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WASHINGTON

MARCH 20, 2003

THE FAIRMONT

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*Method of Presentation:* Lecture, Panel Discussion.

*Level of Learning:* Overview.

*Advance Preparation:* None.

*Requisite Knowledge and Experience:* None.

*Total recommended CPE credits:* 7.0 hours.



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# THE NINTH ANNUAL FERC BRIEFING

## TURBULENT TIMES: UTILITY OPERATIONS IN A PARTIALLY DEREGULATED ENVIRONMENT

WASHINGTON • MARCH 20, 2003

# THE NINTH ANNUAL FERC BRIEFING

UTILITY OPERATIONS IN A PARTIALLY DEREGULATED ENVIRONMENT

WASHINGTON

MARCH 20, 2003

THE FAIRMONT

8:30 **REGISTRATION & CONTINENTAL BREAKFAST**

9:00 **WELCOME AND INTRODUCTION**

**Carmen L. Gentile**  
**BRUDER, GENTILE & MARCOUX, L.L.P.**

9:15-12:00 **MORNING SESSION:**

## **A LOOK AT UTILITY INFRA-STRUCTURE AND FINANCING ISSUES**

### RESOURCE ADEQUACY FOR THE FUTURE

#### **Where Will Our Generation Infrastructure Come From?**

- Who will build generation in a post-Enron environment?
- What market tools are available to encourage new generation?
- What regulatory carrots or sticks may be needed?
- How will state and federal regulatory interests be reconciled?
- What role will distributed generation play?

#### **Where Will the Transmission Infrastructure Come From?**

- How will FERC implement its new models for transmission planning, expansion, merchant transmission and pricing?
- Who will call the shots? — FERC, the states, the ITPs, traditional transmission providers?
- Will the Commission's proposed pricing incentives be effective?
- What are the chances the new regulatory/market tools will backfire?
- Will a builder of last resort obligation continue — and, if so, who will pay?
- How will the state and federal regulatory interests be reconciled?

**Dr. Roy J. Shanker**  
**Independent Consultant**

**David E. Goroff**  
**Thomas L. Blackburn**  
**Carmen L. Gentile**  
**BRUDER, GENTILE & MARCOUX, L.L.P.**

### WILL THE FINANCIAL COMMUNITY SUPPORT FERC'S INITIATIVES?

- Will raising capital be a barrier to new construction?
- Is the atmosphere in California scaring away potential investors?

**Charles A. Trabandt**  
**Consultant**  
**CHARLES RIVER ASSOCIATES**

### WHAT BUSINESS MODELS ARE LIKELY TO EMERGE?

- What will the industry look like when restructuring is complete?
- How can utilities reconcile the interests of investors, customers, and state and federal regulators?

**Branko Terzic**  
**Director**  
**DELOITTE & TOUCHE LLP**

12:00 **LUNCHEON**

### **LUNCHEON ADDRESS:**

#### **THE VIEW FROM FERC**

**The Honorable William L. Massey**  
**Commissioner**  
**FEDERAL ENERGY REGULATORY COMMISSION**

1:30-4:30 **AFTERNOON SESSION:**

## **THE FERC ISSUES THAT MOST AFFECT THE UTILITY INDUSTRY TODAY**

THE TENSION BETWEEN FREE MARKETS AND REGULATED MARKETS

### **The FERC Enforcement Police – A New Office With Broad Authority**

- How will FERC implement its market oversight and enforcement functions?
- What critical issues is FERC focusing on?
- What will be the scope of the ITP/RTO in oversight and enforcement?

**William F. Hederman, Jr.**  
**Director**  
**Office of Market Oversight and Enforcement**  
**FEDERAL ENERGY REGULATORY COMMISSION**

### WHITHER GOEST SMD – OR, WILL THAT DOG HUNT?

- What are the “top ten” SMD issues and their likely disposition?
- What are FERC's priorities?
- What are the major problems to be resolved?
- What does the crystal ball show for the future?

**Cynthia A. Marlette**  
**General Counsel**  
**FEDERAL ENERGY REGULATORY COMMISSION**

**William D. Booth**  
**BRUDER, GENTILE & MARCOUX, L.L.P.**

### **FERC'S OTHER INITIATIVES**

- What is the future of the generator interconnection initiatives?
- What is the status of FERC's electronic registration initiative?
- What pipeline tariff provisions and FERC actions are critical for electric generators?
- Standards of conduct — What are the new twists on this old topic?

**Peter K. Matt**  
**David Martin Connelly**  
**J. Michel Marcoux**  
**Antonia A. Frost**  
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## **POWER SUPPLY CONTRACTING IN AN UNCERTAIN REGULATORY ENVIRONMENT - A DRAMATIZATION BY THE BG&M PLAYERS**

- What are the key issues that affect contracting in a partially deregulated world?
- How can the needs of the competitive environment and FERC regulation be reconciled?

**Carmen L. Gentile**  
**James H. McGrew**  
**John R. Matson, III**  
**BRUDER, GENTILE & MARCOUX, L.L.P.**

4:30 **A CHANCE TO HEAR FROM OUR AUDIENCE**

- Several of the day's panelists will engage in an interactive discussion with audience participants on issues that concern the industry

5:00 **COCKTAIL RECEPTION**

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Bruder, Gentile & Marcoux, L.L.P. maintains a diversified energy law practice before the FERC and the federal courts. Its attorneys represent clients in virtually every aspect of electric industry regulation. The firm is at the forefront of current developments regarding industry restructuring, emerging competitive markets and transmission of electric energy and annually shares its collective thoughts on such topics in conferences conducted in conjunction with ENNET.