



Fifty-Eighth Annual Meeting Will Focus On Broad Range Of Issues

Commissioner Kelliher To Be The Dinner Speaker

John E. McCaffrey

The Energy Bar Association will hold its Fifty-Eighth Annual Meeting on April 29, 2004 at the Capital Hilton Hotel in Washington, D.C. The theme of this year's Annual Meeting is "Running the Company in Today's Market," and the conference will focus on a broad range of issues relevant to market participants that must address the fallout from the western power crisis and industry scandals, an evolving regulatory landscape and the growth of new technology and alternatives to fossil fuels.

The opening general session will feature a panel on market oversight featuring

continued on page 3

Energy Law Journal To Celebrate Its 25th Anniversary

Will hold luncheon and symposium to mark the occasion

As reported in the Fall 2003 edition of *EBA Update*, the *Energy Law Journal* will celebrate its 25th Anniversary of publication this month in conjunction with the EBA's April 29, 2004 Annual Meeting. On April 28, 2004, a luncheon will be held, featuring a keynote address by the Honorable Richard Cudahy of the Seventh Circuit, honoring many of the key figures in the *Journal's*

history. Bill Mogel, who has served as editor-in-chief of the *Journal* for its entire history, will provide comments. There will also be a symposium featuring Professor John Lowe, the *Journal's* first faculty advisor, and several of the authors who were published in the first issue of the *Journal*. Finally, former FERC Commissioner C. M. (Mike) Naeve will reflect upon changes in the practice of energy law over the past 25 years. The event promises to be a fitting tribute to a publication that is a vital source of energy law analysis for practitioners, scholars, regulators, and courts. For additional information about the program, please visit the EBA's website, www.eba-net.org, or contact the Association's administrative office at (202) 223-5625.

In addition to the luncheon and symposium, the *Journal* will mark its 25th anniversary by publishing a special issue which will include

ELJ 25th Anniversary Celebration

When: April 28, 12 noon

Where: Capital Hilton Hotel

reprints of six of its most enduring articles, as determined primarily by frequency of citation in judicial opinions and scholarly publications. The anniversary issue also will include current Committee Reports, Student Notes and Book Reviews. For further details concerning the articles in the anniversary issue of the *Journal*, please contact Bill Mogel at (202) 442-3537. To place an ad in any upcoming edition of the *Journal*, please contact Andrew Katz at (202) 508-5301.

in this issue

EBA Hosts LNG Primer for Lawyers	2
Chapter News	2
Energy Law Journal Web Pages	3
An Interview with Charitable Foundation President Paul Nordstrom	4
Midwest and Wester Chapters Hold Meetings	7

John E. McCaffrey, Editor in Chief

EBA Offers Primer On LNG In Conjunction With Annual Meeting

Half-day session looks at the current rush to ramp up the nation's LNG import capability

On April 28, 2004, in conjunction with its Annual Meeting, the EBA will offer a primer on the market and regulatory implications of liquefied natural gas ("LNG") development. The primer is scheduled for the morning of April 28th, prior to the Energy Law Journal 25th Anniversary Luncheon and Symposium in the afternoon. The Association's Annual Meeting is the following day, April 29, 2004.

The Association's decision to offer a primer on LNG reflects the renewed interest in developing LNG import projects, including storage and regasification facilities in coastal states, Mexico, and Caribbean nations. The first of three panels will address the current status of LNG development in the U.S. and North America, and will seek to place today's renewed development efforts in a historical context by exploring the principal issues raised during the development of LNG projects in the 1970's. A second panel will discuss the effect that LNG developments in the U.S. may have on world LNG markets, including the potential development of an OPEC-like cartel of major exporting nations, and the implications of LNG development for U.S. gas producers.

A third panel will explore the effects of LNG development on the domestic natural gas pipeline grid, including a discussion of gas quality issues, the effect of LNG on

peak pipeline demands and the overall impact on the value of pipeline capacity. Members are encouraged to take advantage of this timely primer to consider the lessons of LNG's history and the legal and economic questions raised by the current rush to ramp up the nation's LNG import capability.

Members who also register for the Annual Meeting are entitled to a discount off the registration fee for the LNG primer. For additional information about the program, please visit the EBA's website, www.eba-net.org. Additional information is also available from the Association's administrative office by calling (202) 223-5625.

LNG Primer

When: April 28, 8 a.m.

Where: Capital Hilton Hotel

EBA Chapter News

EBA's Board of Directors approve chapter realignments

Frederic G. Berner, Jr

Several EBA chapters have recently held very successful annual meetings. The Western Chapter's annual meeting, held in San Francisco on January 15-16, 2004, included presentations by FERC Commissioner Suede G. Kelly and many other energy experts. Later, on March 11, 2004, the Midwest Chapter held its Seventh Annual Midwest Energy Conference in Kansas City, which featured presentations by FERC Commissioner

See page 7 for details on the Midwest and Western Chapters' Meetings

Joseph T. Kelliher and the chairmen and members of a number of state utility commissions in the Midwest. Additional details regarding each of these meetings are provided in the accompanying articles in this edition of *EBA Update*.

In other chapter news, on March 16, 2004, the EBA's Board of Directors voted to approve chapter realignments and revisions that are designed to strengthen the chapters and improve the coordination

continued on page 6

EBA Annual Meeting continued

William F. Hederman, Jr., the Director of FERC's Office of Market Oversight and Investigation; Michael Gorham, Director of the Division of Market Oversight at the CFTC; and Robert Ethier, Director of Market Monitoring for ISO New England. In the second general session, William Massey will moderate a panel on reliability featuring David N. Cook, General Counsel of NERC; Alison Silverstein, Senior Energy Policy Advisor to FERC Chairman Pat Wood; and Sonny Popowsky, Pennsylvania Consumer Advocate.

At lunch, Jeffrey R. Holmstead, Assistant Administrator of EPA's Office of Air and Radiation will provide his thoughts on environmental initiatives affecting the energy industry. The luncheon will also feature the presentation of the Energy Bar Association President's Award to former FERC Chairman Charles B. Curtis in recognition of his extraordinary achievements and contributions to the development and administration of energy law.

The afternoon sessions will include panels on transactions, distributed generation, creditworthiness and collat-

eral, acquiring electric supply in a hybrid market, pipeline permitting, nuclear and renewable alternatives to fossil fuels, and FERC's new regulations on hydro-electric project relicensing.

Following the afternoon panel presentations, the EBA will convene its annual business meeting at 5:30 p.m. All members are welcome to attend the business meeting, at which the Association will elect officers and directors and vote on several previously-announced amendments to the EBA By-Laws.

The business meeting will be followed by a cocktail reception and dinner. FERC Commissioner

Joseph T. Kelliher, after only a few months on the job, has graciously agreed to be the dinner speaker.

For additional information about the Annual Meeting program, please visit the EBA's website, www.eba-net.org. Additional information is also available from the Association's administrative office by calling (202) 223-5625.

Mr. McCaffrey is the Secretary of the EBA.

ANNUAL MEETING
When: April 28, 2004
Where: Capital Hilton Hotel

Energy Law Journal Web Pages Provide Useful Features

Channing D. Strother

The Fall 2003 issue of *EBA Update* included an article by Linda Carroll describing recent upgrades to the EBA website. This article discusses features, new and previously existing, of the *Energy Law Journal* subpart of the EBA website. Many EBA members may not be aware of these useful features.

The *Journal* web pages begin at www.eba-net.org/journal.php. The initial page provides some background and statistical information concerning the *Journal*, which is published by the EBA in conjunction with the National Energy-Environment

Law & Policy Institute ("NELPI") and the University of Tulsa College of Law. This page also provides contact information, how and to whom to submit manuscripts, and how to obtain *Journal* subscriptions and back issues.

A recently added link (see first paragraph of text) provides a list of 339 citations to court opinions and other published materials that reference materials published in the *Journal*.

There is a prominent link on the upper right hand side of the initial *Journal* web page labeled "Searchable ELJ Table of Contents."



This link presents in reverse chronological order every table of contents of every issue of the *Journal*. This can be easily searched by word or phrase, whether by author name or words appearing in titles. In Microsoft Internet Explorer, for instance, simply press Control + F and a search "dialogue box" will come up. Type in the search term(s) and press enter. The dialogue box stays "on top"

continued on page 6

An Interview with Paul Nordstrom

President of the Charitable Foundation of the Energy Bar Association

A. Karen Hill

The Energy Bar Association established a Charitable Foundation in 2002 and Paul Nordstrom is its first President. This interview explores how the Charitable Foundation came to be, what successes it has achieved in its first year of activities, and what challenges lay ahead.

Q. The Charitable Foundation is about to complete its first full year of operation. How has the first year gone?

A. We've had a great first year. Our goals were to get organized, get people involved, get a start on our charitable endeavors and establish a financial base. I think we have accomplished a lot in each of those areas.

Q. Let's start with the Foundation's charitable endeavors. Tell us about them.

A. The Foundation has done quite a few things in its first year and has other ideas in the conceptual or planning stage. We participated in several outings with Operation Caulk to weatherize local homes. We have taken over the EBA's program for sponsoring FERC interns and have sponsored an intern who is presently at the Commission. In the area of financial donations, we have made significant contributions to My Sister's Place, a shelter for victims of domestic violence, to cover the annual utility bill of one of its facilities, and to Habitat for Humanity, to cover materials and supplies for its housing for the poor projects. In addition, the Foundation contributed to Operation Caulk for materials and supplies.

Q. What projects are you planning or considering for the future?

A. We have a major event scheduled for May 1, the Saturday immediately after the Annual Meeting. We will have a home building project with Habitat for Humanity. Up to 25 EBA members may participate with Habitat in building a home for a low income family here in the District of Columbia. We hope we have a full turnout for this rewarding event on May 1.

We expect to have more outings throughout the year with Habitat and hope to expand these to other cities where the

Association has members. We also are considering a significant expansion of the internship program, as well as the possibility of scholarships and educational grants. While most of these activities will be energy-related, we are also considering engaging in general charitable projects, such as an event with organizations like Martha's Kitchen.

Q. How has fundraising gone?

A. Our initial fundraising efforts have been tremendously successful. We have received numerous individual contributions from EBA members and substantial "seed contributions" from the EBA and the Foundation of the Energy Law Journal. The Charitable Foundation also hosted a holiday gala reception in conjunction with the EBA's Mid-Year Meeting in early December, raising funds through sponsorships and ticket sales.

Most notable, however, was the success of our Founders' Campaign. Twenty-four law firms and corporations contributed or pledged between \$5000 and \$20,000 and 16 individuals contributed or pledged \$2000 to become Founders of the Foundation. These contributions totaled \$212,000 – an amount that far exceeded even my wildest expectations. The Foundation is deeply grateful to its Founders, its individual contributors, its gala sponsors and the Association and Journal Foundation for their generous support in helping us get our new organization off the ground.

Q. What fundraising plans do you have for this year?

A. The Foundation will be sponsoring its first annual Golf Tournament on April 30, the day after the EBA's Annual Meeting. We expect to host our second annual Fundraising Gala in conjunction with the Mid-Year meeting this fall. And, of course, we will always welcome further individual contributions.

Q. You must feel enormous satisfaction at the huge success the Charitable Foundation has been from its inception. How did the Foundation come to be?

A. Credit for the Foundation goes to a number of committed EBA members. To the best of my knowledge, the idea arose during Jennifer Waters term as president of the EBA in 1997.

"We've had a great first year. Our goals were to get organized, get people involved, get a start on our charitable endeavors and establish a financial base. I think we have accomplished a lot in each of those areas."

continued on next page

Membership in the Association was lagging and Jennifer formed a Membership Committee to reverse the trend. Members of that committee contacted the Federal Communications Bar Association for ideas. They discovered that one of the most well-regarded and popular activities of that Bar was its charitable foundation. Serious consideration of the EBA forming such a foundation occurred in 2001-2002. That year, I was serving as President of the Association, Jackie Simmons was vice-president and Dick Morgan was president of the Journal Foundation. All three of us had served on the original committee that sought to increase membership and had been captivated by the thought of forming a charitable foundation for the EBA. An ad hoc committee of volunteers from the boards of the Association and the Journal Foundation was established to explore whether to form a charitable foundation and identify its mission and potential activities.

Q. Do you recall who served on that ad hoc committee that recommended establishing a Charitable Foundation?

A. I do. Dick Morgan, Bill Mogel, Thom Hirsch, Steve Huntoon, Earle O'Donnell represented the Journal Foundation Board and Harvey Reiter, David Doot, Rich Bonnifield, Antoine Cobb and myself represented the EBA Board. That committee recommended to the EBA Board that the Association establish a charitable foundation. In December 2001, the EBA Board formally authorized creation of the Foundation.

Q. What was the purpose for establishing the Charitable Foundation?

A. The Foundation was created essentially for two reasons. One, to provide charitable assistance to needy people and organizations to satisfy energy related needs. The second purpose was to give members of the energy bar an opportunity to come together to give back to their community in a way that is related to the field

of energy and their profession. In my view, the principal beneficiaries of the Charitable Foundation are the donees of our contributions and service, to be sure. But also, the EBA participants and the Association itself will benefit a great deal from participating in the Foundation's activities.

Q. What happened next?

A. The next year was devoted to establishing the legal authority for the Foundation. It was incorporated in April of 2002 in the District of Columbia, and it received its 501(c)(3) tax status from the IRS in October 2002.

Q. How were the leaders of the Charitable Foundation selected?

A. Jackie Simmons, as president of the EBA, along with Barbara Heffernan, president-elect, sought volunteers and selected those they believed would be dedicated to getting the Foundation off to a strong start. They chose several members from the EBA Board and the FELJ Board, as well as members at large of the Association. Under the Foundation's by-laws, the president of the Association serves ex officio on the Board of the Charitable Foundation.

Q. Who were the members of the first Board of Directors of the Charitable Foundation?

A. Those individuals who formed the Board of Directors of the Charitable Foundation during its first full year are Stan Balis, Anne Bomar, Rich Bonnifield, Linda Breathitt, Lisanne Crowley, David Doot, Joan Dreskin, Derek Dyson, Barbara Heffernan, Karen Hill, Steve Huntoon, Rich Meyer, Earle O'Donnell, Jeff Petrash, Harvey Reiter, Jennifer Waters and myself. Jackie Simmons, Kevin Downey and Geeta Oberoi also served brief appointments at the beginning of 2003.

Q. What were the goals of the Board that first year?

A. The Board's aims were to get the organization up and running with a com-

The Charitable Foundation of the Energy Bar Association

Invites you to its

First Annual Fundraising **GOLF** **TOURNAMENT**

Friday, April 30, 2004
Westfields Golf Club
Clifton, Virginia
9:00 a.m. Shotgun Start

In conjunction with the
EBA Annual Meeting
at the Capital Hilton Hotel in
Washington, D.C.

Sign up Today!

Registration Fee \$150

Call Katie Viggiani at (202) 223-5625

for a day
of golf with a
good cause

**Sponsorships
Available**



mittee structure, serious fund-raising efforts and a selection of charitable activities and service projects.

Q. What committee structure did the Foundation develop?

A. The Foundation has organized its activities around the following committees: Charitable Activities, Fundraising, Annual Event, Communications and Legal. Two or more board members serve on each

continued on next page

ELJ Web Pages continued

for repeat searches. Free, lightning fast, and the search terms come up in a useful context that is difficult to duplicate in Lexis or Westlaw. (Detailed instructions for performing searches also appear on the web page itself.)

It can often be useful to simply skim down through the list of articles that have appeared in the *Journal*. Do you have a recollection of a *Journal* article appearing around a particular time? A pull down menu provides direct access to the table of contents for any particular *Journal* issue, by year or volume and issue number.

Access to the full text of the *Journal* is not available through the EBA website—at least not yet. But, as of this year, every issue of the *Journal* is available on Westlaw, as well as through the law journal service, Hein Online (www.heinonline.org). Lexis has all but the earliest of the 24 volumes, and we are working on getting all volumes on-line at Lexis. HW Wilson Company (www.hwwilson.com) has begun making the *Journal* available, but so far only on a go forward basis from the current issue.

Recently steps have been taken to enhance the *Journal's* presence on the web, including in search engines such as Google. We hope that web searches for energy legal topics will more often include references to these *Journal* pages in the results, thus increasing the visibility of the *Journal* to the benefit of searchers, the *Journal*, and the EBA. We welcome any suggestions as to how to improve these *Journal* web pages, and how to otherwise better serve the *Journal* and the EBA through the *Journal's* on-line presence.

Mr. Strother is Secretary and Board Member of the Foundation of the Energy Law Journal, and Vice-Chair of the EBA Website Committee.

EBA Realigns Chapters continued

of EBA and chapter meetings. With the changes that were adopted, the geographic coverage of the five EBA chapters is now as follows:

Southern Chapter	Western Chapter	Midwest Chapter	Houston Chapter	New Orleans Chapter
Alabama Arkansas Florida Georgia Kentucky Louisiana Mississippi N. Carolina Pennsylvania S. Carolina Tennessee Texas Virginia W. Virginia	Alaska Alberta Arizona Baja California British Columbia California Colorado Idaho Montana Nevada New Mexico Oregon Sonora Utah Washington Wyoming	Illinois Indiana Iowa Kansas Michigan Minnesota Missouri Nebraska N. Dakota Ohio Oklahoma S. Dakota Wisconsin	Houston, TX	New Orleans, LA

Mr. Berner is the Vice President of the EBA.

Paul Nordstrom Interview continued

committee and membership in each committee is open to members of the Association.

Q. What do you see as challenges for 2003 and beyond?

A. The principal focus for Board going forward will be identifying appropriate charitable endeavors and increasing membership participation in the Foundation. We are looking hard not only at specific worthwhile activities and organizations to support, but at identifying

where the Foundation can provide value in the chain from original donee to ultimate recipient, as well. We also are eager to attract EBA members to participate actively on our committees and in our service projects and fundraising activities. To that end, I urge everyone to participate in the Golf Tournament on April 30 and our house building project on May 1.

Ms. Hill is a Board Member of the Charitable Foundation of the EBA.

Attendees Treated To Outstanding Program At Western Chapter Meeting In San Francisco

Peter Jazayeri

On January 15 and 16, 2004, the Western Chapter of the Energy Bar Association held its Annual Meeting in San Francisco, California. Program participants enjoyed an informal reception on the evening of January 15th, hosted by Manatt Phelps & Phillips LLP.

On January 16th, the program began with a morning keynote speech by the Honorable Raul Munoz Leos, Director General of Pemex. Mr. Munoz Leos discussed the ever-evolving and growing opportunities facing Mexico's state-owned energy company. In particular, he addressed how Mexico, under President Fox was able to increase its oil production, and move forward with natural gas development to increase the nation's wealth. At the same time, given the tremendous amount of natural resources in Mexico, Mr. Munoz Leos explained how the country was still in

the process of maximizing its full potential and looked forward to future opportunities.

The morning program also featured a panel discussion entitled "Energy Infrastructure Reliability and Security." Louise McCarren explained the numerous steps taken by the Western Electricity Coordinating Council in response to blackout threats, terrorist threats, and lessons learned from California's energy crisis. Alison Silverstein of the Federal Energy Regulatory Commission explained how the federal government was addressing the issue. She observed that, regardless of the amount of money and time spent on this issue, it is not possible to protect all the infrastructure in the nation, and she emphasized that the best plan is to take the obvious steps to protect against the greatest catastrophes, in hopes that this will serve as a deterrent.

continued on next page

Midwest Chapter Hosts Seventh Annual Energy Conference

Commissioner Kelliher, State Commissioners and Other Industry Leaders Speak

Jeffrey A. Keevil

The EBA's Midwest Chapter hosted its Seventh Annual Midwest Energy Conference in Kansas City, Missouri, in conjunction with its annual chapter meeting, on March 11, 2004. During the previous six years the Midwest Energy Conference brought leaders of the energy industry and energy regulation to Kansas City to discuss current developments in energy and energy regulation and the impact of those developments on the future, particularly as they affect the Midwest. This year's conference continued that tradition.

Despite following on the heels of the NARUC winter committee meetings in Washington, D.C., the Midwest Energy Conference was well attended, with

The Midwest Energy Conference was well attended, with approximately 100 attendees, including speakers.

approximately one hundred attendees, including speakers, convening in Kansas City for panel presentations on the legal and regulatory tensions facing the Midwest ISO and Southwest Power Pool; RTOs and Regional State Committees; natural gas pricing and supply in the Midwest, including hedging programs; and building new

continued on next page

Western Chapter Meeting continued

The next panel addressed “Financial Recovery of the Western Energy Markets.” Walter Higgins, Chairman and Chief Executive Officer of Sierra Pacific Resources, discussed how Sierra Pacific was moving forward and stabilizing, after having weathered a few difficult years. Thomas Lumsden, Senior Managing Director at FTI Consulting, explained how Pacific Gas & Electric Co. was emerging from bankruptcy, chronicling PG&E’s myriad twists before the CPUC, the bankruptcy court and Wall Street. Lastly, Jason Eisdorfer of the Oregon Citizens’ Utility Board and Thomas J. Schenieder presented a post-crisis consumer perspective that included lessons on how to protect consumers without burdening industry.

The Honorable Suedeen G. Kelly gave the luncheon keynote address, explaining how she was adjusting to her new role as a FERC Commissioner. Commissioner Kelly vowed to put a user-friendly stamp on the Commission, discussed how the Commission

The Honorable Raul Munoz Leos discussed the ever-evolving and growing opportunities facing Mexico’s state-owned energy company

looked forward to putting the California crisis behind it, and explained how FERC sought to move forward with Standard Market Design and Regional Transmission Organizations. She also emphasized that her background from New Mexico made her sensitive to Western issues, and she promised to educate those in Washington on the “Western perspective.”

The first afternoon panel addressed the “Future of Fuels and Energy in the West.” The Honorable Muarry D. Smith, Minister of Energy for the Province of Alberta, gave a multi-media presentation touting the amount of natural gas and energy in Alberta. Next, Jan Smutny-Jones of the Independent Energy Producers Association explained that, with LNG’s revival as the next big thing, the future was beginning to resemble the past. The Honorable John L. Geeseman of the California Energy Commission spoke about California’s increased demand for energy, including its expanding population and growing business sector. Commissioner Geeseman

continued on next page

Midwest Chapter Meeting continued

electric power plants, including wind farms, in the Midwest. Attendees were treated to a keynote presentation during the luncheon by the Honorable Joseph Kelliher of the Federal Energy Regulatory Commission.

In addition to Commissioner Kelliher, state utility regulatory commissioners from at least seven states participated in or attended the conference, as well as state utility consumer advocates and a representative of the Environmental Protection Agency. At the conclusion of the conference, the Midwest Chapter held its annual chapter business meeting, at which new officers for the upcoming year were elected and

amendments to the chapter charter were addressed. The conference concluded with a reception co-sponsored by the law firms of Polsinelli Shalton & Welte, P.C. and Stinson Morrison Hecker LLP. This was the second conference held this year by the Midwest Chapter, having co-sponsored a conference in Chicago in October with the East Central Chapter.

In addition to thanking the presenters and conference planning committee members, the Midwest Chapter would like to thank Lorna Johnston Wilson and Marlo Brown of the EBA Administrative Office for their hard work and assistance in making the Seventh Annual Midwest Energy Conference a success.

Upcoming Events

Market and Regulatory Implications of LNG Development Primer for Lawyers	April 28, 2004 Washington, D.C.
Energy Law Journal 25th Anniversary Luncheon and Symposium	April 28, 2004 Washington, D.C.
Reception honoring the Federal Energy Regulatory Commission Administrative Law Judges	April 28, 2004 Washington, D.C.
Annual Meeting, "Running the Company in Today's Market"	April 29, 2004 Washington, D.C.
Charitable Foundation of the Energy Bar Association First Annual Fundraising Golf Tournament	April 30, 2004 Clifton, VA
New York City Meeting, "Back on the Street"	June 10, 2004 New York, NY
Mid-Year Meeting	Date TBD Washington, D.C.

For more information on any of these events, please visit the Meetings and Events page of the EBA website at www.eba-net.org or contact Marlo Brown at 202.223.5625 or marlo@eba-net.org.

ABOUT THE ENERGY BAR ASSOCIATION: EBA is a non-profit voluntary association of attorneys, non-attorney professionals and law students whose mission is to enhance the professional competence of those who practice and administer energy law. Established in 1946 as the Federal Power Bar Association, the Association generally was focused on those lawyers practicing energy regulatory law at the federal level. In 1977, the organization changed its name to the Federal Energy Bar Association to reflect the name change of the Federal Energy Regulatory Commission. Today, the Energy Bar Association is an international, non-profit association of attorneys, non-attorney professionals and law students active in all areas of energy law. It has over 2100 members, five formal chapters in Houston, Midwest, East Central, West and the South Central regions of the U.S. and an increasing number of members across the United States and Canada.

DIVERSITY POLICY STATEMENT: The Energy Bar Association is committed to the goals of fostering an inclusive and diverse membership and increasing diversity across all levels of the Association, so as to reflect the diversity of the energy industry and the Nation as a whole. Attorneys, non-attorney professionals in the energy field and law students are welcome to join our ranks regardless of race, creed, color, gender, ethnic origin, religion, sexual preference, age, or physical disability and are encouraged to become active participants in the Association's activities.

Energy Bar Association, 2175 K Street, N.W., Suite 600, Washington, D.C. 20037-1828, Tel: 202/223-5625, Fax: 202/833-5596, E-mail: admin@eba-net.org, website: www.eba-net.org

© 2003 Energy Bar Association

Western Chapter Meeting continued

addressed how the state government must act to reduce demand, secure additional energy supplies, give consumers more choices, and ensure that California avoids future supply disruptions and high prices.

The final panel of the afternoon addressed the practical realities of "Energy Companies in Crisis." Joe Paul from Dynegy used some great props and memorabilia to discuss his experience through the California crisis. As practical advice, Mr. Paul stressed that it was important to hire excellent attorneys and always tell the truth. On a similar note, Dan Kramer, from the firm Nichols-Dezenhall CMG, spoke about the importance of effective public relations, particularly of the need to attack back if you are being attacked. Lastly, Greg Gehlmann of Manatt Phelps & Phillips LLP addressed the role of outside counsel in guiding a company through a crisis, including protecting the attorney-client privilege while also balancing the conflicting needs of management and boards of directors.

Mr. Jazayeri is a member of the EBA Western Chapter. He moderated the "Energy Companies in Crisis" panel at the San Francisco Meeting.