

Richard A. Drom



Partner

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INDUSTRIES

Energy Regulation
Oil and Gas Natural
Resources

PRACTICE AREAS

Energy

EDUCATION

JD, 1980, University of
Southern California Law
Center

MS, 1977, *summa cum
laude*, University of
Southern California

BS, 1975, *magna cum
laude*, University of
California at San Diego

ADMITTED

Pennsylvania 1997

Virginia 1990

District of Columbia
1988

U.S. Supreme Court
1988

California 1980

Rick focuses his practice primarily on energy regulatory matters, with extensive experience in electricity, natural gas and oil matters. His background includes corporate transactions, complex contracts, and state and federal regulatory and legislative issues.

Rick played an essential role in the development of the comprehensive Energy Market Rules for the Midwest ISO. He has provided advice to regional transmission organizations (RTOs) on several issues, including the development of real-time and day-ahead energy markets, financial transmission rights, regional transmission planning, and procedures and protocols for transmission service operations.

Rick served as Vice President, General Counsel and Board Secretary of PJM Interconnection LLC, an RTO that plays a vital role in the wholesale electric system. PJM was the initial wholesale energy market platform for RTOs. While at PJM for five and a half years, Rick was responsible for over 150 FERC proceedings, virtually all of which resulted in positive outcomes for the company.

REPRESENTATIVE EXPERIENCE

Responsible for the development of comprehensive Energy Market Rules for the Midwest Independent Transmission System Operator, Inc. ("Midwest ISO"). Provided regional transmission organization advice regarding:

- development of Real Time and Day-Ahead Energy Markets
- advice on Financial Transmission Rights ("FTRs")
- independent market monitoring and mitigation protocols
- generation/load/transmission interconnection procedures
- transmission service priorities and transactions
- regional planning protocols for reliability and economic Network Upgrades to the wholesale transmission system
- blackstart/system restoration ancillary services
- reactive power/operating reserve service
- marginal transmission loss calculation and surplus allocation
- remedies to incorporate grandfathered transmission service into marketplace
- station power and light protocols

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- resource adequacy requirements issues
- demand response resources, both economic and emergency for reliability purposes
- system support resources
- regional reliability joint operating agreements

Other Representative Experience

- Provided advice regarding an ethanol fuel supply agreement
- Provided advice regarding power purchase agreements for wind turbine projects in Illinois and Kenya
- Prepared Qualifying Facility re-certification applications for cogeneration facilities and small power production facilities
- Represented Wall Street financial institution in FERC matters
- Represented international chemical company in an oil pipeline dispute regarding restrictive transportation terms and conditions
- Represented a paper plant regarding the acquisition of a PURPA cogeneration steam sales agreement
- Represented large energy consumers in state retail rate matters and in the negotiation of long-term contracts for electric and natural gas service
- Represented a large energy consumer in a rate case proceeding in the Southeast with its utility service provider

ARTICLES/PUBLICATIONS

- "New Metrics for Measuring the Success of a Non-Profit RTO" *Energy Law Journal* (2007)
- "Midwest ISO Energy Markets by Design" *The Electricity Journal* (June 2005)
- "FERC's Illusive Late-Intervention Policy" *Natural Gas* (April 1996)
- "Unbundling Gathering Services: Which FERC Forum is Appropriate?" *Natural Gas* (March 1993)
- "Justice Delayed is Justice Denied: An Analysis of FERC's Extensive Use of Tolling Orders Under the Natural Gas Act" *The Natural Gas Lawyer's Journal* (September 1991)
- "Settlement of Contested Transportation Rate Cases at FERC: Should the Squeaky Wheel be Greased?" *Energy Law Journal* (1991)

BRIEFINGS, SEMINARS & SPEECHES

- "Transmission Planning: Who Should Build It?" presented at the Organization of PJM States, Inc. (September 18, 2008)
- "Cost Allocation Developments for Network Upgrades in RTOs/ISOs," presented at the 30th Annual National Conference of Regulatory Attorneys (June 2007)
- "Integrating Stakeholder Interests for a Brighter Energy Future," presented at the 26th Annual Bonbright Center Conference (October 5, 2006)

PROFESSIONAL/CIVIC AFFILIATIONS

Member - Board of Directors, Energy Bar Association, Northeast Chapter, 2007

HEADLINE NEWS

- Andrews Kurth Grows Energy Practice in D.C. (January 29, 2008)