



Concentric Energy Advisors is proud to participate in the sixth annual Law Seminars International Utility Rate Cases Current Issues and Strategies conference, February 11 & 12, 2010 at the Stratosphere Hotel Las Vegas in Las Vegas, Nevada.

John J. Reed, Chief Executive Officer, is speaking at the conference regarding ratemaking treatment of capital intensive projects: preapproval processes; prudence determinations; cost overrun and abandonment issues on Thursday, February 11 at 3:30 pm.

If our utility rate case experts can be of any assistance to you before or during the conference, please do not hesitate to contact us.

Maggie Connolly

508.263.6236

[mconnolly@ceadvisors.com](mailto:mconnolly@ceadvisors.com)



## Featuring Speakers From:

- Alliant Energy Corporate Services Inc.
- Concentric Energy Advisors
- Holland & Hart LLP
- Kansas Citizens' Utility Ratepayer Board
- Keyes & Fox LLP
- McDowell & Rackner PC
- Moss & Barnett
- NERA Economic Consulting
- New Mexico Public Regulation Commission
- North Dakota Public Service Commission
- Schiff Hardin LLP
- Southwest Gas Corporation
- Standard & Poor's Ratings Services
- The Brattle Group
- Xcel Energy

The Sixth Annual National Conference on Today's Utility

# Rate Cases

Current issues and strategies

Webcasting  
now available!  
-Attend from anywhere-

## February 11 & 12, 2010

Las Vegas, Nevada

Stratosphere Hotel Las Vegas

**Credits:** NV CLE 12 (call about others)

**Quick when/where:** 8:30 a.m., 2000 Las Vegas Blvd., South

## Utility Rate Case Issues & Strategies Conference

February 11 & 12, 2010 | Las Vegas, Nevada  
Stratosphere Hotel Las Vegas

### Yes! Please register me:

Name: \_\_\_\_\_

Email: \_\_\_\_\_

What type of credits do you need? \_\_\_\_\_

For which state(s)? \_\_\_\_\_

### Register my colleague:

Name: \_\_\_\_\_

Email: \_\_\_\_\_

What type of credits do you need? \_\_\_\_\_

For which state(s)? \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

### If you cannot attend, check boxes to order:

- Homestudy Course with DVD    Course Materials only

To complete your registration, please send a check  
or complete the credit card information below:

(Fax to 206-567-5058 or register online at [www.lawseminars.com](http://www.lawseminars.com))

No.: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Card Holder's Signature: \_\_\_\_\_



## LAW SEMINARS INTERNATIONAL

800 Fifth Avenue, Suite 101, Seattle, WA 98104  
tel (206)567-4490 or (800)854-8009  
fax (206)567-5058 | [www.lawseminars.com](http://www.lawseminars.com)

10RATENV WS



8:00 Registration and Continental Breakfast

8:30 Introduction & Overview

Michael J. Bradley, Esq., Program Co-Chair  
Moss & Barnett ~ Minneapolis, MN

Frederick J. Schmidt, Esq., Program Co-Chair  
Holland & Hart LLP ~ Carson City, NV

8:45 Who Has Jurisdiction to Decide What? The Evolving Nature of Federal vs. State Authority

Potential impact on state authority from legislative pressure for uniform federal standards for renewable and carbon emission regulations, and for federal siting for transmission; update on recent cases on jurisdictional issues

Roger E. Smith, Esq.  
Schiff Hardin LLP ~ Washington, DC

9:30 Preemption of State Regulation Under the Commerce Clause

Efforts to keep stimulus and other dollars at home, or achieve renewable portfolio standards, by restricting purchases of out-of-state power, whether in general or from particular sources such as coal, or by restricting interstate transmission

Richard J. Johnson, Esq.  
Moss & Barnett ~ Minneapolis, MN

10:15 Break

10:30 An Economic Perspective on the Impact of Recent FERC Rate Decisions on Project Development and State Ratemaking

Jeff D. Makhholm, Ph.D., Senior Vice President  
NERA Economic Consulting ~ Boston, MA

11:15 Carbon Regulation and Utility Participation in Carbon Markets

The 800-pound energy policy gorilla in the room: Update on legislative and administrative developments and the extent to which there are likely to be impacts that will create rate issues for state commissions

James A. Holtkamp, Esq.  
Holland & Hart LLP ~ Salt Lake City, UT

12:00 Lunch (on your own)

1:15 The Growing Significance of Differences in State Policies for Multi-Jurisdictional Utilities

Overview of cases involving cost allocations among states when they have differing renewable portfolio standards, carbon limits, and restrictions on generating sources such as policies disfavoring coal or nuclear power

Michael J. Bradley, Esq., Program Co-Chair, Moderator

Regulatory perspective

Ilona A. Jeffcoat-Sacco, Esq., General Counsel  
North Dakota Public Service Commission ~ Bismarck, ND

Utility perspective

Megan J. Hertzler, Esq., Assistant General Counsel  
Xcel Energy ~ Minneapolis, MN

Consumer perspective

David Sprunge, Esq., Consumer Counsel  
Kansas Citizens' Utility Ratepayer Board ~ Topeka, KS

3:15 Break

3:30 Ratemaking Treatment of Capital Intensive Projects: Preapproval Processes; Prudence Determinations; Cost Overrun and Abandonment Issues

Preapprovals: Mechanisms to establish rate recovery, including approved rate of return for the life of the project, before construction; defining the scope of preapproval and prudence determinations to anticipate delays

John J. Reed, Chairman and Chief Executive Officer  
Concentric Energy Advisors ~ Marlborough, MA

Abandonment and cost overruns

Kent M. Ragsdale, Esq., Managing Attorney - Regulatory  
Alliant Energy Corporate Services Inc. ~ Cedar Rapids, IA

4:30 Continue the Exchange of Ideas: Reception for Attendees and Faculty

Sponsored by Holland & Hart LLP and Moss & Barnett



About the Conference

LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

www.lawseminars.com

*New state and federal policies on renewable resource standards, greenhouse gas regulation, and transmission will have impacts beyond state boundaries. Consequently, the cost of complying with one jurisdiction's policies are affecting the cost of service in other jurisdictions. This is creating a serious challenge to the traditional regulatory contract.*

*The future regulation of greenhouse gases is also affecting resource choices, leading to abandoned projects. If new policies are causing stranded investments, does the utility get to recover its costs?*

*Can system resources be used more efficiently? What is the cost? How will those costs be recovered?*

*Some of these policy changes are driving down demand at the same time demand has already been driven down due to the economy. Is it time to implement unbundling? What are the implications?*

*So much is changing, so many challenges are being considered. This conference will help energy professionals understand how these issues are affecting cost recovery and the rate case process.*

~ Program Co-Chairs: Michael J. Bradley, Esq. and Frederick J. Schmidt, Esq.



8:00 Registration and Continental Breakfast

8:30 Introduction & Overview

Michael J. Bradley, Esq., Program Co-Chair

Frederick J. Schmidt, Esq., Program Co-Chair

8:45 Cost of Capital: To What Extent Have Credit Markets Rebounded from the Meltdown? How are Utilities Faring with the Rating Agencies?

Access to money markets: Current environment for debt and equity sales on Wall Street; how stimulus funding for renewables and transmission will impact raising capital for other purposes

Anne Selting, Director, Utilities and Infrastructure Group Standard & Poor's Ratings Services ~ San Francisco, CA

9:30 Ratemaking Aspects of Smart Grid Implementation

Current issues in Critical Peak Pricing, Peak Time Rebates, Real Time Pricing; other options to maximize the value of smart metering; cost basis and links to wholesale energy and capacity markets; paying for all those smart meters

Thorvald A. Nelson, Esq. Holland & Hart LLP ~ Greenwood Village, CO

10:15 Break

10:30 Anticipating the Return of Natural Gas Cost Increases and Price Volatility

Gas industry experience with weather normalization in rate setting; decoupling as a way to ensure certain margins regardless of sales; what is and is not working around the country

Jeffrey W. Shaw, CPA, Chief Executive Officer Southwest Gas Corporation ~ Las Vegas, NV

Ratemaking issues in electric utility participation in gas price hedging programs: Historical comparison of spot market vs. long-term contract prices; determining the portion of total demand to hedge; regulatory approval of hedging plans

Frank C. Graves, Principal The Brattle Group ~ Cambridge, MA

12:00 Lunch (on your own)

1:15 Decoupling of Sales and Profits to Promote Energy Efficiency Investments and Otherwise Incentivize Utility Behavior

Overview of state laws on decoupling; allocation of fixed costs; recovering costs as operating expenses vs. investment; recovery of lost profits from reduced sales

Katherine A. McDowell, Esq. McDowell & Rackner PC ~ Portland, OR

Overcoming the inherent disincentive to invest in the demand-side

The Hon. Jason A. Marks, Commissioner New Mexico Public Regulation Commission ~ Santa Fe, NM

2:45 Break

3:00 Cost Recovery and Rate Design Issues for Renewables

Update on impact of policies favoring net metering for distributed solar and residential wind generation: State legislative trends; ratemaking issues including potential impact on utility revenue streams; whether persons selling to customers are utilities

Jason B. Keyes, Esq. Keyes & Fox LLP ~ Seattle, WA

Impact of distributed renewables on revenues and rate design: Large scale system issues relating to dispatch of wind as an inherently non-dispatchable resource; pricing for small scale when customer can net out at zero over the measurement period

Frederick J. Schmidt, Esq., Program Co-Chair

4:30 Evaluations and Adjourn

Upcoming Seminars:

Table with 3 columns: Seminar Title, Date, Location. Includes Growth Management Act and Energy in Alaska.

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

Call us at: 800-854-8009 or 206-567-4490

Fax the registration form to us at: 206-567-5058

Email us at: registrar@lawseminars.com

Web site: www.lawseminars.com

Mail the registration form on the front page.

Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for in-person or webcast attendance for this program is \$1245 with a group rate of \$1095 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$945. For students and people in their job for less than a year, our rate is \$622.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation:

You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee,

if we receive your cancellation by 5:00 p.m. on Friday, February 5, 2010. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Stratosphere Hotel Las Vegas at 2000 Las Vegas Blvd, South in Las Vegas, NV 89104. Call the hotel at 702-380-7777 for reservations at the special negotiated rate of \$40 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits:

This program qualifies for 12 NV CLE credits. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or searchable CD), is available for \$1255. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

## Faculty: Utility Rate Case Issues & Strategies Conference

**Michael J. Bradley,** *Program Co-Chair*, partner at Moss & Barnett, is listed in Best Lawyers as a top lawyer in Energy/Public Utility Law. Previously, he was the Manager of the Minnesota Office of Attorney General Residential Utilities Division.

**Frederick J. Schmidt,** *Program Co-Chair*, partner at Holland & Hart LLP, focuses on regulatory and administrative law with emphasis on public utility matters. Previously, he was a Commissioner on the Nevada Public Service Commission and the State's Consumer Advocate.

**Frank C. Graves,** principal at The Brattle Group, focuses on finance and regulatory economics as they pertain to electric power and natural gas industries, including utility capacity expansion, network modeling, investment and contract prudence reviews, financial simulation and asset, and contract valuation.

**Megan J. Hertzler** is Assistant General Counsel at Xcel Energy, where she advises on rate regulation before federal and state regulatory commissions. Previously, she was at Moss & Barnett, Assistant Attorney General in Minnesota and counsel to the Minnesota Public Utilities Commission.

**James A. Holtkamp,** Manager of the Environmental Compliance Group at Holland & Hart LLP, focuses on energy, environmental and climate change, including carbon credit trading and carbon capture and sequestration.

**Illona A. Jeffcoat-Sacco** is General Counsel at the North Dakota Public Service Commission.

**Richard J. Johnson,** shareholder at Moss & Barnett, represents private utility and telephone companies in rate cases. He has been selected by Best Lawyers in the area of Energy/Public Utility Law.

**Jason B. Keyes,** co-founder of Keyes & Fox LLP, represents the Interstate Renewable Energy Council in state utility commission rulemakings related to interconnection and net metering of distributed generation.

**Jeff D. Makholm, Ph.D.,** Senior Vice President at NERA Economic Consulting, specializes in the economics of regulated infrastructure industries in energy, water, and telecommunications, including federal regulation of gas and oil pipelines and electricity transmission.

**The Hon. Jason A. Marks,** Commissioner of New Mexico Public Regulation Commission, has led the Commission through several major litigated rate cases. He is known for his advocacy for renewable energy.

**Katherine A. McDowell,** partner in McDowell & Rackner PC, focuses on energy regulatory issues, including traditional and performance-based ratemaking, utility mergers and acquisitions, new resource procurement and RPS compliance.

**Thorvald A. Nelson,** partner at Holland & Hart LLP, practices mainly in public utility regulatory law including tele-

communications, energy, anti-trust, trade regulation and litigation. His practice includes appearing before state public utility commissions.

**Kent M. Ragsdale** managing regulatory attorney at Alliant Energy Corporate Services Inc., represents utilities in administrative proceedings before state and federal agencies.

**John J. Reed,** Chairman and Chief Executive Officer at Concentric Energy Advisors, focuses on the development and implementation of nuclear, fossil and hydroelectric generation divestiture programs.

**Anne Selting,** Director in the U.S. Utilities and Infrastructure Group at Standard & Poor's Ratings Services, has primary analytical responsibility for West-Coast investor-owned utilities.

**Jeffrey W. Shaw, CPA,** Chief Executive Officer of the Southwest Gas Corporation, was Senior Vice President of Gas Resources and Pricing. He is on the boards of the American Gas Association and the Western Energy Institute.

**Roger E. Smith,** partner at Schiff Hardin LLP, focuses on energy regulation, litigation and transactions. He is listed in *Chambers USA* and as a Best Lawyer and Super Lawyer.

**David Springe,** Consumer Counsel at Kansas Citizens' Utility Ratepayer Board (CURB), advocates for the interests of residential and small commercial ratepayers in utility proceedings in Kansas.

**February 11 & 12, 2010**

Las Vegas, Nevada

**Stratosphere Hotel Las Vegas**

2000 S. Las Vegas Blvd  
(206) 694-5000

### Who Should Attend:

*Attorneys, utility rate department professionals and executives, industrial and commercial customer representatives, residential consumer advocates and governmental officials involved in ratemaking*

### You Will Learn About:

- Federal vs. state authority
- State regulation: The commerce clause
- Economic impacts of recent FERC rate decisions
- Utility participation in carbon markets
- Cost allocations among states
- Ratemaking treatment of capital intensive projects
- Ratemaking aspects of the Smart Grid
- Price volatility of natural gas
- Decoupling to encourage energy efficiency investments
- Cost recovery and rate design for renewables

### To Register:

#### Mail

800 Fifth Ave., Suite 101  
Seattle, WA 98104

#### Phone

(206) 567-4490  
or (800) 854-8009

#### Fax

(206) 567-5058

#### Email

registrar@lawseminars.com

[www.lawseminars.com](http://www.lawseminars.com)

©2009 Law Seminars International