

# 2007 The MICHIGAN FORUM ON ECONOMIC REGULATORY POLICY

## WHERE DO WE GO FROM HERE?

JANUARY 26, 2007 • KELLOGG CENTER, MSU

### ABOUT THE FORUM

The 2007 Michigan Forum on Economic Regulatory Policy will focus again on recent market and public policy developments in the utility sectors, implications for Michigan, and new state initiatives – particularly the *21<sup>st</sup> Century Energy Plan* and the *Uniform Video Services Local Franchise Act*. Forum attendees will hear presentations by knowledgeable and objective sector experts, followed by roundtable discussions that include Michigan stakeholders from various regulatory, consumer, and industry perspectives.



This year's Forum will be at the Kellogg Center on the campus of Michigan State University. The Forum is a one-day conference designed specifically by the Institute of Public Utilities for the Michigan Public Service Commission, the Michigan State Legislature, the Offices of the Governor and Attorney General, consumer advocates, utility industry representatives, and other stakeholders interested in Michigan regulatory policy. The program is developed in collaboration with the Commissioners and staff of the Michigan PSC.

### REGISTRATION

Registration for the Forum is complimentary for the public sector and \$45 for the private sector; breaks and lunch are included with the registration fee. Space is limited, so please register early. To register, please contact IPU at 517.355.1876 or [ipu@msu.edu](mailto:ipu@msu.edu).

### ABOUT THE INSTITUTE

The Institute of Public Utilities supports informed, effective, and efficient utility regulation by providing integrative, interdisciplinary, and balanced educational programs and applied research to the regulatory policy community. The Institute is an independent, nonprofit educational and research unit of Michigan State University and affiliated with several academic colleges. This IPU event is cosponsored by MSU's Quello Center for Telecommunication Management and Law and the Institute for Public Policy and Social Research.

### CONTACT INFORMATION

Visit the [Kellogg Center](#) for location information.

Register online at [ipu.msu.edu](http://ipu.msu.edu) or contact the Institute:

517.355.1876 phone • 517.355.1854 fax • [ipu@msu.edu](mailto:ipu@msu.edu)

MICHIGAN STATE  
UNIVERSITY

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### PROGRAM AGENDA

- 8:30 to 9:00 am      **Registration and Coffee**
- 9:00 to 9:20 am      **Introduction and Welcome**  
Dr. Janice A. Beecher, IPU-MSU  
The Hon. Peter Lark, Chairman, Michigan Public Service Commission
- 9:30 to 10:30 am    **Developments in National Electricity Markets and Policy (WEBSITE)**  
Dr. Kenneth Rose, Consultant and IPU Senior Fellow
- 10:45 to 12:00 pm   **The 21<sup>st</sup> Century Energy Plan (WEBSITE)**  
Mr. George Stojic, Director, Operations and Wholesale Markets, MI PSC
- 12:00 to 1:00 pm    **Lunch at the Kellogg Center**
- 1:00 to 2:30 pm      **Roundtable Panel on Michigan's Energy Future**  
Ms. Sue Devon, Director, Regulated Energy, MI PSC, Moderator  
*Discussants*  
Mr. Dan Brudzynski, VP of Regulatory Affairs, DTE  
Mr. William Garrity, Senior VP, Consumers Energy  
Mr. Gregory Ioanidis, Regulatory Affairs, ITC  
Mr. Michael Peters, Michigan Electric Cooperative Association  
Mr. Jim Weeks, General Counsel, Michigan Municipal Electric Assoc.  
Mr. Rodger A. Kershner, Attorney, Howard & Howard  
Mr. Robert Strong, Clark Hill and ABATE  
Mr. David Hadley, VP of State Regulatory Relations, MISO
- 2:45 to 4:15 pm     **Convergence, Franchising, and Net Neutrality in Telecom**  
The Hon. Monica Martinez, Commissioner, MI PSC, Moderator  
Prof. Johannes Bauer, Quello Center, MSU  
*Discussants*  
Mr. Orjiakor Isiogu, Director, Telecommunications, MI PSC  
Mr. Bruce Byrd, Vice President and General Counsel, AT&T  
Mr. Robert Nelson, Fraser Trebilcock Davis & Dunlap
- 4:15 pm                **Adjourn**

QUELLO CENTER

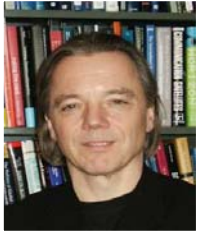
IPPSR  
*Institute for Public Policy & Social Research*

INSTITUTE OF PUBLIC UTILITIES  
Policy Research and Education

MICHIGAN STATE  
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## SPEAKER BIOGRAPHIES



**Johannes M. Bauer** ([bauerj@msu.edu](mailto:bauerj@msu.edu)) is a Professor in the Department of Telecommunication, Information Studies, and Media at Michigan State University. He is also the Co-Director of the Quello Center for Telecommunication Management and Law at Michigan State University. Dr. Bauer joined Michigan State University in 1990 after receiving his doctorate in economics from the Vienna University of Economics and Business Administration, Vienna, Austria. From 1993 until 1998, he directed the Institute of Public Utilities and Network Industries at the Eli Broad Graduate School of Management at Michigan State University. Dr. Bauer taught and researched as a visiting professor at the Delft University of Technology, the Netherlands (2000-2001) and the University of International Business and Economics in Beijing, China (2002). His research was sponsored, among others, by the National Science Foundation (NSF), the Ford Foundation, and major corporations. It covers a wide range of issues related to the evolution of communications and information industries, in particular the design and effect of public policies towards these industries, and business strategies in network industries, often from a comparative and international perspective. His work was published in the leading journals in the field, including Telecommunications Policy, Information Economics and Policy, Communications & Strategies, Telematics & Informatics, and Info. He is co-editor of the Journal of Media Economics and serves on the editorial board of Information Economics and Policy. Dr. Bauer has served as an advisor and consultant for public and private sector organizations in North and South America, Europe, and Asia.



**Daniel G. Brudzynski** ([brudzynskid@dteenergy.com](mailto:brudzynskid@dteenergy.com)) is vice president of regulatory affairs at DTE Energy. He is responsible for rate, regulatory and financial evaluation matters, including maintaining relationships with the Michigan Public Service Commission and the Federal Energy Regulatory Commission. Brudzynski joined the company in 1997 as assistant controller and has served in multiple capacities. Prior to joining the company, Daniel worked for Chrysler Corp.'s Controller's Office in a variety of financial-related positions. He also worked in the commercial lending division of First of America Bank as a commercial credit analyst. Daniel earned a Bachelor of Science degree in finance and accounting from Wayne State University and a master of business administration degree from the University of Detroit.



**Bruce Byrd** ([bruce.byrd@att.com](mailto:bruce.byrd@att.com)) is AT&T's Vice President and General Counsel – Washington. Among other things, he is the chief legal advisor to AT&T's federal lobbyists and is a principal strategist in connection with the company's IP and video initiatives. Previously, Mr. Byrd was SBC's General Attorney for Network and Broadband operations, located in San Antonio. Prior to that, he was SBC's Senior Counsel for Regulatory and Legislative Affairs in Michigan. Before joining SBC in 2000, Mr. Byrd was a partner at the Detroit law firm Dickinson Wright PLLC, specializing in complex commercial litigation, antitrust and class action defense matters. Mr. Byrd is a 1992 *cum laude* graduate of the University of Michigan Law School.



**Susan Devon** ([scdevon@michigan.gov](mailto:scdevon@michigan.gov)) has been the Director of Regulated Energy Division at the Michigan Public Service Commission since 2004 and is responsible for regulatory oversight of most financial and ratemaking aspects of Michigan's regulated energy utilities. Ms. Devon served as manager of the Commission's Gas and Electric Auditing & Rates and Tariff Sections from 1984 - 2003. In 2003 she was appointed as Executive Assistant to MPSC Chairman, J. Peter Lark, advising the Chairman on pending legislative initiatives, commission policy, orders and key utility issues. Sue is also responsible for overseeing Michigan's retail gas and electric choice programs. She earned a Bachelor's Degree in Business with a major in Accounting from Western Michigan University, and has been a registered Certified Public Accountant in the State of Michigan for more than two decades.



**William E. Garrity** ([wegarrity@cmsenergy.com](mailto:wegarrity@cmsenergy.com)) is the Senior Vice President of Electric and Gas Supply for Consumers Energy, the principal subsidiary of CMS Energy. Mr. Garrity has overall responsibility to ensure that adequate energy supply resources are available and utilized economically to serve Consumers' electric and natural gas customers. Mr. Garrity's responsibilities include the supply activities associated with the company's gas cost recovery and electric power supply cost recovery proceedings before the Michigan Public Service Commission. He joined the company in 1977 and has held positions in various areas, including fuel supply, engineering, power transactions, economic studies, and plant modifications. Mr. Garrity earned a bachelor's degree in engineering from Oakland University and a master's degree in engineering-economic systems from Stanford University. He is a registered professional engineer in Michigan.



**David Hadley** ([dhadley@midwestiso.org](mailto:dhadley@midwestiso.org)) is Vice President of State Regulatory Relations responsible for the Midwest ISO's state regulatory affairs program in the 15 states in which MISO operates. From 2000 until 2006, Dave was a Commissioner at the Indiana Utility Regulatory Commission (IURC). Prior to being appointed to the IURC, Hadley was an executive officer at the Indiana AFL-CIO and a business development specialist with the Indiana Department of Workforce Development. He has also worked as the legislative affairs representative for the United Mine Workers of America. Dave is a national expert on clean coal technologies and wholesale energy markets among other issues. He served on NARUC's Committee on International Relations.



**Gregory Ioanidis** ([gioanidis@itctransco.com](mailto:gioanidis@itctransco.com)), Director, Regulatory Strategy of International Transmission Company (ITC). Mr. Ioanidis keeps abreast of federal regulatory policy, represents the Company on all transmission pricing and tariff issues, and oversees the formulation of regulatory strategy to respond to transmission policy or filings impacting ITC *Transmission*. Prior to this position, Mr. Ioanidis worked for The Detroit Edison Company ("Detroit Edison") in the Pricing and Revenue Requirement department. Mr. Ioanidis obtained a Bachelor of Mathematics degree in Actuarial Science with a minor in Statistics from the University of Waterloo and a Master of Business Administration with a concentration in Production/Logistics Management from the University of Windsor.



**Orjiakor Isiogu** ([onisiog@michigan.gov](mailto:onisiog@michigan.gov)) is the Director of the Telecommunications Division of the Michigan Public Service Division, a position he has held since 2003. He has served under three Attorneys General – Frank J. Kelley, Jennifer M. Granholm, and Michael A. Cox, and was appointed Assistant Attorney General for the State of Michigan in 1989. Mr. Isiogu earned a B.A. degree and a Juris Doctorate from Wayne State University.



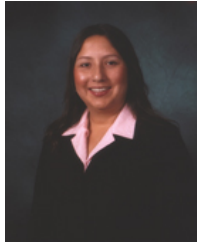
**Rodger Kershner** ([rkershner@howardandhoward.com](mailto:rkershner@howardandhoward.com)), attorney at Howard & Howard, focuses his practice in energy, corporate and real estate law, with significant experience in environmental matters, brownfield redevelopment, antitrust, mergers and acquisitions, and other corporate matters for national and international corporations. Prior to joining Howard & Howard in 2003, he was Senior Vice President, General Counsel and Secretary of CMS Energy Corporation. Mr. Kershner is vice chair of the Electricity and Corporate Governance Committees of the American Bar Association's Public Utility, Communications and Transportation Law Section and a member of the Section's Council Group, and is also chairman of the Board of Control of Michigan Technological University. Mr. Kershner received a Bachelor of Science in business administration from Wayne State University and a Juris Doctor, *cum laude*, from the Detroit College of Law.



**J. Peter Lark** was appointed to serve as Chair of the Michigan Public Service Commission by Governor Jennifer Granholm on August 4, 2003. His term ends July 2, 2009. Mr. Lark most recently served as Assistant Attorney General in charge of the Special Litigation Division of the Michigan Attorney General's office where he served since 1979. The Special Litigation Division advocated on behalf of the Attorney General before the Michigan Public Service Commission, the Federal Energy Regulatory Commission, the Federal Communications Commission, and federal and state trial and appellate courts. Mr. Lark headed the Special Litigation Division under three Attorneys General. While at the Attorney General he has served on the Litigation Advisory Board and the Opinion Review Board. He has tried cases in the federal and Michigan courts, and has argued numerous cases in the state and federal appellate courts, including the Michigan Supreme Court and the U.S. Court of Appeals.

In 2003, Mr. Lark was appointed by Governor Granholm to serve on both the Electric System Working Group and the Nuclear Working Group for the Joint United States - Canada Energy Task Force established by President George W. Bush and Prime Minister Jean Chrétien to investigate the causes of the August 2003 blackout. He has testified before the U.S. Congress on electric issues, and serves on the National Association of Regulatory Utility Commissioners Subcommittee on Nuclear Issues.

By Executive Directive 2006-2, Governor Granholm assigned Mr. Lark responsibility for development of a 21<sup>st</sup> Century Energy Plan for the State of Michigan. The plan is to be completed by December 31, 2006. From 1985 through 2003, he served as an adjunct professor at the Thomas M. Cooley Law School teaching advocacy, trial workshop, and advanced trial workshop. Before joining the Attorney General's Office, he served as an Assistant Prosecuting Attorney in Wayne County. Mr. Lark received a law degree from Western New England College School of Law in 1976, and earned an undergraduate degree, from Boston College in 1973.



**Monica Martinez**, Commissioner at the Michigan Public Service Commission, was appointed by Governor Jennifer Granholm on July 3, 2005. Her appointed term ends July 2, 2011. Since joining the Commission, Commissioner Martinez has taken an active role in issues relating to consumer education and awareness, and low income energy assistance. As a member of the National Association of Regulatory Utility Commissioners (NARUC), Committee on Consumer Affairs, she most recently initiated support for a call to action to promote telephone record privacy and supported efforts for uniform data collection for energy arrearages. She is also a member of the NARUC Committee on Telecommunications, and its Federal-State Task Force and was recently elected as the secretary for the Mid-America Regulatory Conference (MARC)..

Prior to her appointment to the Commission, Ms. Martinez served as Deputy Director of the Governor's Legislative Affairs Division. In that capacity, she was responsible for advancing the Executive Branch's views and initiatives to the Michigan Legislature. She also advised on telecommunications and energy, including participating in the Coalition to Keep Michigan Warm. Prior to her position in the Executive Office, she served as a policy analyst to the Michigan Senate Democratic Office where she specialized in telecommunications, energy, human services, and family law policy issues. She was a key advisor to the Senate Democratic Caucus during the legislative deliberation of the Customer Choice and Electricity Reliability Act. Additionally, Ms. Martinez contributed to major legislative packages affecting children and vulnerable adults, including revisions to Michigan statutes affecting child support enforcement, child welfare, and the duties and responsibilities of guardians and conservators.

Before joining the Senate Democratic Office, Ms. Martinez served at the Alumni Association of the University of Michigan and the Center for Corporate and Professional Development at UM-Dearborn. Ms. Martinez earned her undergraduate degree in economics and political science at The University of Michigan.



**Robert Nelson** (rnelson@fraserlawfirm.com) is a shareholder in the Utility Law Practice Group of the law firm of Fraser, Trebilcock, Davis & Dunlap, P.C. He was originally appointed as Commissioner of the Michigan PSC by Governor John Engler on May 10, 1999 and was subsequently reappointed for a term ending July 2, 2005. Mr. Nelson served as President of the Michigan Electric and Gas Association from December 1987 until his appointment to the Commission in 1999. From 1979 to 1987, he was Director of the Commission's Office of Regulatory and Consumer Affairs, overseeing the legislative, legal, public affairs and consumer services functions of the Commission. From 1976 to 1979, he served as both Assistant and Deputy Director of Policy at the Commission. From 1974 to 1976, he was an Assistant and, later, Senior Assistant Prosecutor for Ingham County. He has also served as a trial attorney for the Federal Communications Commission (FCC). Mr. Nelson

serves on the National Association of Regulatory Utility Commissioners' Consumer Affairs Committee and the Telecommunications Committee, the Advisory Council for the Center for Public Utilities at New Mexico State University. Mr. Nelson received a B.A. in Political Science from Wayne State University (1968), and a J.D. from the University of Michigan Law School (1970).



**Michael Peters** (mpeters@countrylines.com) is the Executive Vice President and General Manager of the Michigan Electric Cooperative Association. MECA is the statewide service association for the state's rural electric cooperatives. In his role as Executive Vice President, Mike is responsible for policy development on behalf of the cooperatives and representing their interests before the state legislature, Congress, and the various agencies affecting their operation. Before joining MECA in 1996, Mike served as General Counsel for the Association of Illinois Electric Cooperatives where he was responsible for all legal and regulatory issues. Mike started his career with the Kansas Electric Cooperative Association as its General Counsel after graduating from Washburn University School of Law in 1987.



**Kenneth Rose** (ken@kenrose.us), Consultant and Senior Fellow specializing in energy studies at the Institute of Public Utilities. He has testified or presented at many legislative and public utility commission hearings, proceedings, conferences and workshops on electric industry issues and has testified before several committees of the U.S. House of Representatives on regulatory matters. Dr. Rose has worked primarily on studies concerning the electric industry and has directed or contributed to many reports, papers, articles and books. Topics include Clean Air Act implementation, environmental externalities of electricity production, competitive bidding for power supply, regulatory treatment of uneconomic costs, market power and market monitoring, and other industry restructuring issues. He is a frequent presenter at conferences and workshops, and is quoted often in *The New York Times*, *The Washington Post*, *The Wall Street Journal*, other newspapers and in trade publications. Dr. Rose lectures for the School of Public Policy and Management at The Ohio State University. Dr. Rose was a Senior Institute Economist at The National Regulatory Research Institute at The Ohio State University from 1989 until October 2002. Prior to NRRRI, Dr. Rose worked on many energy related issues at Argonne National Laboratory from 1984 to 1989. Dr. Rose received his B.S. (1981), M.A. (1983), and Ph.D. (1988) in Economics from the University of Illinois at Chicago.



**George Stojic** (grstoji@michigan.gov), Director of the Operations and Wholesale Markets Division at the Michigan Public Service Commission. He leads the review and development of electric and gas reliability operations at the Commission and enforcement of the State's natural gas safety program, pipeline certification program, and natural gas storage operations. He is also responsible for analyzing and developing policy recommendations for Federal and regional energy market and transmission initiatives. Mr. Stojic has been responsible for conducting the Michigan Electric Capacity Need Forum and for preparing its final report. The Forum's work represents a comprehensive assessment of Michigan's electric generation capacity needs for the next 20 years. Prior to his current position, Mr. Stojic was responsible for the Commission's power supply cost recovery and natural gas cost recovery programs. He has served as Manager of the Financial Analysis and Accounting, overseeing utility audits and managing financial programs for the Commission. Mr. Stojic has participated in numerous rate cases and projects at the Commission. His responsibilities have included rate making issues, cost of service studies, corporate transactions standards, competitive power issues, and numerous other regulatory topics. He has written the Upper Peninsula Market Power study for the Commission. He has also served on the National Association of Regulatory Commissioners' Subcommittee on Finance and Accounts. Mr. Stojic has served as an adjunct faculty member at Lansing Community College, teaching courses in economics. He received his Master of Arts degree from Michigan State University and his Bachelor of Science degree from Ferris State University.



**Robert A.W. Strong** (rstrong@clarkhill.com), attorney for Clark Hill, has represented industrial clients in all areas of energy and utility law, including contracting, rate negotiation, ratemaking, environmental permitting, energy pricing and purchasing and civil litigation. Mr. Strong has developed cogeneration feasibility studies, negotiated electric interconnection agreements with utilities and negotiated special contracts. He has also represented clients in connection with their desire to replace investor-owned utilities with municipal utilities. Mr. Strong has an extensive background in all aspects of electric and gas utility ratemaking practice and procedures before the Federal Energy Regulatory Commission and the Michigan Public Service Commission. Mr. Strong received a B.A. from Kalamazoo College in 1974 and a J.D. from the University of Michigan in 1977.



**Jim Weeks** (jweeks@mpower.com), General Counsel and Governmental Liaison for the Michigan Municipal Electric Association (MMEA). Jim joined the Association in 1996 after serving nearly eight years as a staff member in the Michigan House of Representatives. In his current position, he is responsible for the regulatory, legislative and legal functions of MMEA. Jim first joined the House Republican staff in 1988 where he served as a Legislative Aide; from 1991 until 1993, he worked for the House Republican Communications staff and from 1993 until 1996, Jim served in the House as Legislative Aide to State Representative Allen Lowe. He is a member of the State Bar of Michigan and the American Bar Association. Mr. Weeks received a Bachelor of Arts degree from Michigan State University in 1988 and a J.D. degree from Thomas M. Cooley Law School in 1993.