

Agenda

Oklahoma Public Utility Division PUD Rules of Practice and Procedure and Guidance Documents

E. Davis

- PUD hearing procedures
- Review of PUD guidance documents
- PUD informal procedures – mediation etc.
- Formal complaints

Public Utility Division Commission Jurisdiction, Authority and Options for Approval of Generation Facilities

K. Shoop

- Jurisdiction over generation and transmission facilities
- Jurisdiction over service areas
- Approval options for generation facilities
- Issues outside PUD jurisdiction - rates, disconnects, meters etc.

Wind Energy Regulations in Oklahoma

A. Hendricks

- Current state of wind projects in the state
- PUD's new wind energy rules
- OCC Annual Reports for Wind Projects
- Overview of the Oklahoma Wind Energy Development Act and Oklahoma Exploration Rights Act requirements

Environmental Regulatory Requirements and Electric Utility Generation

R. Singletary

- Resource Conservation and Recovery Act requirements
- Clean Water Act requirements
- Clean Air Act requirements
- Hot topics:
 - Ozone NAAQS
 - Good neighbor provisions
 - Update on the statutes of the Clean Power Plan

Mass Tort & Construction Related Damage Claims for Public Utilities

H. Hopper/
M. Schwartz

- Tort or condemnation – where does the evidence belong?
- Evaluating property damage early and offers of judgment under 12 O.S. §940
- Indemnity considerations
- Joining inverse condemnation claims with trespass claims and determining the scope of the taking
- Fee shifting provisions applicable to condemnation and inverse condemnation

Issues in Oklahoma Energy and Electric Utility Regulation

Oklahoma City, OK - Friday, December 6, 2019

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Learning Objectives

You'll be able to:

Explain PUD hearing procedures.

Understand approval options for generation facilities.

Discuss the Oklahoma Wind Energy Development Act and Oklahoma Exploration Rights Act.

Recognize environmental requirements under the Resource Conservation and Recovery Act, Clean Water Act, and Clean Air Act.

Evaluate property damage and indemnity considerations.



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Review Oklahoma Public Utility Division rules of practice and procedure

Understand public service commission jurisdiction and authority

Discuss wind energy regulations in Oklahoma

Examine environmental regulatory requirements for electric utility generation

Explore mass tort and construction-related damage claims for public utilities

Continuing Education Credits

Attorneys

- 7.0 Oklahoma CLE Hours
- 6.0 Texas CLE Hours

Professional Engineers

- 6.0 Oklahoma PDHs



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Faculty

C. Eric Davis is an attorney in Phillips Murrah’s Clean Energy Practice Group and the Government Relations and Compliance Practice Group. He represents clients in a range of regulatory and energy matters. His governmental experience includes serving as an assistant attorney general for the State of Oklahoma. Mr. Davis was also an attorney for the Oklahoma Corporation Commission and the Oklahoma Tax Commission, and clerked two years for the state trial courts of Vermont. Mr. Davis received his J.D. degree from the University of Michigan Law School and his undergraduate degree from Oklahoma State University. Mr. Davis is also a graduate of the Oklahoma Bar Association’s Leadership Academy, a past board member of the OBA Young Lawyers Division, and an alumnus of Leadership Oklahoma City.

Kimber Shoop, a partner at Crooks Stanford & Shoop, focuses on providing businesses with legal solutions in regulatory proceedings, complex litigation, environmental matters, corporate compliance, employment law issues, business transactions, and contract drafting and negotiation. Before entering private practice, Mr. Shoop served 11 years as senior counsel and managing director of Legal for OG&E where he managed legal issues in areas such as integrated resource planning and regulatory approvals for generation. He served as the lead environmental counsel for OG&E and first chair for numerous rate cases and regulatory proceedings at the Oklahoma Corporation Commission. Prior to joining OG&E, Mr. Shoop was an associate in the Energy Practice Group of Troutman Sanders in Washington D.C.

Anthony Hendricks, a senior associate at Crowe & Dunlevy, is a member of the firm’s Bankruptcy & Creditor’s Rights, Energy, Environment & Natural Resources, Litigation & Trial, Criminal Defense, Compliance & Investigations and Administrative & Regulatory Practice Groups. He has focused his practice in environmental compliance, regulatory permitting and litigation. He frequently represents clients in environmental matters before the Oklahoma Corporation Commission and the Oklahoma Department of Environmental Quality, in addition to federal and state courts. Mr. Hendricks is also a member of the firm’s wind group, advising clients on the development and financing of wind projects. He received his juris doctor degree from Harvard Law School. He was a 2007 British Marshall Scholar and holds a master’s degree in Public Policy and Administration and a master’s degree in Politics and

Communications from the London School of Economics. He also holds a bachelor of arts degree in Speech Communication from Howard University in Washington, D.C.

Robert D. Singletary, a director at Crowe & Dunlevy, is a member of the Energy, Environment & Natural Resources Practice Group. He focuses his practice on all aspects of environmental regulation, as well as on matters related to obtaining or protecting water rights. He has nearly 18 years of environmental legal experience representing clients at the federal and state levels in all facets of environmental regulation including regulatory compliance and enforcement, permitting, rulemaking, and matters related to proposed or pending legislation. His regulatory experience spans all media including water quality regulation, hazardous and solid waste regulation, and extensive experience in the area of air quality regulation (including nearly seven years as the lead air quality attorney for the State of Oklahoma). Prior to joining Crowe & Dunlevy, Mr. Singletary served for almost 16 years in various environmental and regulatory roles for the State of Oklahoma and for the Federal government.

Hailey M. Hopper, an associate at Pierce Couch Hendrickson Baysinger & Green, LLP, grew up in Norman, Oklahoma, and began working at Pierce Couch in 2012. She is a graduate of the University of Oklahoma College of Law. Her practice areas consist of general litigation, primarily defense, including professional, transportation and premises liability for personal injury and property damages, as well as mass tort and construction-related damage claims for energy service companies, contractors and public utilities. Ms. Hopper was selected by her peers as one of the Oklahoma Super Lawyers “Rising Stars” of 2016, 2017 and 2018.

Mason Schwartz is an attorney at Williams, Box, Forshee & Bullard, P.C., located in Oklahoma City. He began with the firm in 2014 as a clerk while attending the University of Oklahoma College of Law. His practice with the firm began in 2016 upon graduating from the University of Oklahoma College of Law and gaining admission to the Oklahoma Bar. His practice areas consist of condemnation litigation, zoning and planning, and related land use matters. Mr. Schwartz’s condemnation experience includes representing electric utilities, natural gas pipelines, and other condemning authorities in Oklahoma eminent domain litigation. His condemnation experience further includes representing property owners in litigation against the Oklahoma Department of Transportation.

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- **Distributed Batteries for Solar PV Systems, Part II**
Thurs., November 7, 2019, 11:00 AM - 2:15 PM CST

Complying with ADA Standards for Accessible Design

- **Complying with State & Federal Accessibility Requirements**
Thurs., November 7, 2019, 11:00 AM - 1:30 PM CST
- **Applying the 2010 & A117.1 Accessibility Standards**
Fri., November 8, 2019, 11:00 AM - 1:30 PM CST

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- **Fire Protection and Life Safety Design**
Tues., November 12, 2019, 11:00 AM - 12:00 PM CST
- **Occupancy Classifications**
Tues., November 12, 2019, 12:30 - 2:30 PM CST
- **Means of Egress**
Tues., November 19, 2019, 11:00 AM - 1:00 PM CST
- **Fire Protection Features and Equipment**
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