42nd Annual PURC Conference
Golden Egg or Scrambled Egg? Impacts of Decentralizing Utility Services

SPEAKER INFORMATION

Brian J. Accardo
Brian Accardo is an attorney and member of The Florida Bar practicing out of West Palm Beach, Florida. Brian previously served as Director of Air Resource Management and Energy Facilities Siting at the Florida Department of Environmental Protection. He also practiced law at a Tallahassee firm and worked as an environmental consultant specializing in the assessment and remediation of hazardous material discharges.

Brian has professional experience engaging with the Executive Office of the Governor of Florida, Florida Office of the Attorney General, the Florida Public Service Commission, the Florida Office of Energy, Florida local governments, and the U.S. Environmental Protection Agency. Brian has presented on environmental and energy issues before the Florida Legislature and the U.S. Congress.

In 2013, Brian received the Distinguished Environmental Advocates Award by the American Bar Association Section of Environment, Energy and Resources for his accomplishments and contributions to the development of law, policy, and programs in the areas of energy and the environment.

Scott Burns
Scott Burns is a former Chief Scientist for the South Florida Water Management District specializing in water supply policy (retired). During his 35 year tenure, Scott was the Director of the District’s groundwater research division for two years before becoming the Director of Water Use Regulation, a position he held for 14 years. During this period, he lead the development and revisions of the agency’s consumptive use permitting rules, established minimum flow and levels for major water bodies within the District including the Florida Everglades, Lake Okeechobee, and the Biscayne aquifer and updated the water shortage rules. From regulation, Scott became the Director of Everglades Water Supply Policy where he lead the establishment the agency’s first water reservation/restricted allocation area rules to protect water supply to the Everglades, Lake Okeechobee and Comprehensive Everglades Restoration Project components (CERP). Scott has worked closely with electric utilities over the years including Florida Power and Light and Indiantown CoGen to establish and protect water rights while protecting area water resources. For the past four years Scott has
worked with FPL, FDEP, Miami-Dade County and the Department of the Interior on effects and interactions of the FPL Turkey Point Power Plant Closed Loop Cooling Canal System on area surface and groundwater resources.

Tony Cunningham

Tony Cunningham is a professional engineer in the water and wastewater industry in Florida. He has nearly 20 years experience in the fields of civil and environmental engineering with a focus on water resources, water treatment, wastewater treatment, and water/wastewater utility service. Mr. Cunningham is currently the Director of Engineering at Gainesville Regional Utilities (GRU) in Gainesville, Florida. Recently, he has worked to secure a Consumptive Use Permit for the utility to serve the community with clean drinking water for the next 20 years. He lives in Gainesville with his wife and four children all of which are proud Gator fans!

Renae Deaton

Renae has 30 years of pricing experience in the electric utility industry. For the past 16 years, Renae has been with Florida Power & Light and currently holds a position of Senior Manager in the Rate and Tariffs department. Renae’s experience includes rate design, cost of service, load research, transmission pricing, and wholesale power pricing. Renae has been FPL’s rate design witness in the last two general rate cases. Renae also has several years of experience in regulatory affairs dealing with issues before the Federal Energy Regulatory Commission (FERC) and the Florida Public Service Commission (FPSC).

Prior to joining FPL, Renae was employed with the South Carolina Public Service Authority, DBA Santee Cooper, for 14 years where she held positions in the Corporate Forecasting, Rates, and Marketing Department, and in Generation Operations.

Renae holds an AS in Chemical Engineering, a BS in Business Administration with a minor in Computer Information Systems and an MBA from Charleston Southern University. She enjoys reading, cooking, gardening, motorcycling and travel with her husband of 36 years.
Reid Harvey
Reid Harvey is the Director of the U.S. Environmental Protection Agency’s Clean Air Markets Division (CAMD) in the Office of Air and Radiation. He manages several market-based clean air programs, including EPA’s Acid Rain Program and Clean Air Interstate Rule. He became CAMD’s Division Director in November 2012 after 16 years in several management positions in CAMD and EPA’s Climate Change Division. Prior to joining EPA in 1994, he was a project manager with ICF Inc. for eight years, working with clients on energy and environmental projects. He has degrees in Public Policy from Duke University (B.A.) and University of California Berkeley’s Goldman School of Public Policy (Masters).

Jim Kibler
Jim Kibler, senior vice president, External Affairs and Public Policy for AGL Resources, is responsible for directing the company’s overall public policy initiatives. His team works with functional leaders to coordinate policy development, and directs Congressional relations, federal agency interaction, and state and local government affairs, as well as enterprise-wide economic and community development activities. AGL Resources serves 4.5 million utility customers in more than 1,100 communities in seven states. AGL Resources is the largest natural gas-only distribution company in the United States based on customer count.

Previously, Kibler managed governmental relations for the company’s Mid-Atlantic operations as well as its wholesale and midstream operations, located primarily in the Gulf Coast region.

Prior to joining AGL Resources in January 2005, Kibler was an energy and telecommunications attorney in private legal practice, where he counseled clients in acquiring, permitting and operating energy infrastructure, especially natural gas production, gathering, storage, transmission and distribution facilities. He served as special counsel to the Commonwealth of Virginia on various matters.

Kibler serves as the chair of the American Gas Association’s legislative committee. He is past chairman of the AGA’s task force on energy and environment and of the Southern States Energy Board’s associate members program, which encourages cooperation by the region’s governors, legislators, businesses, universities and public interest groups to advance consensus on energy and environmental policy. He serves on the Board of Trustees of the Georgia Conservancy and is a past member of the advisory council for the Trust for Public Lands in Georgia.
Kibler earned his bachelor’s degree from the University of Virginia and his law degree, with honors, from the University of Richmond. He is rated AV/PreeminentTM for legal ability and ethics by Martindale Hubbell. Kibler, a native of Virginia, and his wife live in Atlanta with their three children.

**Carlyn Kowalsky**
Carlyn Kowalsky currently leads the business and lands practice group in the Office of Counsel at the South Florida Water Management District. She formerly served as Director of Water Supply for the District where she oversaw water supply planning and allocations for water utilities, electric utilities, agricultural water users and others. Prior to joining the District, Carlyn was general counsel for the state’s largest water and wastewater utility, Florida Water Services. Carlyn brings 29 years of experience in business, environmental, and water law to this discussion on the ever increasing competition for water for power plant cooling, drinking water and agricultural needs.

**Ronald L. Lehr**
Ronald L. Lehr practices law and consults clients about energy regulation and business matters. Current assignments include work for the American Wind Energy Association on public policy and transmission issues for wind energy, and for Western Grid Group on western grid-level system and transmission planning. He also works for private firms and foundations on renewable energy policies and commercialization strategies. He has appeared as an expert witness, sponsoring testimony in administrative venues on utility planning and mergers, and in anti-trust, employment, and government claim litigation.

He served for seven years from 1984 to 1991 as Chairman and Commissioner of the Colorado Public Utilities Commission. He serves on corporate and foundation boards of directors and boards of advisors. He completed terms as an appointed member of panels charged to make recommendations on electric industry restructuring, renewable energy resources, and transmission needs to the Colorado General Assembly, and as President and Commissioner of the Denver Board of Water Commissioners, the water utility for Denver and surrounding suburban areas.
J.L. Martinez

J.L. “Buck” Martinez oversees the Office of Clean Energy at FPL, a subsidiary of NextEra Energy, where his responsibilities include identifying and originating clean energy opportunities in the state to promote visibility, commitment, and economic development. Most recently, Mr. Martinez led the Company’s efforts in the development of three large solar projects and three large combined cycle natural gas facilities.

NextEra Energy is one of the nation’s leading electricity-related services companies. Its subsidiaries include Florida Power & Light Company, Florida’s largest electric utility with nearly 4.6 million customer accounts, and NextEra Energy Resources, a fast-growing independent power producer with a presence in 26 states.

Mr. Martinez joined Florida Power & Light in 1981. Prior to being named to his present position, he served as Senior Director of Project Development in the state. Before that he served as Director of Human Resource Services overseeing the corporate safety department, labor relations, and the corporate quality program. He has also served the company in various management positions and special projects.

Mr. Martinez holds a Bachelor of Arts degree from St. Thomas University and a Master of Business Administration degree from Nova Southeast. In addition, he is a graduate of the Boston University Leadership Program, and the Harvard Program on Negotiation. Most recently, Mr. Martinez was elected to the St. Thomas University Hall of Fame.

Mr. Martinez serves as the Chairman of the Florida Solar Energy Center and also serves on other Advisory Boards throughout the State, most notably The Florida Energy Systems Consortium, The Florida Research Consortium (FRC), and The St. Thomas University President’s Advisory Board. He has also worked closely with the Department of Energy on renewable energy initiatives and is active in speaking engagements throughout the country.

Mr. Martinez is also on the West Palm Board of the Fellowship of Christian Athletes and recently founded Student Aces(ACE), a not for profit organization dedicated to the development of leadership for high school students.

He and his wife, Silvia, their three children and four grandchildren, live in Palm Beach Gardens, Florida.
Karl A. McDermott received a B.A. in Economics from the Indiana University of Pennsylvania, an M.A. in Economics from the University of Wyoming, and a Ph.D. in Economics from the University of Illinois Urbana-Champaign. Dr. McDermott has served as a commissioner at the Illinois Commerce Commission from 1992-98, as Vice President of the National Economic Research Associates from 1999-2008, and President and Co-Founder of the Center for Regulatory Studies from 1985-92. His primary field of interest is public utility regulation. Other research interests include antitrust economics, monetary economics, environmental economics and economic history.

Chip Merriam is the Vice President of Legislative, Regulatory & Compliance for the Orlando Utilities Commission (OUC—The Reliable One). OUC is the second largest municipal utility in Florida and 16th largest in the United States, providing electric and water service to more than 221,000 residential and commercial customers in the cities of Orlando and St. Cloud and unincorporated portions of Orange and Osceola counties.

In his role, Mr. Merriam is responsible for managing energy and water regulatory and compliance matters for OUC and is heavily involved in the development of State of Florida and federal legislative policy. He has worked with the EPA on the development of the Clean Air Act Rule, and Clean Water Act and corresponding Numeric Nutrient Criterion. In addition, Mr. Merriam is responsible for OUC-specific development and implementation of transmission and reliability standards under the Federal Energy Regulatory Commission (FERC), as well as the North American Energy Reliability Commission (NERC).

On behalf of OUC, Mr. Merriam serves as a member of the various committees of the Large Public Power Council (LPPC) including the Climate Policy Group, the Nuclear Strategy Group, the Governmental Resource Task Force and the Environmental Task Force. He is also involved with the American Public Power Association (APPA) on the CEO Climate Task Force. In addition, he coordinates with the St. Johns River and Southwest Florida water management districts on rule making and policy development issues impacting Central Florida.
From 1990-2009, Mr. Merriam served as the Deputy Executive Director, Water Resources for the South Florida Water Management District, Florida’s largest water management district, serving 16 counties, more than 150 municipalities and more than 7.1 million people. He was responsible for coordinating and implementing the Comprehensive Everglades Restoration Plan, capital construction of the Everglades Construction Project, implementing the Everglades Long Term Plan for Water Quality, Everglades Research, Kissimmee Restoration, development of the Lake Okeechobee Protection Plan, Environmental Resource Permitting, water supply planning development and consumptive use permitting, water quality monitoring, evaluation and assessment.

A Florida native, Mr. Merriam is a graduate of the University of Florida.

Karen Palmer

Karen Palmer is a Senior Fellow and Research Director at Resources for the Future in Washington, DC. Dr. Palmer specializes in the economics of environmental regulation and public utility regulation, with a focus on electricity. Her work seeks to improve the design of incentive-based environmental and technology regulations that influence the electric utility sector. She has also written several papers on the economics of the energy efficiency gap and of different policy approaches to address it. She is co-author of the book, Alternating Currents: Electricity Markets and Public Policy, published by RFF Press in 2002. In the 1990s, Dr. Palmer spent six months as a visiting economist in the Office of Economic Policy at the Federal Energy Regulatory Commission. She has served on two National Research Council study panels, one on New Source Review for stationary sources and a second on the future of electricity from renewables and she serves on several advisory panels, including the Research Advisory Board to the American Council for an Energy Efficient Economy. Dr. Palmer received her Ph.D. in economics from Boston College in 1990.

Ed Regan

Ed Regan is a registered professional engineer with over 30 years of extensive engineering and executive management experience in a wide range of electric, water, wastewater and telecommunication utility operations and regulatory environments. His areas of responsibility have included: integrated resource planning; generation dispatch and power marketing; conservation planning and forecasting; financial and asset risk management; utility rate design; and project development and permitting. He has visited many facilities and is familiar with the wide range of electrical generation
technologies and storage systems currently deployed throughout the USA and Europe. He was responsible for the start-up and P/L responsibility over distributed energy systems (CHP) and telecommunication services (fiber optic based). His role in developing fuel price forecasts, acquiring fuels, and managing their costs on a day to day basis has made him keenly aware of the unique energy issues facing the electrical utility industry.

For over twenty years he served as Assistant General Manager of Strategic Planning for a double A rated municipal utility with the lowest electrical use per residential customer in the state and among the most aggressive conservation and carbon reduction goals in the USA. He had primary responsibility for designing and authoring the first European style solar Feed offered by an electric utility in the USA. Past president of the Florida Municipal Electric Association, Ed has also served on the Solar Electric Power Association’s board of directors and on the Settlement and Operating Committee of The Energy AuthorityTM, a municipally owned power marketing company managing in excess of 25,000 megawatts of generating capacity throughout the USA.

**Amy L. Stein**

Professor Amy L. Stein is an Associate Professor of Law at the University of Florida Levin School of Law, formerly an Associate Professor at Tulane Law School. She teaches Energy Law and Policy, Environmental Law, Climate Change, and Torts. Professor Stein focuses her scholarship on clean energy law, environmental law, and federalism. Her recent publications address energy storage, Reconsidering Regulatory Uncertainty: Making a Case for Energy Storage, 41 FLA. ST. U. L. REV. 697 (2014); the federal government’s role in developing renewable energy, Renewable Energy Through Agency Action, 84 U. COLO. L. REV. 651 (2013); the federalism implications of subnational control over siting of electricity generation, The Tipping Point of Federalism, 45 CONN. L. REV. 217 (2012); and the deficiencies of climate change analysis in NEPA documents, Climate Change Under NEPA: Avoiding Cursory Consideration of Greenhouse Gases, 81 U. COLO. L. REV. 473 (2010), all of which can be accessed at [http://ssrn.com/author=1216973](http://ssrn.com/author=1216973). Her most recent work was selected for presentation at Columbia Law School's Sabin Colloquium on Innovative Environmental Law Scholarship, Minnesota Law School’s Legal and Policy Pathways for Energy Innovation conference, University of Texas’s Austin Electricity Conference, Northwestern’s Searle Center Conference on Electricity Regulation, and the Electric Power Executive Conference. Her current research explores the historic, economic, and environmental implications of regulating electric grid reliability.
Professor Stein began her academic career at George Washington University Law School and Tulane Law School. Prior to her academic appointments, she practiced as an environmental and litigation associate for Latham & Watkins LLP in the firm’s Washington, D.C., and Silicon Valley offices. She is a member of the District of Columbia, Illinois, and California state bars. She is a graduate of the University of Chicago (AB) and the University of Chicago Law School (JD).

**John Truitt**

John Truitt joined the Office of Public Counsel September of 2014. Prior to the start of his legal career, John served in the United States Army on 2 occasions, including a 16 month tour in Iraq. After leaving the military, John graduated cum laude from Florida State University’s College of Law in 2010 with a Certificate in Environmental and Land Use Law. John started as a prosecutor for the Florida Department of Health and then became the chief advisor for Commissioner Balbis of the Public Service Commission in 2013. During his time at the Commission and in his current work at the Office of Public Counsel, John has taken an interest in federal regulations and the effects on ratepayers.
Sanford Berg

Dr. Sanford Berg is director of Water Studies at PURC and a distinguished service professor in the UF Warrington College of Business Administration. He is also the Florida Public Utilities Professor at UF.

Dr. Berg is responsible for promoting research and outreach activities in the field of regulatory economics. His current research examines a variety of regulatory issues facing infrastructure providers. He has served on the launch committee for the UF Water Institute and is a current member of its faculty advisory committee. His research has focused on infrastructure industries: the role of research and development in determining the basic industry conditions and the role of public policy in determining sector performance.

Michael G. Cooke

Michael G. Cooke concentrates his practice in administrative law, including environmental, utility, and land use law. He represents industrial, agricultural, banking, government, and developer clients on matters involving clean air, climate change, electric generating facilities, renewable energy, telecommunications, utility plant and transmission line siting, water, and wastewater issues.

From 2003 to 2006, Michael was the Director of the Division of Air Resource Management for the Florida Department of Environmental Protection. In this position, he managed the air quality program for the State of Florida, interacting with federal and local agencies and over-seeing permitting and enforcement matters and the development of state air regulations. Michael also served as General Counsel for the Florida Public Service Commission in Tallahassee from 2006 through 2008. His responsibilities at the Public Service Commission included conduct of rate cases, rulemaking, enforcement proceedings, and decision-making involved with policy issues regarding nuclear facility site cost recovery and renewable energy.
Michael has represented clients in connection with numerous environmental regulatory matters, particularly in air permitting and compliance issues. He has represented electric utilities, manufacturing, and agricultural entities in connection with various Title V and New Source Review matters. He is well versed in CERCLA, RCRA, TSCA, water, and solid waste matters.

Art Graham

Art Graham was appointed to the Florida Public Service Commission by Governor Charlie Crist in July 2010 and was reappointed by Governor Rick Scott for a term through January 2018. He is also Commission Chairman, serving his second term. Previously he chaired the Commission from October 2010 through January 1, 2012 and worked with his colleagues and industry representatives to find ways to hold down rates for Florida’s consumers and businesses.

Chairman Graham is a member of the National Association of Regulatory Utility Commissioners (NARUC). In January 2015, he was appointed Co-Vice Chair of the NARUC Committee on Water, which he has served on since 2010. Prior to his appointment as Commissioner, he served on the Jacksonville City Council. Among his duties as Council Member, Chairman Graham helped oversee the budget of JEA, a publicly owned electric, water, and wastewater utility, and chaired the Transportation, Energy, and Utilities Committee. He also served on the Jacksonville Beach City Council from 1998 to 2002.

He is a past chair of the North Florida Transportation Planning Organization and vice president of the Northeast Florida Regional Council. He was President of ART Environmental Consulting Services from 2005 to 2009, and worked on electric power generating boilers and wastewater reduction as a recovery engineer with Georgia Pacific Pulp and Paper from 1995 to 2002. A sales engineer with Betz PaperChem from 1991 to 1995, Chairman Graham was a regional sales manager from 1989 to 1991 for Goodyear Tire and Rubber, where he also held an application engineer position from 1988 to 1989.

He received a bachelor’s degree in chemical engineering from the Georgia Institute of Technology in Atlanta. He is also a 2001 graduate of Leadership Jacksonville and a 2008 graduate of Leadership Florida.
**Wendy D. Graham**

Wendy D. Graham is the Carl S. Swisher Eminent Scholar in Water Resources in the Department of Agricultural and Biological Engineering at the University of Florida and Director of the University of Florida Water Institute. She graduated from the University of Florida with a Bachelor’s degree in Environmental Engineering. Her PhD is in Civil Engineering from the Massachusetts Institute of Technology. She conducts research in the areas of coupled hydrologic-water quality-ecosystem modeling; water resources evaluation and remediation; evaluation of impacts of agricultural production on surface and groundwater quality; and development of hydrologic indicators of ecosystem status. She has served as PI or co-PI on over $11 million in grants and contracts, has supervised 30 doctoral and master’s thesis committees and has served on an additional 45 graduate student committees.

**Ted Kury**

Ted Kury is director of Energy Studies at PURC. He is responsible for promoting research and outreach activities in energy regulation and policy. He develops research strategies that inform the academic community and practitioners on emerging issues and best practices and serves as an expert resource for regulatory professionals, policymakers, and service providers in Florida and around the world.

Mr. Kury conducts interdisciplinary research related to Florida’s energy and climate change policies and collaborates with faculty at UF’s Florida Institute for Sustainable Energy and other universities around the state as part of the Florida Energy Systems Consortium, a consortium recently created by the governor to leverage the expertise of Florida’s research community. He also assists in the coordination of Florida’s hurricane hardening efforts.

Mr. Kury earned an M.A. in Economics from the State University of New York at Buffalo and is a Ph.D. in Economics from the University of Florida.