

■ Annual Energy Roundtable ■

DISRUPTIVE ELECTRICITY TECHNOLOGIES:  
CHALLENGES FOR COMPETITION

SPEAKERS

**Heather Bailey** has been the executive director of energy strategy and electric utility development for the City of Boulder since June 7, 2012. Bailey helps manage the city's Energy Future project. Bailey has more than 30 years of experience in the utility industry, and has served as a regulator, utility executive, and consultant. The majority of her career has been in public power, with positions including controller, treasurer, Deputy Chief Financial Officer, Executive Director of Corporate Services, and Executive Director of Transmission Business Services and Asset Development. Bailey has an MBA from the University of Texas at Austin, a bachelor's degree in marketing from Sam Houston State University in Huntsville, Texas, and has received numerous appointments from the American Public Power Association (APPA) including Chair of the APPA Business and Finance Section in 2001.

**Paula Carmody** is the People's Counsel for the State of Maryland. The Maryland Office of People's Counsel is an independent state agency that represents the interests of residential utility consumers in state and federal regulatory proceedings. Carmody served as President of the National Association of State Utility Consumer Advocates (NASUCA) from November 2011 to November 2013, and was a member of the Keystone Energy Board and the Executive Committee of the Critical Consumer Issues Forum (CCIF), a joint initiative of NARUC, NASUCA and EEI during that time. In addition to her agency responsibilities, Carmody also has been a speaker on consumer issues at conferences and forums held by a variety of organizations, including NARUC, MACRUC, MADRI, the World Energy Forum, the Public Utility Research Center (PURC), the Harvard Energy Policy Group, the American Antitrust Institute (AAI), the Society of Regulatory & Financial Analysts (SURFA), and the American Association of Black Engineers (AABE). In 2011 Ms. Carmody was honored by the Maryland Daily Record as a 2011 Influential Marylander in the Law for her work representing residential utility consumers. Carmody has had extensive experience working on consumer issues. She previously served as an Assistant Attorney General in the Consumer Protection Division, Office of the Attorney General of Maryland. Prior to that, Ms. Carmody served as an Assistant People's Counsel for fifteen years with the Office of People's Counsel (OPC). In addition to her government service, Carmody has held legal positions in the non-profit sector. She was the Managing Attorney of the Baltimore, Maryland office of the UAW-GM Legal Services Plan and before then, was a Staff Attorney with the Legal Aid Bureau, Inc., in Maryland. In those positions, she represented autoworkers and low-income households in a variety of civil matters in state and federal courts. Carmody graduated with a Juris Doctorate degree from Antioch School of Law, Washington, D.C. She received a Bachelor of Arts degree in Political Science from McGill University, Montreal, Quebec, Canada.

**Jeff Dennis** is Director, Division of Policy Development, in the Office of Energy Policy and Innovation at the Federal Energy Regulatory Commission (FERC). In that role, he leads efforts to evaluate the effectiveness of existing Commission policies and to identify new and emerging policy issues impacting the Commission's statutory responsibilities. Previously, Dennis served as a Legal Advisor to Commissioner John R. Norris at FERC, where he provided legal and policy advice to the Commissioner on all aspects of FERC's regulation of the electricity and natural gas industries. Before joining Commissioner Norris' staff, Dennis was Director, Federal Regulatory Affairs, at Edison Electric Institute (EEI), the trade association representing investor-owned electric utilities. Earlier in his career, Dennis was an Attorney-Advisor and Appellate Attorney at FERC, where he advised the Commissioners on electricity regulatory matters, and defended the Commission on appeal before the United States Circuit Courts of Appeals. Dennis has also been an attorney in private practice, representing electricity generators and large power users in federal and state regulatory proceedings. Dennis has held several leadership positions in the American Bar Association's Section of Environment, Energy and Resources, including Young Lawyers Division liaison, committee chair, and member of Council. He is also an active leader in the Energy Bar Association. In addition, he has published several articles in trade and scholarly publications, and is a frequent speaker on topics in energy and environmental law and policy. Dennis has a J.D. from the University of New Mexico School of Law, *Order of the Coif*, where he earned a certificate in natural resources and environmental law, and a B.A. from Marymount University (Arlington, VA), *summa cum laude*.

**Jade Alice Eaton** is a Trial Attorney at the U.S. Department of Justice Antitrust Division where she has on worked investigations of mergers and acquisitions of energy assets including those and culminating in consent decrees in U.S. v. Enova Corp. and U.S. v. Exelon. Eaton has also lead civil non-merger matters including U.S. v Rochester Gas and Electric and U.S. v. KeySpan and U.S. v. Morgan Stanley. Ms. Eaton has worked extensively both here and abroad on regulation and competition in natural gas and electricity. She was a contributor to the Electric Energy Market Competition Task Force Report submitted to Congress pursuant to EPAAct 2005. In 2007 and 2011, Eaton received the Antitrust Division Award of Distinction. She was also awarded the 2008-2009 Victor Kramer Fellowship which allowed her to study energy and competition law and policy at the University of Chicago. Eaton graduated from Bryn Mawr College and the Columbus School of Law at Catholic University.

**Mark S. Hegedus** is a litigation attorney in the Office of the General Counsel of the Federal Trade Commission. His work for the FTC includes appellate litigation involving antitrust and consumer protection matters, FTC enforcement in federal courts and competition advocacy on energy issues. Prior to joining the FTC in September 2008, Mr. Hegedus was a partner in the Washington, DC law firm of Spiegel & McDiarmid where his practice included regulatory and antitrust litigation and counseling for consumer-owned electric utilities before the Federal Energy Regulatory Commission and the federal courts. Mr. Hegedus also worked in the Transportation, Energy and Agriculture Section of the U.S. Department of Justice's Antitrust Division from 1998 to 2002. Prior to then, he had been a partner and associate with Spiegel & McDiarmid. Mr. Hegedus received his law degree from New York University School of Law and his Bachelor's degree in political science from the University of Michigan. He is a member of the Illinois and D.C. state bars, numerous federal court bars, as well as of the Energy Bar Association and the American Bar Association.

**John E. Kwoka** is the Neal F. Finnegan Distinguished Professor of Economics at Northeastern University, where he teaches industrial organization, antitrust, and regulatory economics. Prof. Kwoka has written and lectured extensively on issues of market concentration, mergers and merger remedies, promotional practices, privatization, price cap regulation, professional practice restrictions, and vertical integration in numerous industry settings. He has previously taught at several universities and served in various capacities at the Federal Trade Commission, the Antitrust Division of the Department of Justice, and the Federal Communications Commission. His book *The Antitrust Revolution*, co-edited with L.J. White, is a compilation of case studies of major antitrust proceedings and is now in its sixth edition. His most recent book *Mergers, Merger Control, and Remedies: A Retrospective on U.S. Policy* evaluates the effects of mergers and the effectiveness of merger control and remedy policy and has recently been published by MIT Press.

**David L. Mohre** is Executive Director of the Energy & Power Division, National Rural Electric Cooperative Association (NRECA). Prior to joining NRECA, Dave held management and executive management positions with both cooperative and investor-owned electric utilities for twenty-five years, and has five years of electric policy, research and regulatory experience with the federal government. He has also done international consulting for both utilities and governments, including projects related to restructuring electric utilities in Kazakhstan, Kyrgyzstan, Columbia and Australia. Mohre's utility management background includes nine years as Chief Executive Officer of a \$3.2 billion generation and transmission corporation with 1900 MW of coal, gas and nuclear generation five years as head of power supply and engineering for another generation and transmission corporation and ten years in various supervisory and management capacities with a large Mid-Atlantic investor-owned electric and gas utility. He has extensive experience developing and managing multi-state, multi-region power marketing activities. His federal experience includes managing Department of Energy policy, research, regulatory and national security activities, as Deputy Director, Power Supply and Reliability Administrator, Defense Electric Power Administration, Director, Utility Policy Implementation, and Chief of Power Distribution and Demand Side Management research and development, where he initiated joint federal/industry/EPRI programs on active Demand Side Management via bi-directional communication and control. Mohre's industry experience also includes serving six years on the Board of Trustees of the North American Electric Reliability Council (NERC), where he was elected to the Executive Committee and served as Secretary/Treasurer. More recently he served on the NERC Stakeholders Committee and Post-Legislative Steering Committee. He has also served on the board of CoBank, a \$42 billion import-export and rural development bank, and is currently on the advisory board of the American Antitrust Institute. Dave is a graduate of Johns Hopkins University with degrees in both Electrical and Industrial Engineering. He also has a MBA in Finance from Loyola University.

**Diana Moss** became the President of the American Antitrust Institute in January 2015. An economist, Dr. Moss has developed and expanded AAI's advocacy channels and strategies, and strengthened communications with enforcers, Congress, other advocacy groups, and the media. Her work spans both antitrust and regulation, with industry expertise in electricity, petroleum, agriculture, airlines, telecommunications, and healthcare. Before joining AAI, Dr. Moss was a senior staff economist at the Federal Energy Regulatory Commission where she coordinated competition analysis for electricity mergers. From 1989 to 1994, she consulted in private practice in the areas of regulation and antitrust at the National Economic Research Associates and Putnam Hayes and Bartlett. Dr. Moss has spoken widely on various topics on antitrust and regulation, testified before Congress, appeared before state and federal regulatory commissions, and made numerous radio and

television appearances. She has published articles in a number of economic and legal academic journals, including: *American Economic Review*, *Journal of Industrial Organization*, the *Energy Law Journal*, and the *Antitrust Bulletin*. She is editor of *Network Access, Regulation and Antitrust* (2005). Dr. Moss is Adjunct Faculty in the Department of Economics at the University of Colorado at Boulder. She holds a M.A. degree from the University of Denver and a Ph.D. from the Colorado School of Mines.

**Jeffrey I. Shinder** is the Managing Partner of Constantine Cannon's New York office. Shinder focuses on antitrust counseling and litigation, and has expertise in numerous industries, including payment systems, banking, high technology, energy, airlines, telecommunications, standard setting, health care, pharmaceuticals, sports, retail and utilities. In the payments realm he has represented networks, merchants, technology and engineering firms, and hardware suppliers, providing them litigation and consulting services. Shinder's antitrust expertise is widely recognized as he has acted as Special Counsel to the Federal Trade Commission, delivered speeches and lectures on antitrust issues for both domestic and international audiences and has worked on numerous high profile antitrust cases. Shinder has counseled clients on a vast range of antitrust issues, including antitrust compliance programs, Hart-Scott-Rodino Act reporting requirements and the preparation of Hart-Scott-Rodino filings, pre-merger coordination activities and information exchanges, the negotiation or modification of consent decrees, compliance with Civil Investigative Demands, trade associations, joint ventures, competitor collaborations, distribution practices, structured terminations and retail pricing policies, Robinson-Patman Act issues, and pending investigations and merger reviews conducted by the Federal Trade Commission and Department of Justice. Shinder recently served as Special Counsel to the Federal Trade Commission. In that role, he worked on designated projects for Commissioner Pamela Jones Harbour.

**Abraham Silverman** is the chief regulatory counsel for NRG Energy, Inc., an independent power producer with over 50 GW of generation nationwide, and one of the largest renewable portfolios in the country. NRG, through its various retail affiliates, also serves over 2 million retail and demand response customers in over a dozen states. Silverman counsels the company on wholesale and retail market design issues. Prior to joining NRG in 2008, Silverman served at the Federal Energy Regulatory Commission's Office of General Counsel for over three years, and was an associate at the law firm of Perkins Coie, based in Washington, DC. Silverman graduated from the University of Maryland with a B.S. in Geology and a B.A. in English, and then received his Juris Doctor from The George Washington University School of Law.

**Paul M. Sotkietwicz** is a senior economist in the market services division at PJM Interconnection. He provides analysis and advice with respect to PJM's market design and market performance including demand response mechanisms, intermittent and renewable resource integration, market power mitigation strategies, capacity markets and the potential effects of climate change and other environmental policies on PJM's markets. Prior to joining PJM, Sotkietwicz served as the director of energy studies at the Public Utility Research Center (PURC), University of Florida. At PURC he designed and delivered executive education and outreach programs in electric utility regulatory policy and strategy for professionals in government, regulatory agencies, and industry. He also served as an economist in the Office of Economic Policy and later on the chief economic advisor's staff at the United States Federal Energy Regulatory Commission (FERC) where he conducted research, analysis, and advice on market design issues related to the ISO/RTO markets. Sotkietwicz was an Instructor in the Department of Economics at the University of Minnesota where he earned the Walter Heller Award for Outstanding Teaching of Economic Principles four times.