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EDUCATION: University of Pennsylvania, JD, cum laude, 1981
Editor, University of Pennsylvania Law Review
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Cornell University, BS, 1978
School of Industrial and Labor Relations
6th in Graduating Class

BAR ADMISSIONS: District of Columbia

LEGAL EXPERIENCE: Attorney, Spiegel & McDiarmid LLP, 1981 to present; Partner since 1989.
Hiring Partner; Member, Firm Management Committee

Representation of consumer-side entities on energy issues, including all aspects of utility regulation, ratemaking, market design, and mergers and acquisitions. Practice involves complex trial and appellate litigation before U.S. Supreme Court, federal and state courts, and administrative agencies. National client base includes municipally and consumer-owned utilities, public agencies, and labor unions.

MEMBERSHIPS: Energy Bar Association

REPRESENTATIVE SUPREME COURT EXPERIENCE: *NRG Power Marketing, LLC v. Maine Public Utilities Commission*, No. 08-674 (2009; pending) (Counsel to Amici Curiae American Public Power Association and National Rural Electric Cooperative Association in proceeding involving rights of parties who did not consent to a settlement to challenge rates under those contracts under the “ordinary just and reasonable” standard).

Morgan Stanley Capital Group Inc. v. Pub. Util. Dist. No. 1 of Snohomish County, 128 S. Ct. 2733 (2008) (Counsel to Amici Curiae American Public Power Association and National Rural Electric Cooperative Association in proceeding involving rights of buyers to challenge rate contracts entered into during California energy market meltdown).

**REPRESENTATIVE
APPELLATE COURT
AND AGENCY
EXPERIENCE:**

Bangor Hydro-Electric Co., 117 F.E.R.C. ¶ 61,129 (2006), *aff'd*, 122 F.E.R.C. ¶ 61,265 (2008), *petition for review pending sub nom. Connecticut Department of Public Utility Control v. FERC*, No. 08-1199 (D.C. Cir. filed May 23, 2008) (Counsel to Massachusetts municipal utility joint action agency in challenge to proposed imposition of multi-million dollar return on equity “incentive adder” for new transmission investment).

ISO New England Inc., 115 F.E.R.C. ¶ 61,340 (2006), *remanded in part sub nom. Maine Public Utilities Commission v. FERC*, 520 F.3d 464 (D.C. Cir. 2008), *cert. granted*, 129 S. Ct. 2050 (2009) (Counsel to Massachusetts and Connecticut municipal utility joint action agencies in hearings, settlement negotiations, and related legislative advocacy efforts concerning formation of New England’s “Forward Capacity Market”; settlement resulted in multi-billion dollar reduction in consumer cost impacts).

Connecticut Municipal Electric Energy Cooperative and Richard Blumenthal, Attorney General for the State of Connecticut v. Milford Power Company, LLC, and ISO New England, Inc., 123 F.E.R.C. ¶ 61,312 (2008) (Counsel to Connecticut municipal utility joint action agency in complaint proceeding challenging “Reliability Must Run” agreement; settlement resulted in millions of dollars in savings for Connecticut ratepayers).

**REPRESENTATIVE
STATE COMMISSION
EXPERIENCE:**

In re: Potomac Electric Power Co. For Authority to Increase Existing Retail Rates & Charges For Electric Distribution Service, Formal Case No. 1076 (D.C. Pub. Serv. Comm’n, *pending*) (Counsel to DC Office of People’s Counsel in proceeding involving proposed \$51.7 million distribution rate increase; trial completed, remains pending).

In re: the Future Financial Condition of Baltimore Gas & Electric Co., Case No. 9173 (Phases I and II) (Md. Pub. Serv. Comm’n 2009) (Counsel to State of Maryland and Maryland Energy Administration in challenge to proposed acquisition by EDF, a French utility, of a nearly 50 percent interest in Constellation Energy’s nuclear subsidiary; litigation resulted in approval of transaction with conditions imposing substantial ratepayer protective conditions and separate \$110 million rate credit).

In re: Verizon Washington, DC Inc.’s Price Cap Plan 2007 for the Provision of Local Telecommunications Services in the District of Columbia, Formal Case No. 1057 (D.C. Pub. Serv. Comm’n 2008) (Counsel to DC Office of People’s Counsel in proceeding involving proposed Price Cap Plan; settlement achieved).

In re: Washington Gas Light Co. for Authority to Increase Existing Rates & Charges for Gas Service, Formal Case No. 1054 (D.C. Pub. Serv. Comm’n 2007) (Counsel to DC Office of People’s Counsel in proceeding involving proposed gas distribution rate increase; settlement resulted in Gas Company abandoning 93 percent of proposed \$20 million rate hike).

REPRESENTATIVE LABOR LITIGATION EXPERIENCE: *The Peoples Gas Light & Coke Co.*, No. 07-0241 (Ill. Commerce Comm'n 2007) (Counsel to Utility Workers Union of America Local 18007 in proceeding involving proposed distribution rate increase; decision required Gas Company to conduct workforce/training audit and to negotiate needed improvements).

REPRESENTATIVE TELECOMMUNICATIONS LITIGATION EXPERIENCE: *Bonnie O'Day v. Audiovox Communications Corp. & Verizon Wireless*, No. EB-03-TC-F-001 (F.C.C. 2003) (Counsel to complainant in first "Formal Complaint" filing under Section 255 of the Communications Act; settlement resulted in production and marketing of cell phone with accessibility features for persons with blindness or vision disabilities).

REPRESENTATIVE PRO BONO LITIGATION EXPERIENCE: *Dionne Sumes v. Dr. Pepito Andres*, 938 F. Supp. 9 (D.D.C. 1996) (Counsel to Plaintiff in disability discrimination lawsuit; decision after bench trial found that Defendant refused to treat Plaintiff due to disability and awarded damages).

SELECTED PUBLICATIONS: "Assessing Utility Workforce Preparedness: Recommendations for State Commission Inquiries" National Regulatory Research Institute (2010; co-author).

"Transmission Incentive Overhaul," article published in *Public Utilities Fortnightly* (2009; co-author).

"Pre-Approval Commitments: When And Under What Conditions Should Regulators Commit Ratepayer Dollars to Utility-Proposed Capital Projects?" National Regulatory Research Institute (2008; co-author).

"The *Mobile-Sierra* Doctrine: A Return to its Statutory Roots," article published in *Public Utilities Fortnightly* (2007; co-author).

"New England's Forward Capacity Market: The Future Is Now," article published in *Public Power* (2006; co-author).

SELECTED COMMUNITY ACTIVITIES: Chairman, Advisory Neighborhood Commission 3F (District includes North Cleveland Park and Forest Hills, Washington, DC), 1996-1997.

Commissioner, Advisory Neighborhood Commission 3F (Single Member District 3F-06), 1993-1998.

AWARDS: Recipient, "Access Award," American Foundation for the Blind (2004).

Named *Washington DC SuperLawyer*, 2007, 2008, 2009 and 2010 (Energy Area).