

FERC Compliance Summit 2009
March 23-25, 2009—Washington, DC

Tuesday, March 24, 2009:

8:30 – 8:45

Welcoming Comments by Summit Co-Chairs:

Celia David, *Director, Energy Practice's Litigation, Regulatory & Markets Group*, NAVIGANT CONSULTING, INC.

Laurie J. Oppel, *Managing Director, Energy Practice's Litigation, Regulatory & Markets Group*, NAVIGANT CONSULTING, INC.

Session 1: FERC Compliance Policy & Initiatives

8:45-9:30

Keynote Address:

The Future of Compliance and Enforcement at FERC

Marc Spitzer, Commissioner, FERC

9:30-10:15

FERC Investigation and Enforcement—Understanding the Differences Between Reliability and Market-based Processes

While the Energy Policy Act of 2005 greatly expanded FERC's enforcement authority and ability to impose financial penalties for both reliability and market manipulation offenses, the processes for handling each have significant differences, despite their considerable overlap. This talk will present an overview of these processes.

John Moot, *Partner, Energy Regulation and Litigation*, Skadden, Arps, Slate, Meagher & Flom LLP

10:15-10:45

Morning Break

10:45-Noon

Panel Discussion: **Emerging Directions in Enforcement**

This panel will provide an overview of recent developments on the enforcement fronts and their implications.

Moderator:

John Moot, *Partner, Energy Regulation and Litigation*, Skadden, Arps, Slate, Meagher & Flom LLP

Panelists:

Geoffrey Aronow, *Partner, Bingham McCutchen LLP*

Vincenzo Franco, Associate, VAN NESS FELDMAN
Peter Y. Malyshev, Of Counsel, WINSTON & STRAWN LLP
Kenneth M. Raisler, Partner, SULLIVAN & CROMWELL LLP

Noon-1:30

Group Luncheon

Session 2: Setting Up Effective Compliance Procedures

1:30-2:15

Organizational Structures to Achieve & Maintain Compliance

Beyond the necessities of achieving barebones compliance with FERC and CFTC standards, committing to the development of an effective compliance organization is a key metric in not only meeting requirements of the standards, but also in the level of sanction that might be levied due to a verified violation. This presentation will discuss roles and responsibilities in compliance within organizations, and how to develop an effective compliance program.

John Schneider, Managing Director, Financial Services,
Navigant Consulting, Inc.

2:15-3:00

Establishing an Ongoing Compliance Process

Many organizations facing an audit have had significant difficulties in gathering and organizing the necessary data, with the potential of creating downstream problems resulting in enforcement actions. This presentation will discuss ways that compliance management can be incorporated into workflow and become a more systematic effort.

Celia David, Director, Energy Practice's Litigation, Regulatory & Markets Group, NAVIGANT CONSULTING, INC.

3:00-3:30

Afternoon break

3:30-5:00

Panel Discussion: **Implementing Software Reporting, Data Collection and Compliance Systems**

Many organizations have come to the conclusion that better data collection and reporting is a necessity to cope with the new regulatory environment. This panel will discuss the potential of software to automate the documentation process and aid in responding to auditors' requests. Those that have implemented software solutions will share lessons learned from the experience.

Moderator:

Laurie J. Oppel, *Managing Director, Energy Practice's
Litigation, Regulatory & Markets Group,*
NAVIGANT CONSULTING, INC.

Panelists:

Gary Fingerhut, *Senior Vice President, AXENTIS*

Mark Irving, *Lead Information Systems Auditor, Allete*

Mohan Ponnudurai, *Strategic Business Development,
US/Canada/EU, AssurX*

Michael Sanchez, *Director, NERC Service Area, Sirius Solutions,
LLLP*

Peter Stapleton, *Senior Principal Product Manager, CA GRC
Manager*

5:00-6:00

Networking Reception

Wednesday, March 25, 2009:

Session 3: Handling Audits & Investigations

8:45-10:15

Panel Discussion:

**What to Do If You Are Faced with a Compliance Audit or
Investigation**

*This panel will review how FERC is handling audits of compliance
systems versus investigations of suspected wrongdoing, and will
lay out some best practices for dealing with these situations in the
new enforcement regime.*

Moderator:

Deborah Carpentier, *Partner, Energy Practice, DICKSTEIN
SHAPIRO LLP*

Panelists:

Mark Bennett, *Vice President of Regulatory Compliance,
COMPETITIVE POWER VENTURES, INC.*

Chris Hajovsky, *Director, Regulatory Affairs and NERC
Reliability Standards, RELIANT ENERGY, INC.*

John L. Hairston, J.D., CCEP, *Chief Compliance Officer/
Manager, Agency Compliance and Governance - DG,
BONNEVILLE POWER ADMINISTRATION*

R. Michael Sweeney, Jr., *Partner, HUNTON & WILLIAMS LLP*

10:15-10:45

Morning Break

10:45-11:30

Mitigating & Aggravating Factors in Regulatory Actions

This presentation will explore discretionary factors that may affect the severity of enforcement actions and penalties.

- What Mitigating and Aggravating factors can affect regulatory actions
- What are the potential impacts?

David D'Alessandro, *Partner*, STINSON MORRISON HECKER
LLP

11:30

Conference adjourns