issues must be addressed as USAC and the States consider working together to coordinate consumer eligibility. Participants will discuss the issues, which include consumer privacy and the cost of state resources in creating new or modifying existing state databases to assist USAC. Attendees will hear details about the challenges and ways to overcome them. The expected outcome of this discussion is development of best practices for USAC and state agencies to use when working together on consumer verification databases.

Moderator: Hon. Upendra Chivukula, NJ

- Hon. Betty Ann Kane, DC
- Brian O'Hara, Legislative Director, NARUC
- Joseph Witmer, Legal Counsel, PA PUC

10:45 – 11:45 am

A Square Peg in a Round Hole: Distributed Energy Resources

Castilian
Ballroom

A – 2

The Federal Energy Regulatory Commission (FERC) recently issued a notice of proposed rulemaking (NOPR), Docket Nos. RM16-23-000; AD16-20-000. This rulemaking process is intended to identify potential solutions to overcome barriers to the participation of distributed energy resources (DERs) in organized wholesale markets. The spectrum of initial comments in the NOPRs raised numerous issues concerning separation between federal and state jurisdictions over transactions involving DERs. Some stakeholders view DERs as a threat while others view them as an opportunity. During this panel, attendees will learn how to assess the implications of retail vs wholesale jurisdiction over transactions involving DERs. Attendees will gain a better understanding of interconnection issues of resources at the distribution level. The topics of planning, operation, development for DERs will be discussed. Additionally, issues of cost recovery and integration of DERs into the modern evolving grid will be identified.

Moderator: Hon Dallas Winslow, DE

- Hon. Gladys Brown, PA

A – 2 (continued)

- Denise Foster, Vice President, State and Member Services, PJM
- Bill Kenworthy, Director of Distributed Resources, Direct Energy
- Michael Kormos, Senior Vice President, Excelon
- Phil Moeller, Senior Vice President, Edison Electric Institute

10:45 -11:45 am

The Pathway Forward: Reliability and Resiliency in Pipeline Safety

Garden
Terrace
Ballroom

A - 3

Ensuring that our natural gas systems are reliable and resilient is imperative. At the core of this mission is pipeline safety - with an ultimate goal of reducing the number of incidents to zero. This interactive panel will provide an opportunity for information sharing regarding current pipeline safety technological innovations; fuel assurance and fuel diversity policies; legislative initiatives; regulations and impacts at federal and state levels; and a focus on leadership in creating and sustaining a safety culture. This panel will sort through these challenges and discuss opportunities on the horizon. Attendees will learn the issues affecting continued reliability and resiliency of the pipeline system.

Moderator: Hon. Diane Burman, NY

- Hon. Thomas Johnson, OH
- Jeffrey D. Wiese, VP & National Practice Leader for Pipeline Integrity Services, TRC Solutions
- Brett Barrus, Senior Policy Advisor, Midstream & Industry Operations, API
- Christiana Sames, VP of Operations, AGA
- Massoud Tahamtani, Director, Division of Utility Railroad Safety, State Corporation Commission

12:00 pm – 1:30 pm

MACRUC Commissioner Meeting & Luncheon (Commissioners and Staff Only)

Rose Garden /
Tea House /
Cocoa Inn /
Overlook
Rooms

- Buffet lunch for Commissioners and staff (**actively involved in MACRUC**) in the Rose Garden
- Commissioners business meeting in the Tea House Room
- MACRUC Staff Subcommittee on Energy will meet in the Overlook Room
- MACRUC Staff Subcommittee on Telecommunications will meet in the Cocoa Inn Room

1:45 pm – 4:30 pm

Mega Model: An Interactive Utility Business Model

Garden Terrace Ballroom

The National Association of Regulatory Utility Commissioners Research Lab has created an interactive learning exercise that explains what the marketplace of ideas is doing right now as business models evolve in the power sector. Specifically it will focus on how power companies today are using varied business models. Attendees will learn about performance based, cost of service, and trans active energy models. Participants will work in teams exploring what implications these models have on affordability, reliability, competitiveness, and sustainability. Teams will review strategies for changes in the power sector like solar integration, coal retirements and gas price spikes and legislation. This workshop, called the Mega Model, will be instructive as well as fun.

Facilitators:

Miles Keogh, Director, Research Lab, NARUC
Kerry Worthington, Senior Program Officer, Research Lab, NARUC
Kiera Zitelman, Program Officer, Research Lab, NARUC

1:30 pm – 3:30 pm

MACRUC/NASEO Meeting (Commissioners/Staff & NASEO Members Only)

Castilian Ballroom

This session affords the Mid Atlantic SEO directors and PUC/PSC commissioners their ninth annual opportunity to discuss matters of mutual interest. This year's discussion will examine policy issues that drive or arise from regulation of renewables connectivity and other grid modernization dynamics. Attendees will discuss hardware impact of increased solar, micro grids, co- and tri-gen. Attendees will also learn about the intersect of economic development and how it can be facilitated by the costs avoided of new energy strategies. Lastly, time permitting, attention will be paid to the challenges of measuring success of energy efficiency and renewable energy initiatives, including an examination of ACEEE metrics for these purposes.



8:30 – 10:00 am

General Session

Garden Terrace
Ballroom

8:30 – 8:40 am

Welcome

President *Hon. Mary-Anna Holden, NJ*

8:40 – 9:05 am

Investing in the MACRUC Region:

Bob Flexon, CEO, Dynegy

9:05 – 10:00 am

State and Federal Environmental Regulation and Politics

This dynamic session will provide a forward-looking view, from a commissioner perspective, of state and federal environmental regulation and the intersection of politics. Attendees will get an overview of early actions taken by new U.S. Environmental Protection Agency Administrator Scott Pruitt and recent state activity regarding environmental regulation. This session will examine policies developed by state and federal regulators to reduce carbon pollution, lower energy costs, and improve air/water quality and public health. Some specific considerations include: What are states doing to support environmental goals? What will be some of the realized or perceived challenges? What steps or policies will states implement in response to changes in environmental regulation on the federal level? And how state engagement with federal regulators has changed? Attendees will also learn about the potential impact proposed executive actions may have on stakeholders and utilities. Further, attendees will hear about the role that renewable energy, nuclear power, and other energy resources can play in achieving future environmental goals.

Moderator: Hon. Willie Phillips, DC

- Hon. John Coleman, PA
- Hon. Anthony O'Donnell, MD
- Hon. Michael Schmitt, KY
- Hon. Kara Williams, WV

10:00 – 10:15 am

Networking Break

Foyer

Getting to Unleaded: Challenges and Solutions in Facilitating the Removal of Lead Service Lines

The identification, removal and replacement of lead service lines is among the most pressing public health priorities. The nature of who constructs, owns and controls different portions of a service line pose challenging operational, legal and ratemaking policy obstacles to line removal and replacement. Adding to the challenge is that many service lines have a bifurcated ownership between the water purveyor and the customer. In this circumstance the water utility and customer are often responsible for ownership and maintenance of portions of the same pipes that may contain the lead causing health concerns. This panel of experienced practitioners will share their perspectives on the nature and scope of the operational, legal and ratemaking obstacles to efficient removal and replacement of lead service lines. Attendees will learn about potential solutions to the legal, operational and regulatory policy problems. The Pennsylvania Public Utility Commission's March 2017 decision in Petition of York Water Company, the first time a state public utility commission attempted to address and overcome obstacles to facilitate an accelerated lead service line replacement program, will be discussed. Attendees will learn if the PA PUC succeeded and if this approach will work for other states regulating or overseeing water purveyors

Moderator: The Hon. Mary-Anna Holden, NJ

- Stephen Genzer, Partner, Saul Ewing, LLP
- Jay L. Kooper, Vice President, General Counsel & Secretary, Middlesex Water Company
- Howard J. Woods, Jr., General Manager, Howard J. Woods & Associates, LLC



10:15 – 11:15 am

The Answer, My Friend, Is Blowin' In The Wind

Castilian Ballroom

B - 2

This session will take a unique look into the international work of wind-powered energy, featuring industry successes and challenges. Participants will focus on circumstances that inhibit the growth of utilizing sustainable natural resources and the legal and operational issues surrounding on-shore and off-shore wind energy generation. Attendees will learn how to clear away these barriers and foster more opportunities for growth in the wind energy industry.

Moderator: Hon. Joe Fiordaliso, NJ

- Hon. Kim Drexler, DE
- Liz Burdock, Business Network for Offshore Wind
- Markian Melnyk, President, Atlantic Wind Connection
- Eric Thumma, Director of Regulatory Affairs, Avangrid
- Beth Treseder, DONG Energy

10:15 – 11:15 am

The Art of the Hack: What You Need to Know ... Now!

Garden Terrace
Ballroom

B - 3

This will be a very interactive session! A 'friendly hacker' will create a hacking demonstration where audience members will be called upon to participate. Recent hacks of critical infrastructure, including the well-publicized 2015 incident in Ukraine, have raised profound questions about the ability of electric, natural gas, and water utilities to prevent or respond to cyber-attacks. To better understand how utilities are addressing their cyber risks, state regulators need to know more about the tools and techniques threat actors use to undermine critical infrastructure operations. During this interactive session, industry experts will discuss tools of the hacker trade including APTs, RATs, BOTs, and DDOS and learn how threat actors deploy them against utilities. Attendees will also learn about offensive and defensive protection measures.

Moderator: Hon. Rick Mroz, NJ

Hacker:

- Joseph Caruso, Chief Technical Officer, Global Digital Forensics, Inc.

11:15 – 11:30 am

Networking Break

Foyer

11:30 am – 12:30 pm

C - 1

Innovative Rate Design: Ensuring Customers Realize the Value of Grid Modernization

Garden Terrace
Ballroom

Public utility regulators across the country are conducting proceedings intended to modernize the electric distribution grid. This panel will focus on the deployment of innovative ratemaking options intended to empower the everyday consumer. Panelists will discuss examples of innovative rate designs already in the pilot phase. Attendees will hear about the types of metering infrastructure as well as other technologies that may be necessary to facilitate new rate structures. Barriers to deployment and customer acceptance of innovative rate options will also be reviewed.

Moderator: Hon. Kevin Hughes, MD

- Hon. Mike Karia, DE
- Paul Bonney, SVP of Legal & Regulatory, PHI.
- Rick Counihan, Head of Energy Regulatory and Government Affairs, Nest
- Leah Gibbons, Director of Regulatory Affairs, NRG Energy
- David Littell, Principal, Regulatory Assistance Project

11:30 am – 12:30 pm

C - 2

High Wire Act: The Evolution of Transmission Planning and Construction in the MACRUC Region

Castilian Ballroom

In the last decade, forecasted power demand in the PJM and NYISO regions has been steadily decreasing as consumers become more efficient and pursue off-the-grid solutions. The electric grid's transmission needs are undergoing a significant evolution because of the changes to the generation mix from the introduction of low cost, highly efficient and flexible natural gas plants, the proliferation of intermittent resources and the retirement of several large baseload plants. The elements of the grid also are aging and need to be replaced. This panel will explore how the transmission system is responding to these changing dynamics. Attendees will learn how Regional Transmission Organizations (RTOs) are changing the assumptions associated with transmission planning; how those changes impact the required transmissions assets; and, who should build and pay for those assets. Attendees will hear how RTO's and transmission owners and developers aim to prevent overbuild while ensuring reliability in a very dynamic market. This panel will also review how to address the

C – 2 (continued)

changing and increasing risks the grid faces from weather, cyber security, and terrorism and whether the system is sufficiently resilient to handle disruptions.

Moderator: Hon. Beth Trombold, OH

- Hon. Brooks McCabe, WV
- Paul McGlynn, Senior Director, System Planning, PJM
- Jodi Moskowitz, Sr. Director of Transmission Development and Strategy, PSE&G
- Sharon Segner, Vice President, LS Power
- Zachary Smith, VP, System Planning, NYISO
- Ed Tatum, Vice President Transmission, American Municipal Power, Inc.

11:30 am – 12:30 pm

How do you know you're getting what you're getting?: How Technology, Software and Data are Modernizing Utilities

Starlight Ballroom

C – 3

Many entities are tackling the world of optimizing energy use - at the industrial level, the small commercial, and the residential level. Energy efficiency is considered a laudable goal – “the least expensive KWH is the one you don’t use.” Recent developments in the digital world have yielded an abundance of data which can be harnessed to optimize energy efficiency efforts and to count energy savings through evaluation, measurement and verification (EM&V). This panel will describe the initiatives a large water company has undertaken to optimize pump and plant operations worldwide and; how a software and services company has initiated new methods to help electric utilities interact and service their smaller commercial and residential consumers. Attendees will learn how these companies are assuring they are accurately measuring the energy and demand savings. Accounting for fluctuating energy costs, due to time of day or season, as well as demand reduction at times of system peak will be discussed.

Moderator: Hon. Joanne Conaway, DE

- Jake Oster, Sr. Director of Regulatory Affairs, Energy Savvy
- Elizabeth Keddy, Energy Manager, SUEZ North America
- Matthew McCaffree, Senior Director, Regulatory Strategy, Converge, Inc.

12:30 – 2:00 pm

**MACRUC OPSI Members & PJM Luncheon
(Commissioners and Staff Only. This event is
organized by PJM)**

Overlook Room

2:00 – 4:00 pm

Investment and Innovation – Meeting Customer Expectations

Garden Terrace
Ballroom

Energy companies are investing to make the energy grid smarter, more dynamic, more flexible, and more secure to deliver a mix of both central station and distributed energy resources to customers. They are investing in cleaner generation sources that make business sense. Partnerships are being created with leading technology companies to create innovative energy solutions that give customers more control over their energy use.

Customer needs are changing and they want more individualized solutions and control of their energy supply. They desire solutions such as onsite power generation, renewable energy options, efficiency, timing and control over power usage; and improved reliability. Energy companies are committed to meeting customers' changing needs and are finding innovative ways of providing new products and services. This session will explore how the energy companies are creatively meeting customer expectations.

Moderator: Hon. Robert Cicero, KY

- Eduardo Balbis, Managing Director, Accenture Strategy
- Tim Banach, Vice President, GI Energy
- Gregory S. Farley, Director, Center for Leadership in Environmental Education and Professor of Biological Science at Chesapeake College
- Monica Martinez, Principal, Ruben Strategy Group
- Steven E. Strah, President, FirstEnergy Utilities



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MACRUC and the FCC in the New Administration: Issues

From 2008 through 2016, the FCC addressed a number of issues that are important to the MACRUC region. These included the seminal Connect America Fund Order (CAF Order) which substantially reformed intercarrier compensation and universal service – particularly for rural carriers, the Basic Internet Access Service (BIAS) net neutrality order, Retransmission and access to content, the BIAS privacy order, the Broadband Lifeline Order, the Technology Transitions Order, and the Business Data Service (BDS) Order on special access. The new FCC under Chairman Pai has since issued several significant order addressing the reforms from the 2008-2016 period. These include the CAF Order auctions, proposals to freeze the local rate floor, reclassifying BIAS as information service, recalling from the Broadband Lifeline Order’s appeal in federal court to examine the preemption of state ETC designations under Section 214/254, a new BDS proposal, and a new process for streamlining the retirement of legacy facilities. These issues impact the MACRUC region, particularly the CAF auction rules and federal universal service. The MACRUC region is a major net contributor to federal universal service although, importantly, several MACRUC members are net recipients of federal support. The panelists will address these and other FCC issues and explain why they are important to the MACRUC Region.

Moderator: Designee or Joe Witmer, PA PUC

Panelists:

- Ben Aaron, CTIA (invited)
- Mark Cooper, Consumer Federation of America (invited)
- Labros Pilalis, Counsel to Vice Chairman Place, PA PUC (Federal-State Joint Board on Universal Service staff)
- David Screven, PA PUC Law (CAF and MF)
- Dan Tunnell, BCAP (invited)
- Gary Zingaretti, Zingaretti Consultants (invited)

Installation Cookout/Dinner

Join us for our Annual Installation Dinner as we welcome our 2017-2018 Officers. The event is casual. Flat shoes are suggested as this event is scheduled to be outside and on the lawn (weather permitting). Tickets available for purchase for those not staying at The Hotel Hershey and for guests.

9:00 -10:15 am
D-1

Ethics: Can a Single Masterpiece Sustain a Lawyer's Lifetime and Other Questions that Cross a Lawyer's Way

Starlight Ballroom

Artists have their masterpieces – think Michelangelo, Shakespeare, or more currently, Bruce Springsteen – but what about lawyers? What is the measure of a lawyer's masterpiece, and how many masterpieces are enough? Professor Randy Lee of Widener University Commonwealth Law School reflects on these and other questions pertaining to the role of lawyers and their practices, notions of legal professionalism, and lawyers' visions of themselves. Not your typical ethics seminar – you won't want to miss it!

Speaker

- Professor Randy Lee, Widener University Commonwealth Law School

9:00 -10:15 am
D- 2

Generation Fuel Mix Considerations for Reliable and Resilient Grid Operations

Garden Terrace
Ballroom

Today, grid operators and regulators work together to ensure the reliable supply of electricity in the face of isolated resource outages. Attendees will discuss how we may ensure an adequate supply of electricity in the face of risks that may impact the operations of multiple resources simultaneously. Amid the changing fuel mix and changing concentrations of generation fuel types, grid operators and regulators may need to go beyond the traditional considerations of resource adequacy to ensure risks to fuel security are addressed so that there is resilience of electric supply.

Challenging issues will include how to encourage a reliable generation fuel mix in an unregulated market; What resource attributes should be valued or planning criteria considered to address fuel-security risks; and should the wholesale market seek to achieve public policy objectives as emission-reduction goals, or does it add further risk to adequate sourcing?

D – 2 (continued)

Moderator: Hon. Judy Jagdmann, VA

- Hon. Brooks McCabe, WV
- Stu Bresler, Senior VP, Operations & Markets, PJM
- Matt Crozat, Senior Director, Policy Development, NEI
- Rich Sedano, Regulatory Assistance Project
- Ronald L. Schoff, Senior Program Manager, Technology Innovation, Electric Power Research Institute

10:15 – 10:30 am

Networking Break

Foyer

10:30 – 11:45 am

Commissioner Roundtable

Garden Terrace
Ballroom

DON'T MISS THE GRAND FINALE!

NARUC President, The Hon. Robert Powelson, will moderate. You DON'T want to miss the final word from MACRUC regulators!

Starring:

- Hon. Dallas Winslow
- Hon. Tony O'Donnell
- Hon. Beth Trombold
- Hon. Gladys Brown
- Hon. Raymond Williams
- Hon. Michael Schmitt
- Hon. Judy Jagdmann
- Hon. Gregg Sayre
- Hon. Kara Williams
- Hon. Betty Ann Kane
- Hon. Richard Mroz

FUTURE MEETINGS

MACRUC 23rd Annual Education Conference

June 24 - June 27, 2018

Hershey, Pennsylvania

The Hotel Hershey

MACRUC 24th Annual Education Conference

June 23 - June 26, 2019

Omni Homestead

Hot Springs, VA

MACRUC 25th Annual Education Conference

June 21 - June 24, 2020

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0ER009679-0617



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