

Searle Center Conference on Federalism and Energy in the United States

Thursday, March 1—Friday, March 2, 2012

Co-sponsored by the Initiative for Sustainability and Energy at Northwestern University (ISEN)

Wieboldt Hall Room #147
340 E. Superior Street, Chicago, IL

Thursday, March 1st

12:00 p.m. **Lunch** (WB 540)

1:00 **Welcome and Introduction**
Daniel B. Rodriguez, Dean and Harold Washington Professor, Northwestern University School of Law
Max Schanzenbach, Director, Searle Center on Law, Regulation, and Economic Growth and Professor of Law, Northwestern University School of Law
David A. Dana, Stanford Clinton Sr. and Sylpha Kilbride Clinton Research Professor, Northwestern University School of Law

1:15-2:45 **Session One: Electricity Grid, Transmission Siting, and Federalism**
Moderator: Michael R. Barsa, Senior Lecturer and Co-Director of the Environmental Law Concentration, Northwestern University School of Law

David R. Hill, Partner, Sidley Austin LLP, Global Energy Practice

Howard Learner, President & Executive Director, Environmental Law and Policy Center

"Dynamic Energy Federalism and Regional Transmission Organizations"

Hari M. Osofsky, Associate Professor; 2011 Lampert Fesler Research Fellow, University of Minnesota Law School

Terry Harvill, Vice President of Grid Development, ITC Holdings Corporation

David Vitale, Chairman, ISO New England Board

2:45-3:15 **Break**

3:15-5:00 **Session Two: Competition in Pricing and Delivery and Federalism**
Moderator: Daniel F. Spulber, Elinor Hobbs Distinguished Professor of International Business and Professor of Management Strategy, Kellogg School of Management, Northwestern University and Research Director, Searle Center on Law, Regulation, and Economic Growth

James L. Connaughton, Executive Vice President of Corporate Affairs, Public and Environmental Policy at Constellation Energy and former chairman of the White House Council on Environmental Quality and Director of the White House Office of Environmental Policy

Howard Learner, President & Executive Director, Environmental Law and Policy Center

“Applying the Bell Doctrine in Electricity: Smart Grid Consumer Technology and Competitive Retail Markets”

Lynne Kiesling, Distinguished Senior Lecturer, Economics Department, Northwestern University

“Was Mr. Lincoln Right? Can A House Divided Against Itself Actually Stand?—The State of the Electricity Market Today”

Craig Glazer, Vice President of Federal Government Policy, PJM Interconnection LLC

John Colgan, Commissioner, Illinois Commerce Commission (ICC)

5:00-6:15 **Cocktail Reception** (WB 440)

6:15-7:30 **Dinner** (WB 540)

Remarks by James L. Connaughton, Executive Vice President of Corporate Affairs, Public and Environmental Policy at Constellation Energy and former chairman of the White House Council on Environmental Quality and Director of the White House Office of Environmental Policy

Friday, March 2nd

8:30 a.m. **Continental Breakfast** (WB 112)

9:00-10:30 **Session Three: Hydro-Fracturing, State Regulation and the Federal Role**
Moderator: David A. Dana, Stanford Clinton Sr. and Sylpha Kilbride Clinton Research Professor, Northwestern University School of Law

“State and Local Regulation of Shale Oil and Gas Development: Adaptation, Experimentation, or Chaos?”

Hannah Wiseman, Assistant Professor, Florida State University College of Law

“Stakes”

Garrick B. Pursley, Assistant Professor of Law, The University of Toledo College of Law

“If State Regulators Build the House We Want, Will the Feds Allow Us to Live in It?”

Chris S. Kulander, Assistant Professor of Law, Texas Tech University School of Law

“Federalism and Regulatory Lags in the Face of Technological Change”

David B. Spence, Associate Professor, Law, Politics & Regulation, McCombs School of Business, University of Texas at Austin

“Respecting Boundaries: A Cooperative Model for Regulating Hydraulic Fracturing”

Joshua Paul Fershee, Associate Professor of Law & Associate Dean for Academic Affairs and Research, The University of North Dakota School of Law

10:30-10:45 **Break**

10:45-11:30 **Keynote Address: Benefits of the Smart Grid and Barriers to Deployment**
Rick Boucher, Partner, Government Strategies Group, Sidley Austin LLP and former 14 term Congressman, U.S. House of Representatives, Virginia’s 9th District

11:30 **Lunch** (WB 540)

12:30-1:45

Session Four: Preemption, Federalism, and Climate Change

Moderator: David Adelman, Harry Reasoner Regents Chair in Law, The University of Texas School of Law

"Climate Policy, Federalism, and Innovation Incentives" (tentative title)

William W. Buzbee, Professor of Law and Director, Environmental and Natural Resources Law Program and Director, Center on Federalism & Intersystemic Governance, Emory Law School

"Managing Climate Change Adaptation: Reallocations of Federalism and Other Government Roles"

Robert M. Glicksman, J. B. and Maurice C. Shapiro Professor of Environmental Law, The George Washington University Law School

"Interstate Transmission Challenges for Renewable Energy: A Federalism Mismatch"

Alexandra B. Klass, Professor of Law, Associate Dean for Academic Affairs, Solly Robins Distinguished Research Fellow, University of Minnesota Law School

1:45

Adjourn