

# 2006 The MICHIGAN FORUM

ON TELECOMMUNICATIONS AND ENERGY REGULATORY POLICY  
STATE, REGIONAL, AND FEDERAL POLICY DEVELOPMENTS AND LEGISLATIVE IMPLICATIONS  
JANUARY 27, 2006  
KELLOGG CENTER, MSU

## ABOUT THE FORUM

The 2006 Michigan Forum on telecommunications and energy regulatory policy will be held this year on January 27, 2006 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.



This year's Forum will focus on recent policy developments in both the energy and telecommunications sectors, particularly with respect to implications for Michigan. We will consider how federal and state regulatory policies are changing along with changing industry structures and technologies. We will also look at the future of wholesale and retail markets and competition, as well as new rules and institutions for governing them.

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.

## REGISTRATION

Registration for the Forum is complimentary for the public sector and \$35 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.

## 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) ☎ [beecher@msu.edu](mailto:beecher@msu.edu)

INSTITUTE OF PUBLIC UTILITIES  
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## PROGRAM AGENDA

- 8:30 to 9:00 am      **Registration and Coffee**
- 9:00 to 9:10 am      **Introduction and Welcome**  
Dr. Janice A. Beecher, IPU-MSU  
The Hon. Peter Lark, Chairman, Michigan PSC
- 9:10 to 10:30 am    **Developments in National Electricity Markets and Policy**  
Dr. Kenneth Rose, Consultant and IPU Senior Fellow  
Dr. Karl McDermott, V.P., National Economic Research Associates
- 10:45 to 11:45 am   **Developments in Michigan Energy Markets and Policy**  
The Hon. Peter Lark, Chairman, Michigan PSC, Moderator  
Mr. Stephen Ewing, VP DTE Energy and President of AGA  
Mr. George Stojic, Operations and Wholesale Markets Director, MI PSC
- 11:45 to 12:45 pm   **Lunch at the Kellogg Center**
- 12:45 to 1:45 pm    **Roundtable on Electricity Markets and Policy:  
Putting the Pieces Together**  
Mr. Greg White, Legislative Liaison, Michigan PSC, Moderator  
Mr. Barry Cargill, Chair, The Customer Choice Coalition  
Mr. Jim Weeks, General Counsel, Michigan Municipal Electric Association  
Mr. Jon Allan, Manager of New Generation, Consumers Energy  
Mr. Daniel Voss, Regulatory & Commodity Manager, General Motors  
Ms. Susan Devon, Director, Regulated Energy Division, Michigan PSC
- 2:00 to 4:00 pm      **Developments in Telecommunications Markets and Policy**  
The Hon. Monica Martinez, Commissioner, Michigan PSC, Moderator  
Prof. Adam Candeub, MSU College of Law  
Prof. Johannes Bauer, Quello Center, MSU  
Mr. Orjiakor Isiogu, Telecommunications Division Director, Michigan PSC  
Mr. Bob Stewart, Chief Financial Officer, Climax Telephone Company  
Mr. Michael Holmes, Attorney, Law Offices of Dickinson Wright
- 4:00 pm                **Closing Remarks**  
Dr. Janice Beecher, IPU-MSU

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## 2006 Michigan Forum on Telecommunications & Energy Regulatory Policy

### SPEAKER BIOGRAPHIES

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**JON W. ALLAN** is the Manager of New Generation at Consumers Energy. In this role, he is responsible for programmatic leadership of a number of planning and policy-based initiatives associated with the analysis and development of new generation assets within the Utility. Most recently he was Director of Environmental Services, Land and Water Management for Consumers Energy Company and also Department Head of the Company's Analytical Chemistry Laboratory. He has worked on many water-related issues with the Michigan Chamber of Commerce's Environmental Quality Committee and is a past chairman of this Committee. He was also a member of the Great Lakes Fisheries Trust for a number of years. Jon currently serves as the utility representative on the Advisory Committee to the Water Management Working Group of the Annex 2001 implementation program, is Co-chairman of Michigan's Groundwater Conservation Advisory Council and is the immediate past Chairman of Michigan Environmental Laboratory Association. He has previously worked for the Institute for Environmental Toxicology at Michigan State University. He has taught a number of courses over the years in ecology and natural sciences, environmental impact assessment and marine biology at Michigan State University, Lansing Community College and for the Philadelphia Academy of Science. He holds an undergraduate degree in Fisheries and Wildlife (Environmental Education), a Masters Degree in Zoology (Aquatic Ecology) from Michigan State University, and completed substantial additional post graduate work in Resource Development and Environmental Policy also at MSU. He is a published author on topics principally related to wetlands, stream ecology and fisheries.



**JOHANNES M. BAUER** Professor, 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. He 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 in 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, and Telematics & Informatics. He is a 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. He is presently working on a book on the challenges of and solutions to governing advanced information and communication technologies.



**JANICE BEECHER**, Director, Institute of Public Utilities and Adjunct, Department of Political Science, College of Law, MSU. She brings twenty years of experience in public utility regulation to the IPU and is responsible for Institute development, program management, and interdisciplinary research in support of the IPU's mission of service to the regulatory policy community. She also conducts comparative crosssector research on public utilities and has particular expertise in the structure and regulation of the water industry. She has testified before the U.S. Congress on water infrastructure needs. She is a frequent lecturer and the author of several research reports and other publications. Dr. Beecher's areas of interest and expertise include regulatory theory, decision-making, and policy and comparative utility industry analysis. Her recent research focuses on structural and institutional change, regulatory federalism, innovative regulatory techniques, utility infrastructure needs, privatization and globalization, impacts of deregulation, performance benchmarking, goal-oriented pricing, equity and affordability, and integrated and strategic planning. Dr. Beecher previously was an independent policy consultant and held senior research and adjunct faculty positions at the Ohio State University and Indiana University. She also worked on staff as a

policy advisor to the chairman of the Illinois Commerce Commission. She has a B.A. in economics, political science, and history from Elmhurst College and a M.A. and Ph. D. in Political Science from Northwestern University.



**ADAM CANDEUB** joined the MSU Law faculty in fall 2004. He is also a Fellow at MSU's Institute for Public Utilities. Prior to arriving at MSU, he was an attorney-advisor for the Federal Communications Commission (FCC) in the Media Bureau and previously in the Common Carrier Bureau, Competitive Pricing Division. His work at the FCC involved him in critical decisions in communications law. From 1998 to 2000, Professor Candeub was a litigation associate for the Washington D.C. firm of Jones, Day, Reavis & Pogue, in the issues and appeals practice. He also has served as a corporate associate with Cleary, Gottlieb, Steen & Hamilton, also in Washington, D.C. Immediately following law school, he clerked for Chief Judge J. Clifford Wallace, U.S. Court of Appeals for the Ninth Circuit. While in law school, Professor Candeub was an articles editor for the University of Pennsylvania Law Review. In addition to his scholarship and interest in criminal law and philosophy, Professor Candeub has developed an impressive expertise in communications, administrative and antitrust law as well as an extensive background in economics. He teaches courses in the Intellectual Property & Communications Law Program.



**BARRY CARGILL**, Chair, The Customer Choice Coalition and is currently Vice President of Government Relations for the Small Business Association of Michigan (SBAM). SBAM is a Michigan based trade association representing over 5,000 small businesses. He has the responsibility for overseeing the Association's Government Relations Activities in Lansing and Washington DC and to advocate for legislative and regulatory issues important to small business. Utility issues are only one of many small business issues that Barry represents. In addition to representing the Small Business Association of Michigan, Barry is the Chair of the Customer Choice Coalition (CCC). In addition to SBAM, membership in the CCC includes a wide range of utility customers including ABATE, AARP – Michigan, MI Retailers, universities, schools and many more. The mission of the Coalition is to support and advance competitive electric markets in Michigan and offer all customers the opportunity to choose their gas and electric supplier.

**SUSAN DEVON**, Michigan Public Service Commission, is the Director of Regulated Energy Division and has been involved in the rate regulation of energy utilities for the past 27 years. From 1984-2001, Ms. Devon served as manager of the Commission's Gas Auditing & Rates and Tariff Sections. In 2001, she was named manager of the Rate Section of the Energy Operations Division where her responsibilities included rate setting for both electric and gas utilities. 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. She assumed her current position as Director of the Regulated Energy Division in May of 2004. Ms. Devon was appointed a member of the Research Advisory Committee for the National Regulatory Research Institute in June 2004 and currently serves as its chair. She is a member of the NARUC Staff Subcommittee on Electricity. 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.



**STEPHEN E. EWING**, Vice Chairman, DTE Energy. He is responsible for developing new opportunities in the gas business and managing the company's gas-related external business relationships. Ewing joined DTE Energy having previously served as president and chief operating officer of MCN Energy Group Inc. and president and chief executive officer of Michigan Consolidated Gas Co. (MichCon), a natural gas utility serving 1.2 million customers in more than 550 communities throughout Michigan. MCN Energy Group is the former parent company of MichCon. When DTE Energy and MCN Energy Group merged in 2001, MichCon became a principal operating subsidiary of DTE Energy. Ewing joined MichCon in 1971 and held executive positions in corporate planning, personnel, administration, and customer service. In 1985, he was named president and chief operating officer of MichCon, and assumed the role of chief executive officer of MichCon in 1992. Ewing earned a bachelor of arts degree from DePauw University, and a master's degree in business administration from Michigan State University. He also completed the Harvard Business School's advanced management program. He served four years in the U.S. Air Force, earning the rank of captain before leaving active duty in 1970. Ewing was recently elected to serve as chairman of the American Gas Association's board of directors for 2006. He currently serves as the 1st vice

chairman. He also serves on the board of the AAA Auto Club Group. He is the past chairman of the Midwest Gas Association and the Natural Gas Vehicle Coalition. Ewing also serves on the board of directors of several economic, educational, cultural, community, and health and human service organizations and businesses.



**MICHAEL A. HOLMES** is a member of the Regulatory/Administrative Law Practice Group at the law firm of Dickinson Wright PLLC. His work over the past 16 years in the areas of telecommunications regulation, appellate practice and administrative law for several key clients, including SBC Michigan (now AT&T Michigan), has helped shape various pieces of state telecommunications, tax and consumer protection legislation, including the recently amended Michigan Telecommunications Act. Before joining Dickinson Wright, Mike served as General Attorney Regulatory for SBC Michigan. He received both his undergraduate and law degrees from the University of Michigan, from which he graduated cum laude.

**ORJIAKOR N. ISIOGU**, Director of the Telecommunications Division, Michigan Public Service Commission. He assumed current position in June of 2003. Mr. Isiogu was appointed Assistant Attorney General for the State of Michigan in 1989. He served under three Attorneys General – Frank J. Kelley, Jennifer M. Grahlm, and Michael A. Cox. He received a B.A. and J.D. from Wayne State University



**J. PETER LARK**, Chairman, Michigan Public Service Commission. J. Peter 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. Lark also serves on the National Association of Regulatory Utility Commissioners Subcommittee on Nuclear Issues. Since 1985 he has been 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, Michigan. Lark received a law degree from Western New England College School of Law in 1976, and earned an undergraduate degree, with honors, from Boston College in 1973.



**MONICA MARTINEZ** was appointed to the Michigan PSC by Governor Jennifer Granholm for a term beginning on July 3, 2005. Her appointed term ends on July 2, 2011. Ms. Martinez most recently served as Deputy Director of the Governor's Legislative Affairs Division where she served as the Governor's principal lobbyist and liaison to the Michigan Senate on all legislative matters since January, 2003. The Legislative Affairs Division is the arm of the Executive Branch responsible for communicating with the Michigan Legislature regarding all legislative efforts and proposals to accomplish policy goals and objectives that will benefit the citizens of Michigan. Prior to her role in the Executive Office, Ms. Martinez served as an analyst for the Senate Democratic Office where she specialized in technology and energy, human services, and family law policy issues. She was the key advisor to the Senate Democratic Caucus during the legislative deliberation of the Customer Choice and Electricity Reliability Act of 2000 and the latest Michigan Telecommunications Act rewrite. Before joining the Senate Democratic Office she served as a Regional Alumni Relations Assistant at the Alumni Association of The University of Michigan and as a Program Assistant at 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.



**KARL MCDERMOTT**, is Vice President, National Economic Research Associates. Dr. McDermott received a B.A. in Economics from Indiana University of Pennsylvania, his M.A. in Public Utility Economics at the University of Wyoming, and his Ph.D. in Economics at the University of Illinois. Dr. McDermott specializes in public utility regulation and served as Commissioner (1992-1998) on the Illinois Commerce Commission during the negotiation of the Illinois restructuring law. As a Commissioner, Dr. McDermott lectured extensively in Eastern Europe and South America on regulatory reform. During the six years that he served as Commissioner, he had an opportunity to evaluate alternative regulation proposals and the economic and social impacts of a number of new policies presented to the Commission. Dr. McDermott initiated the Commission's investigation into alternative restructuring options and has made a number of presentations on restructuring issues. Since leaving the Commission, Dr. McDermott has advised various companies on restructuring issues. He is the author of "Is There a Rational Path to Implementing Competition?" appearing in The Electricity Journal.



**KENNETH ROSE**, Consultant and Senior Fellow specializing in energy studies at the Institute of Public Utilities. Dr. Rose has been working on energy and regulatory issues for more than eighteen years. 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.



**BOB STEWART**, Chief Financial Officer, Climax Telephone Company in Climax, Michigan. Bob is a graduate of Michigan State University with Honors in Accounting. Bob holds a MBA from the University of North Texas and is a registered CPA. Bob has over twenty years in the telecommunications industry working in managerial, executive, and consulting positions for landline, wireless, long distance, incumbent and competitive communications providers. CTS Communications is a provider of communications services in the greater Battle Creek and Kalamazoo area serving residential and business customers and was one of the first competitive providers in the state.

**GEORGE STOJIC** is 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.

**DANIEL VOSS** is a Regulatory & Commodity Manager for the General Motors Corporation in their Energy & Utility Services Group. Mr. Voss is a registered professional engineer in the State of Michigan. He has been with the General Motors for eighteen years and has been in the Energy & Utility Services Group for the past nine years. His current responsibilities include the procurement of electricity and natural gas for GM sites in 12 states including Michigan. Mr. Voss has also been involved with the development of several renewable energy projects at various GM sites. He holds a degree of Bachelor of Science in Mechanical Engineering from the University of Michigan.

**JIM WEEKS** is General Counsel and Governmental Liaison for the Michigan Municipal Electric Association (MMEA), which is Michigan's trade group for municipally owned and operated electric utilities. He joined the Association in 1996 after serving nearly eight years as a staff member in the Michigan House of Representatives. Jim first joined the House Republican staff in 1988 where he served as a Legislative Aide to the late State Representative Sid Ouwinga. In 1991, he was a candidate in the special election for the 18th District State House seat. Jim then went to work for the House Republican Communications staff until January of 1993. Before coming to MMEA, he served his last three years in the House as Legislative Aide to State Representative Allen Lowe. Mr. Weeks received a Bachelor of Arts degree from Michigan State University in 1988 and a Juris Doctor degree from Thomas M. Cooley Law School in 1993. He is a member of the State Bar of Michigan and the American Bar Association.

**GREG R. WHITE** serves as the Legislative Liaison for the Michigan Public Service Commission. In this position, he represents the Public Service Commission before the Michigan Legislature and the U.S. Congress on matters under the Commission's purview, including energy and telecommunications issues. Prior to this appointment, Mr. White served as the Executive Assistant to Commissioner Robert B. Nelson and to Commissioner John C. Shea. Mr. White also served as a Special Assistant to Commission Chairman John G. Strand. Prior to moving into the Commissioner's office, Mr. White served on the Commission's policy staff working on issues in all utility sectors, primarily handling Congressional and Federal relations for the Commission. He has spent the majority of his professional career in the areas of energy and environmental policy and has worked in the fields of renewable energy development, oil and gas development, electricity supply, and nuclear issues at the Michigan Public Service Commission, the Michigan Energy Administration, and the Michigan Geological Survey. Mr. White serves as the Chair of the Subcommittee on Nuclear Issues and Waste Disposal for the National Association of Regulatory Utility Commissioners, a position he has held since 1999. He has provided expert testimony on matters concerning the nuclear utility industry before the U.S. Nuclear Regulatory Commission, the U.S. Nuclear Waste Technical Review Board, and the Michigan Legislature. Mr. White holds a Bachelor of Science degree from Michigan State University, and a Masters of Public Administration from Grand Valley State University.