

EBA PRESIDENT'S MESSAGE

EBA is off to a strong start this year and this year's Spotlight on Diversity is well under way. Diversity is an issue with which the energy industry and the legal profession are increasingly wrestling, particularly with the rise of the prosumer—proactive customers who want more choice, more transparency, and more input into utility services. We are entering the "age of the customer" where customers are demanding greater than ever interaction with their utilities—the one-way communication of simply receiving a bill every month will no longer do. Shifting American demographics mean that as the energy industry begins to interact with its customers more than ever, its customer base is simultaneously growing more diverse than ever. The energy industry and legal profession must be able to understand, anticipate, and respond effectively to the needs of their increasingly diverse and proactive customers and clients.

In this new world, diversity of leadership within an organization is increasingly proving to be profitable to companies and firms—for example, a study released by the Peterson Institute for International Economics in February 2016 presented a gender diversity analysis of a global survey of 21,980 firms from 91 countries which concludes that a move from no female leaders to a 30% representation of women in leadership roles within an organization is associated with a 15% increase in the net revenue margin.

Studies are also increasingly showing that a lack of acceptance of diversity are harmful to business. A December 2013 paper on the concept of "covering" (i.e. taking steps to de-emphasize one's diversity and give an outward appearance of "fitting the company mold") by Kenji Yoshino, Chief Justice Earl Warren Professor of Constitutional Law at the NYU School of Law and Christie Smith, Managing Principal of the Deloitte University Leadership Center for Inclusion, revealed that when corporate leadership signals to employees that they must "cover" in order to advance, 50% of employees reported a "somewhat" to "extremely" negative impact upon their loyalty to the organization. Even when the need to cover is not signaled by corporate leadership, but is felt to be part of the corporate culture, approximately 27% of employees reported a "somewhat" to "extremely" negative impact upon their loyalty to the organization. Businesses and firms looking to build a loyal workforce will need to address issues of diversity within their corporate culture.

The EBA has long been committed to diversity, and this year, in recognition that issues related to diversity are having an increasing impact on our members, the EBA going to be shining a Spotlight on Diversity. We kicked it off at our Annual Meeting with a luncheon presentation regarding the business case for diversity by Sandra S. Yamate, CEO of the Institute for Inclusion in the Legal Profession and former Director of the ABA's Commission on Racial and Ethnic Diversity in the Profession. Our Mid-Year Energy Forum featured a general session panel on diversity featuring an outstanding array of diverse energy sector leaders, a terrific luncheon presentation by Charlie Berardesco, General Counsel of NERC and passionate advocate for diversity, a panel on ethical considerations related to diversity, and a Women in Energy Breakfast. We hope that you are finding this programming to be interesting and enriching.

We will also be conducting events jointly with energy-related diversity organizations throughout the year and providing opportunities for our members to network with those organizations. We hope everyone will be able to join us for the special presentation at the Annual Meeting and for our ongoing events throughout the upcoming year. Finally, our Diversity Task Force has been established and is working diligently to assure that all of EBA's opportunities are truly open and available to all of our members.

Now, as we hit the halfway mark in our program year, EBA is entering a phase of self-examination. The Board will be conducting a Strategic Planning session in November and refreshing the Association's Strategic Plan to update our long-term strategic goals and initiatives. The Member Needs Assessment we conducted last year will inform that process, as will input we have received from our Regional Chapters and various task forces and committees. The Board will be thoughtfully considering all of the information before it and developing strategies to implement our mission of promoting the professional excellence and ethical integrity of our members in the practice, administration, and development of energy laws, regulations and policies by providing superior educational programming, networking opportunities, and information resources.

I am constantly impressed by how much work all of our volunteers put into making our programming great. The number of people who devote a significant amount of their time to planning events and supporting the Energy Bar Association, the Charitable Foundation of the Energy Bar Association, and, of course, the Foundation of the Energy Law Journal, who make the publication of this volume possible, is truly amazing. This is a terrific community. Many thanks to all who have worked so hard for the good of this community.

Emma Hand