

Agenda

Pennsylvania Public Utility Commission (PUC) Practice and Procedure

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

PA PUC and FERC Jurisdiction Over Electric Public Utility Service: Overview and Current Issues

S. Bruce/
K. Stark/M. Garber

Introduction: jurisdiction between states and FERC
Federalism/tension between FERC and the states
• Impact of state policy preferences for certain generation resources on federal regulation of the wholesale energy/capacity markets
• Supplemental projects • Classifying a facility as distribution or transmission
Current issues in transmission planning
• Cost allocation • Order no. 1000 and competition
Alternative/renewable energy in PA – AEPS Act
Issues outside PUC/FERC jurisdiction
• Carbon pricing and environmental regulation
• Electric vehicles/PUC policy statement

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

Environmental and Local Permitting Process for Energy Generation Projects

T. Macfarlan

Local zoning and land development requirements
Wetland/stream crossing permits
Stormwater permits Air permits
Threatened and endangered species protections
Historic/cultural resources review
Preemption

National Pollutant Discharge Elimination System (NPDES) Construction Storm Water Permitting and On-line Permitting Process

E. McCaulley

NPDES program overview
Construction stormwater permit requirements
• Changes to PAG-02 permitting
Construction stormwater compliance and enforcement
Requesting authorization on-line

Issues in Pennsylvania Energy & Electric Utility Regulation

Harrisburg, PA - Wednesday, January 15, 2020



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Learning Objectives

You'll be able to:

Explain procedures for PUC hearings and review by the Commission.

Identify current issues in transmission planning.

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

Discuss the environmental permitting process, including stormwater permits, air permits, and threatened and endangered species protections.

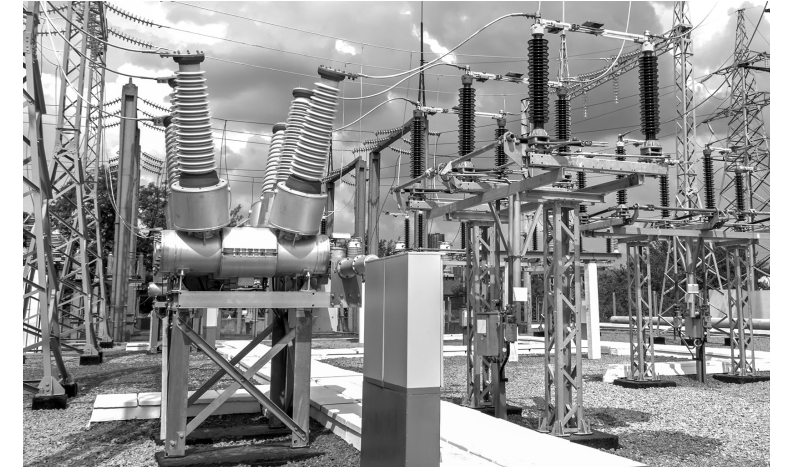
Explore issues outside PUC/FERC jurisdiction, including carbon pricing and electric vehicles.



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Review Pennsylvania Public Utility Commission (PUC) practice and procedure

Discuss PUC and Federal Energy Regulatory Commission regulation of wholesale energy/capacity markets

Explore alternative ratemaking at PUC

Discuss environmental and local permitting processes for energy generation projects

Examine alternative/renewable energy in PA - AEPS Act

Continuing Education Credits

Attorneys

6.0 Pennsylvania CLE Hours
7.0 New Jersey CLE Hours
7.0 New York CLE Hours
6.0 Ohio CLE Hours

Professional Engineers

6.0 PDHs



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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.

Kenneth R. Stark is an associate in McNees Wallace & Nurick LLC's Energy and Environmental Law practice group. His practice focuses on representation of consumer-oriented interests in state and federal regulatory proceedings, and appellate court proceedings, involving electricity, natural gas, and oil pipeline issues. He regularly represents and advises clients on various transmission issues under the jurisdiction of the Federal Energy Regulatory Commission. Mr. Stark also represents and advises clients regarding alternative/renewable energy and transportation issues under the jurisdiction of the Pennsylvania Public Utility Commission. Prior to joining McNees, he served as an assistant counsel in the Pennsylvania Public Utility Commission's Law Bureau.

Matthew Garber, an associate at McNees Wallace & Nurick, LLC, represents business and municipal clients in utility-related contract negotiations and energy litigation. He focuses on achieving cost savings for clients in regards to their electric, natural gas, and water/wastewater utility services. Mr. Garber also represents large industrial and commercial entities before state and federal administrative agencies, and advocates for clients on policy matters before the Pennsylvania Public Utility Commission.

Susan E. Bruce, a member at McNees Wallace & Nurick, LLC, has a broad-based regulatory and transactional energy practice, primarily focused on representing commercial, institutional, industrial, and municipal customers in electric and natural gas matters. She regularly advises clients on energy and natural gas supply options, including assisting with requests for proposals, and negotiating retail and wholesale energy contracts as well as demand response contracts, creating energy services

affiliates, and developing on-site generation, including combined heat and power (CHP) energy projects. Ms. Bruce's practice also involves advising clients on matters involving renewable energy.

Devin T. Ryan is an associate 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.

Tad J. Macfarlan is an associate in K&L Gates LLP's environment, land and natural resources practice group. He counsels the firm's energy, industrial, utility and commercial sector clients on compliance with federal, state and local environmental and land use laws. He has extensive experience working with the regulatory regimes governing wastewater and stormwater discharges, wetland and stream protection, air emissions, solid and hazardous waste management, water withdrawals, chemical and toxic substance controls, release reporting and response, and preservation of endangered species, cultural resources and historic properties. Mr. Macfarlan's practice includes project development, transactional, litigation, enforcement defense and regulatory compliance matters.

Errin T. McCaulley, Jr., is an associate in McNees Wallace & Nurick's Harrisburg office focusing on environmental, health, and safety ("EH&S") compliance. In addition to assisting commercial and industrial interests with EH&S, a large part of his practice includes aiding real estate developers throughout the various stages of development, including compliance with erosion, sedimentation, and stormwater regulations. On this front, Mr. McCaulley regularly consults with developers concerning the NPDES permitting process and advises regarding impending changes to Pennsylvania and federal law.

Seminar Information

Red Lion Harrisburg East

4751 Lindle Road
Harrisburg, PA 17111
(717) 939-7841

Registration
8:00 - 8:30 am
Morning Session
8:30 am - 12:15 pm
Lunch (On your own)
12:15 - 1:15 pm
Afternoon Session
1:15 - 4:00 pm

Tuition

\$289 for individual registration
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The Ohio Commission on CLE has approved this seminar for 6.0 general CLE hours.

This course offers 6.0 PDHs to Pennsylvania professional engineers. Educators and courses are not subject to preapproval in Pennsylvania.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

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Thurs., Jan. 9, 2020, 11:00 AM - 12:00 PM CST
- **Understanding Earth Loop Systems**
Thurs., Jan. 9, 2020, 12:30 - 2:00 PM CST
- **Choosing and Designing Geothermal Systems**
Fri., Jan. 10, 2020, 11:00 AM - 12:00 PM CST
- **Evaluating and Maintaining Geothermal Systems**
Fri., Jan. 10, 2020 , 12:30 - 2:30 PM CST

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Registration

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Complete the entire form. Attach duplicates if necessary.		Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.
		() I need special accommodations. Please contact me.

Tuition

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 CD/Manual Package for **\$289.00**. USB/Manual Package **\$289.00**.

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