

## **ENERGY BAR ASSOCIATION**

### **ANNUAL REPORT OF SIXTY-SECOND YEAR OF OPERATIONS**

On behalf of the Energy Bar Association Board of Directors, I am pleased to present the Annual Report of the Association to its members during this sixty-second year of operation. The preparation of this Annual Report is an outgrowth of changes instituted by our strategic plans in 2000 and 2005. The purpose of the report is to present the highlights of our activities and finances over the past year.

I want to thank the many EBA members who volunteer their time, energy and leadership to the success of our Association. EBA's programs continue to expand due to the remarkable efforts of our six regional chapters and our committees. Our professional staff is superb, and our membership of 2,670 has reached another all time high.

The Energy Law Journal continues to publish significant contributions to the energy field. The Foundation of the Energy Law Journal ("FELJ") provides financial and management support. Our members contribute articles, book reviews, and committee reports.

The Charitable Foundation of the Energy Bar Association ("CFEBA") has built upon an extraordinary foundation with generous contributions by our members and their respective organizations. During its five years of operations, the CFEBA's income reached over three-quarters of a million dollars and, this past year alone, CFEBA made charitable grants of \$115,000 to more than a dozen worthwhile energy-related causes.

#### **I. PROGRAMS AND SERVICES**

##### **A. EBA Educational Programs**

The 2000 and 2005 Strategic Plans emphasize the importance of offering high quality and affordable educational programs at the National, Chapter, and Committee levels. This year the Association offered its members over thirty educational programs.

##### **(1) National Programs**

EBA held its traditional Mid-Year Meeting on November 29, 2007, with a program entitled "Energy in the 21<sup>st</sup> Century – Climate Change Impacts, Private Capital, State Regulation and Other Issues Shaping the Future." The following

day, November 30, 2007, many members stayed and attended “Climate Change and Renewable Energy Resources”, a Primer organized by the Program Committee and the Renewable Energy Committee. EBA’s Sixty-Second Annual Meeting will be held on May 1, 2008, with a program entitled “Energy’s Next Decades: What’s In Store?” The Annual Meeting is preceded by a Primer on April 30, 2008, entitled “Energy Trading and Derivatives.”

## **(2) Regional Chapter Programs**

The Association’s Regional Chapters sponsored fourteen programs, as follows:

March 27-28, 2008 -- EBA New Orleans Chapter Meeting and Primer, entitled “Natural Gas Regulation 101.”

March 26, 2008 -- Houston Chapter Program entitled “FERC Enforcement Issues”.

March 5-6, 2008 -- Eleventh Annual Midwest Chapter Energy Conference, entitled “Lower Prices, Increased Reliability, Cleaner Resources, Have the Markets Delivered?”

February 14-15, 2008 –Seventh Annual Western Chapter Meeting entitled Energizing the West.

January 31, 2008 –Houston Chapter program entitled “Antitrust Issues in the Energy Industry”.

January 31, 2008 – Northeast Chapter RGGI FORUM entitled “How Will The Regional Greenhouse Gas Initiative Affect You”.

January 22, 2008 – Northeast Chapter program entitled “Buy, Sell or Build: What to do with generation in PJM?”

November 12, 2007 – Northeast Chapter program along with Co-Sponsors, EBA Environmental Protection and Regulation Committee, EBA Nuclear Regulation Committee, EBA Renewable Energy Committee .

October 11, 2007 – Southern Chapter Teleseminar entitled “Clean Coal Technology – Interests in and View of Customer and Investor”.

September 27, 2007 – Houston Chapter Charity Function to benefit the CFEBA.

August 30, 2007 – Houston Chapter program entitled “The New Commodity Contracts – What Changed and What Didn’t”.

July 10, 2007 – Midwest Chapter Teleconference Meeting entitled “FERC Order 693, Mandatory Reliability Standards for the Bulk-Power System: An Update on NERC’s New Enforcement Authority”.

May 3, 2007 – Southern Chapter Teleseminar, entitled “Transmission Siting: State and Federal Perspectives”.

May 2, 2007 – Houston Chapter Meeting entitled “Perspectives On The Energy Industry And Its Regulation”.

### **(3) EBA Committee Programs**

EBA’s Committees were very active this past year and sponsored eighteen programs in addition to assisting the Programs Committee in designing EBA’s National meetings and primers, as follows:

April 10, 2008 – Joint Alternative Dispute Resolution Committee and Nuclear Regulation Committee program, entitled “Resolving Conflict in the New Nuclear World”.

April 3, 2008 – Young Lawyers committee program entitled “The FERC Appellate Process”.

March 26, 2008 – Renewable Energy Committee program, entitled “Recent FERC Initiatives and Their Impact on the Growth of Renewable Energy: A Conversation with Commissioner Marc Spitzer”.

February 25, 2008 – Young Lawyers Committee program, entitled “The Long and Winding Road: The Legislative Journey of the Energy Security and Independence Act of 2007 and Ongoing 2008 Activities”.

February 1, 2008 – The EBA Young Lawyers Committee program, entitled “FERC’s Office of the General Counsel: The “Firm” Within the Commission”.

January 30, 2008 – The EBA FERC Practice and Administrative Law Judges Committee and the EBA Young Lawyers Committee program, titled “Meet the Judges”.

January 29, 2008 – The Oil Pipeline Regulation Committee and the American Bar Association Section of Antitrust Law Fuel and Energy Committee sponsored a brown bag on “Oil Pipeline Mergers At The Federal Trade Commission”.

October 31, 2007 – The Young Lawyers committee hosted an October Happy Hour with the Women’s Council on Energy and Environment (WCEE).

October 17, 2007 – Renewable Energy Committee with the American Bar Association, Section of Environment, Energy, Renewable Energy Resources Committees in Collaboration with the American Council On Renewable Energy, hosted a Teleconference Meeting entitled “What’s New in Energy Efficiency: Emerging Regulatory, Market and Policy Measures”.

October 10, 2007 – EBA Power Generation and Marketing Committee hosted a brown bag lunch meeting entitled “FERC’s New Regulations On Market-Based Rates For Wholesale Electric Energy Sales”.

October 3, 2007 -- EBA State Commission Practice and Regulation Committee hosted Telephonic Meeting entitled "Surcharges and Securitization".

September 27, 2007 – Young Lawyers Committee of the Energy Bar Association hosted Happy Hour.

September 19, 2007 -- Renewable Energy Committee with the American Bar Association, Section of Environment, Energy, Renewable Energy Resources Committees in Collaboration with the American Council On Renewable Energy, hosted a conference entitled "Washington Update on Renewable Energy and Greenhouse Gases".

July 23, 2007 – Legislation Committee and the American Association of Blacks in Energy hosted a brown bag meeting entitled "Prospects for an Energy bill in 2007".

June 22, 2007 – Power Generation & Marketing Committee hosted a teleconference entitled "A Primer on "IGCC" Technology [for lawyers]".

May 22, 2007 – Alternative Dispute Resolution Committee hosted a teleconference entitled "Alternative Dispute Resolution at RTOs, ISOs and Power Pools".

## **B. Energy Law Journal**

The Association publishes the *Energy Law Journal*, which is the preeminent energy law periodical in its field. During the past year, the *Journal* again published two issues featuring significant contributions to legal scholarship. The *Journal's* success has been maintained and enhanced in the past year under the leadership of Bob Fleishman, the Editor-in-Chief of the *Journal*; and Harvey Reiter, who is the *Journal's* Executive Editor. Also responsible in large part for the *Journal's* continued success has been the Foundation of the Energy Law Journal and the National Energy-Environment Law & Policy Institute of the University of Tulsa College of Law.

## **C. EBA Directory**

The 2007-2008 Energy Bar Association Directory has been, as always, a valuable source of networking information for EBA members. In addition, to the listings of contact information for all attorneys, non-attorney professionals, and students who are members, the Directory provides a handy cross index to the law firms, energy companies, and other organizations with which our members are associated. The Directory also contains a wealth of information on the leadership and governance of the Association, its chapters, and its committees.

## **D. EBA Update Newsletter**

Thanks to the excellent work of the Association's Secretary, Adrienne Clair, and other contributors including our intrepid reporters Gary Guy and Channing Strother, the Association published four issues of its newsletter, entitled *EBA Update*, during the past

year. The newsletter has been published by the EBA for five years, and improvements have been made each year. Readers continue to express their appreciation for the quality and content of each seasonal issue. *EBA Update* is part of the Association's ongoing effort to provide its members with timely information on upcoming events, reports on events that have recently concluded, and other interesting features such as articles on Commission members and professional staff.

#### **E. EBA Website**

Under the leadership of Debra Palmer and others, we have significantly updated and improved our website in recent years. In addition to posting all current and back issues of the *Energy Law Journal*, the website was upgraded in 2006 to include a full calendar of EBA events and blogs organized by two Committees. The Website continues to include taped or transcribed interviews with current and past FERC Commissioners and senior staff and helpful links to content of interest to energy attorneys and non-attorney professionals on legal and public policy matters, an on-line membership directory, a job bank, pro bono opportunities, and information about EBA membership and benefits. Members are encouraged to visit the website periodically at [www.eba-net.org](http://www.eba-net.org).

## **II. MEMBERSHIP, COMMITTEES AND CHAPTERS**

#### **A. EBA Members**

EBA continues to expand its membership, with 2,670 members as of April 2008, which represents an increase of nearly 50% since 2000. The Association is well ahead of schedule in achieving the 2000 Strategic Plan's goal of 2600 members by 2010.

#### **B. Non-Attorney Professionals**

The Association is pleased to include among its members non-attorney professionals in the industry. At present, about 200 non-attorney professionals are members of the Association, many of whom are actively participating in a wide variety of Association programs, committees, and activities.

#### **C. EBA Committees**

In June 2007, the Board established a Strategic Planning Committee ("SPC") to evaluate the Association's Committee structure. Under the leadership of Donna Attanasio, the SPC recommended that the Committee structure be revised and updated in order to keep pace with the changing interests of our members. The changes include restructuring the Environmental Committee and the Hydroelectric Committee to form the Climate Change & Emissions Committee and the Water and Land Use, Regulation and Permitting Committee, respectively. The Board also approved two new committees: the System Reliability, Planning and Compliance Committee, which will focus on electric transmission issues including NERC regulations and Order 890 planning, and a Professional Development

Committee to undertake outreach to law students, providing mentoring and professional development guidance to young practitioners and provide ethics leadership.

In addition, several committees have been renamed to better reflect the scope of their activities. Specifically, International Projects & Transactions is renamed the International Energy Law & Transactions Committee; the Renewable Energy Committee will be the Renewable Energy & Demand-Side Management Committee; and the Electricity Regulation and Natural Gas Regulations Committees will now have “and Compliance” added to their names to reflect a growing emphasis on monitoring and enforcement.

The list of 20 general committees that all members may join is as follows:

Alternate Dispute Resolution	Nuclear Regulation
Climate Change & Emissions	Oil Pipeline Regulation
Competition & Antitrust	Power Generation & Marketing
Electricity Regulation & Compliance	Professional Development
FERC Practice & Administrative Law	Program and Meetings
Judges	
Finance and Transactions	Renewable Energy & Demand-Side Management
International Energy Law & Transactions	State Commission Practice & Regulation
Judicial Review	System Reliability, Planning & Compliance
Legislation	Water & Land Use, Regulation & Permitting
Natural Gas Regulation & Compliance	Young Lawyers

Membership on committees provides a great networking opportunity, serves as a public recognition of each participating member’s interest and focus in the broad energy field, promotes professional and educational goals, and shows a member’s willingness to serve the Association. The Committees have hosted a variety of programs, as previously noted, have contributed to the development of EBA programs, and have authorized committee reports for publication in the *Energy Law Journal*. We encourage our members to join and participate in these committee endeavors.

#### **D. Chapters**

EBA has six Chapters – Houston, New Orleans, Midwest, Northeast, Southern and Western. Membership in each Chapter is open to each interested EBA member regardless of his or her geographic location, and members can join more than one Chapter if they wish. Leaders for these Chapters are elected by Chapter members. Each of the Chapters has experienced strong growth in programs and membership this past year, largely due to the leadership efforts of Chapter officers and those of our EBA Vice President, Richard Bonnifield, who coordinates activities between the national and regional levels.

The Houston Chapter, under the leadership of Jason Lief, has made huge strides this past year to expand its membership and leadership. The Chapter has held a number of well-attended luncheon meetings and seminars, including the programs identified above. Joel Youngblood is the incoming President of the Houston Chapter

Remarkably, despite the tremendous effort required to recover and rebuild from Hurricanes Katrina and Rita, the New Orleans Chapter, through the determination and dedication of Stacy Brown as its President, has continued to serve its members quite well. This March, the Chapter put on an outstanding Natural Gas Primer program, followed by a dinner and cocktails in the French Quarter. The Chapter is looking to further expand the involvement of its members, and is well positioned for future growth. David Hunter is the incoming President of the New Orleans Chapter.

The Midwest Chapter, our first regional Chapter which is now 12 years old, includes the states of Iowa, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota and Wisconsin. Led by its President, Christine Ericson, the Midwest Chapter held its annual conference and business meeting, including a primer on ethics in energy law, in Chicago on March 5-6. It also held a number of brown bag luncheons, including a discussion in July on enforcement of reliability standards. The incoming President of the Midwest Chapter is Freddi Greenberg.

The Northeast Chapter, the youngest of the regional Chapters, encompasses the states of Connecticut, the District of Columbia, Delaware, Massachusetts, Maryland, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont. The Chapter organized numerous timely, relevant energy law seminars and events this year. In January, it co-sponsored with the NYISO, ISO New England and PJM, a well-attended forum on implementation of the Regional Greenhouse Gas Initiative and a generous reception for the benefit of the Charitable Foundation of the Energy Bar Association (CFEBA). The Chapter is currently finalizing plans for its next annual conference and business meeting in New York City on June 10. Marji Philips is President of the Northeast Chapter.

The Southern Chapter includes Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana (except the New Orleans area), Mississippi, North Carolina, South Carolina, Tennessee, Texas (except the Houston area), Virginia and West Virginia. The Southern Chapter held several highly informative teleconference seminars on such topics as transmission siting and clean coal technology and proposed carbon legislation. The incoming President of the Southern Chapter is Timika Shafeek-Horton.

The Western Chapter embraces not only the states of Alaska, Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming, but also the Canadian provinces of Alberta and British Columbia and the Mexican states of Baja California and Sonora. The Western Chapter, with Dave Huard at its helm, and Frank Lindh ready to take over as next year's President, held its seventh annual meeting in San Francisco on February 15, 2008. It was preceded by a reception for the benefit of the CFEBA, which was sponsored by numerous firms in the West and included a wine raffle.

### **III. FINANCIAL CONDITION**

EBA also had another successful year financially. As a non-profit organization, EBA endeavors to minimize the dues and fees paid by members while realizing sufficient revenues to offset the costs of services and programs. EBA also must maintain a prudent level of funds for operations and contingencies. This past year the Association was able to provide increased services to an increased membership.

For the 2007 calendar year, on a cash basis of accounting, EBA's operating revenues totaled \$767,567 and its operating expenses were \$778,706. These figures do not include some \$27,000 in unrealized gains on the EBA reserves for 2007 held for much of that year at JP Morgan and then at Wachovia. EBA was able to meet its goal of reasonably meeting a balanced operational budget, while reducing upward pressure on dues as operational costs increase, further expanding member services, and experiencing a modest growth in EBA's reserves. EBA's consultants in 2000 recommended that reserves should equal approximately one year's operating budget.

As of April 10, 2008, the Association's reserve portfolio and cash accounts totaled \$865,648. Of this amount, \$630,972 was held in investments managed by Wachovia Securities. Wachovia also manages an almost \$950,000 portfolio for the FELJ, which supports the annual expenses of the Energy Law Journal.

EBA's finances are managed, in the first instance, by its Treasurer, Channing Strother and Assistant Treasurer, Susan Olenchuk, a Finance Committee, and the EBA Administrator, with significant assistance and ongoing review from its accountants, Councilor, Buchanan & Mitchell, P.C. ("CBM"). EBA's finances are reviewed monthly by its Board of Directors. The finances of the FELJ and CFEBA are separately maintained and managed by those two foundations.

CBM also performs periodic audits of the finances and books of both EBA and the FELJ. In 2007, CBM performed and reported, favorably, its audit of both organizations for the 2006 calendar year period. In connection with the EBA report, the EBA Board determined that it was timely to look generally into the matter of audits. This was accomplished and a report and recommendations made to and adopted by the EBA Board. Among other things, it was determined that it was prudent for EBA to continue to have audits performed every three years.

Each year, the EBA Finance Committee, in close consultation with the EBA Administrator, officers and the full Board, develops a detailed budget for the following year for approval by the Board. Among other things, the EBA's experiences under the previous year's budget are reviewed, and financial projects and programs for the coming year are developed. It is through this process, for instance, that annual dues are established for the following year, and EBA Administrator and Administrative Staff salaries and benefits are reviewed and set. A further review of the pension plan was completed in early 2008, with, among other things, certain changes suggested, approved by the Board, and implemented as to the retirement plan. The annual and mid-year national meetings, and the meetings of the six EBA Chapters, are each subject to individualized budgets developed during the course of the year, subject to Board approval.

This year, the FELJ and EBA, through a Financial Committee, jointly developed and implemented an extensive request for proposal process, in which proposals for investment services were received from some 13 providers. Those proposals were then winnowed down to three finalists. Each of the three potential providers appeared before members of the Boards of both organizations. Wachovia Securities was selected, and took over the accounts for both organizations in the last quarter of 2007. Banking accounts were also transferred to

Wachovia Bank at the same time. In connection with the transfer of the EBA portfolio to Wachovia Securities, EBA worked with Wachovia to develop a comprehensive Investment Policy Statement to govern the types of investments that would be made with EBA funds, and the relative amounts of funds that should go into each investment, as well as such things as protocols for EBA instructions to Wachovia, and Wachovia reports to EBA, and standards of expected performance.

#### **IV. FOUNDATION OF THE ENERGY LAW JOURNAL (“FELJ”)**

The FELJ provides important financial and business oversight and assistance in the publication of the Energy Law Journal (“ELJ”). Under the leadership of President Regina Speed-Bost, it has had a remarkably successful year.

First, the FELJ Board voted along with the EBA Board to change portfolio managers. The decision was made based upon the strong presentation of Wachovia. The FELJ also set as a goal to continue its strong relationship with the University of Tulsa and the National Energy-Environment Law & Policy Institute (“NELPI”) which takes an active role in the publication of the ELJ. FELJ efforts to support the students at the University of Tulsa have been particularly strong as it continues to provide a modest stipend in the form of the Mogel Internship (named in honor of William Mogel). The program continued this year as the FELJ Board hosted two interns, Kaylan Lytle and Marina Greek. The FELJ Board was able to present plaques to 30 students this year marking their contribution to the ELJ.

The FELJ Board also focused on ELJ and FELJ related matters that were raised in the comprehensive survey of EBA members conducted by BTI. In this regard, the ELJ has included symposia summaries of topics from EBA meetings. Specifically, the primer on Global Climate Change offered as part of the EBA’s Fall 2007 meeting was reflected in book 28:2. Similar plans are in the works for topics that will be part of the annual meeting. The FELJ has also undertaken to keep EBA members informed via regular submissions in the EBA newsletter.

#### **V. CHARITABLE FOUNDATION OF THE ENERGY BAR ASSOCIATION (“CFEBA”)**

CFEBA had an outstanding year under the leadership of President Linda Walsh. The mission of the CFEBA is "to engage in charitable activities, including - the support of worthwhile energy-related projects, as well as other community service projects through financial contributions and volunteer services provided by the Foundation, members of the Association, and others." Under the leadership of President Linda Walsh, CFEBA passed its five-year milestone in 2007 and filed its required IRS Form to continue its qualification as a 501(c)(3) tax exempt charitable organization. The Foundation’s income over the five-year period from the beginning of 2003 to the end of 2007 reached over three-quarters of a million dollars. Since May 2007, the CFEBA has awarded approximately \$115,000 in grants to more than a dozen worthwhile energy-related causes. In addition, the CFEBA achieved its goal in 2007 of contributing to charitable organizations in all regions of the country. Each of

the EBA Chapters has participated in regional fundraising on behalf of the CFEBA and the CFEBA, in turn, contributed to charities suggested by each of the Chapters.

To support these activities, the CFEBA held two major fundraising events this past year - its annual charitable golf tournament held in connection with the EBA's Annual Meeting and the annual gala reception on November 29, 2007 in conjunction with the EBA's Mid-Year Meeting. In addition, several of the EBA's Chapters held successful fundraising events since May 2007 for the benefit of the CFEBA, including the Northeast Chapter (in association with the RGGI Forum), the Western Chapter and the Houston Chapter. More information about the CFEBA is available on the EBA's website.

## **VI. 2008 STRATEGIC PLANNING COMMITTEE REPORT**

The Board's Strategic Planning Committee ("SPC") was given the mandate in June 2007 to evaluate the 2005 Strategic Plan and its related initiatives in comparison to the recent membership survey results and, based on that evaluation, recommend to the Board whether EBA and its related organizations should undertake any additional initiatives or make other strategic adjustments to the 2005 Strategic Plan in order to be more responsive to member needs. In order to expand the breadth of the SPC membership, and thus the experience and insights that would be applied to its work, the boards of the FELJ and CFEBA and each chapter president were invited to designate one or more representatives, to participate on the SPC.

The 2005 Strategic Plan revised the EBA mission statement, identified six principles for its future success and, following the format of the 2000 Strategic Plan, identified initiatives in six areas; Programs and Services, Membership, Governance, Law Students and New Attorneys, Technology, and Image and Identity. The SPC reviewed each of these areas, systemically and discussed them in the context of the survey results. During the year the Committee presented three interim written reports to the EBA Board and as a result, some of its recommendations have already been implemented. All of the Strategic Planning Committee's recommendations are set forth in a Final Report that is included as an Appendix to this Annual Report.

## **VII. EBA DELEGATE TO AMERICAN BAR ASSOCIATION**

For many years, EBA has been accorded recognition by the American Bar Association as an important affiliated organization and has thus been entitled to representation in the ABA's House of Delegates, which establishes ABA policies and otherwise governs the ABA, which has about 410,000 members and is the largest voluntary professional association in the world. During the past year Fred Berner, who is EBA's representative to the ABA's House of Delegates, participated in the House of Delegates's meetings and reported to EBA's President and Board of Directors on developments of potential significance or interest to EBA members.

## **VIII. DIVERSITY POLICY**

The EBA's Diversity Policy Statement, adopted in 2001, highlights the Association's role as an inclusive, welcoming organization:

The Energy Bar Association is committed to the goals of fostering an inclusive and diverse membership and increasing diversity across all levels of the Association, so as to reflect the diversity of the energy industry and the Nation as a whole. Attorneys, non-attorney professionals in the energy field, and law students are welcome to join our ranks, regardless of race, creed, color, gender, ethnic origin, religion, sexual preference, age, or physical disability, and are encouraged to become active participants in the Association's activities.

The Diversity Policy Statement is a living creed that guides activities at all levels of the Association.

## **IX. ADMINISTRATIVE OFFICE**

The Administrative Office of EBA is lead by Lorna Wilson, who is assisted by Marlo Brown and Michele Duehring. Our Administrative Office continues to perform at a high level providing support for the activities of the EBA and its sister organizations, the CFEBA and the FELJ. The Administrative Office carries out the day-to-day matters of the Association and handles logistics for the yearly national meetings along with primers, the office supports the six chapters' yearly meetings along with the attendant continuing legal education and budget work associated with these events. In addition to collection of yearly member dues, the Office oversees the management of the Association's website and organizes and manages all committee brown bags. The Administrative office is integrally involved in the logistics of the CFEBA's yearly gala and golf outing. It tracks and accounts for all contributions and fundraising events associated with both the CFEBA and the FELJ and provides support to the respective officers and boards of these sister organizations.

In conclusion, I want to express my appreciation to EBA's officers, directors, and administrative staff for their support and dedication. It has been a great privilege and honor to serve as President of the Association this past year, and I extend my best wishes to our new President, Donna Attanasio, and her officers and directors for the coming year.

Michael J. Manning  
President

# **Final Report of the 2007-08 Strategic Planning Committee to the Board of the Energy Bar Association**

## **Introduction**

*Formation and Objectives of the Strategic Planning Committee:* In 2006-2007, the Energy Bar Association (“EBA”) and its affiliated organizations, the Foundation of the Energy Law Journal (“FELJ”) and the Charitable Foundation of the Energy Bar Association (“CFEBA”) undertook a survey of the EBA membership to assess member satisfaction, better understand members’ needs and identify opportunities to improve member services and participation. At the request of the President of the EBA, the Board of Directors of the EBA formed a Strategic Planning Committee (“SPC”) in June 2007, with the mandate to evaluate the 2005 Strategic Plan and its related initiatives in view of the survey results and, based on that evaluation, recommend to the EBA whether EBA and its related organizations should undertake any additional initiatives or make other strategic adjustments to the 2005 Strategic Plan in order to be more responsive to member needs.

To expand the breadth of the SPC membership, and thus the experience and insights that would be applied to its work, the boards of the FELJ and CFEBA and each chapter president were invited to designate one or more representatives to participate on the SPC. The members of the SPC are:

Donna Attanasio, Chair (EBA)  
Rich Bonnifield (EBA)  
David Doot (EBA)  
Derek Dyson (EBA)  
Christine Ericson (Midwest Chapter)  
David Huard (Western Chapter)  
David Hunter (New Orleans Chapter)  
Robert Loeffler (CFEBA)  
Patrick Gerity (Northeast Chapter)  
Kendrick Riggs (Southern Chapter)  
Susan Riggs (Southern Chapter)  
Laura Schepis (FELJ)  
Regina Speed-Bost (FELJ)  
Channing Strother (EBA)  
Joel Youngblood (Houston Chapter)  
Michael Manning (ex officio)

*Approach of the SPC:* The 2005 Strategic Plan revised the EBA mission statement, identified six principles for its future success and, following the format of the 2000 Strategic Plan, identified initiatives in six areas: Programs and Services, Membership, Governance, Law Students and New Attorneys, Technology, and Image and Identity. The SPC reviewed each of these areas, systemically and discussed them in the context of the survey results. The SPC has presented

three interim written reports to the EBA Board and as a result, some of its recommendations have already been implemented. All of the SPC's recommendations are set forth below for convenience, with a notation as to prior EBA board action on the recommendation, if applicable.

*Overview:* The membership survey addressed multiple areas and solicited specific suggestions for improvement. While other documents better summarize the results of the member survey, in short, the survey concluded that EBA and its related organizations have "healthy member satisfaction" but that there are opportunities for betterment. Generally members value the membership benefits, particularly the *Energy Law Journal*, but they also identified numerous areas for improvement. The suggestions were diverse and addressed numerous programs and activities but a few key themes predominated. In particular, in multiple contexts, the membership survey shows a continuing desire for more "outside the Beltway" participation, ideas and events. The survey also indicates a desire for greater diversity of topics in our programs, a wider variety of perspectives, more information about events and issues, and better use of technology to make programs accessible in multiple locations. Networking is mentioned in multiple contexts as providing value to members.

The SPC recognized, as reflected in the survey, that EBA has a well-established reputation for offering high-quality programming and, through the *Energy Law Journal*, providing access for writers and readers to a high-quality professional journal dedicated to energy law. In recent years, with the founding of the CFEBA, members have also had the opportunity to contribute to and work on charitable projects. The recommendations below are structured to build on our past successes and the SPC supports continuation of all of the current services, including the job bank, directory and sponsorship of student interns that are exploring careers in energy law. In particular, the SPC recommends that the EBA board affirm the EBA mission statement as set forth in the 2005 Strategic Plan:

The mission of the Association is to promote the professional excellence and ethical integrity of its members in the practice, administration and development of energy laws, regulations and policies.

Notwithstanding a very good historical track record, the survey suggests that additional initiatives are necessary and appropriate to assure that EBA and its related organizations carry out their missions in a manner responsive to the needs of *all* members. Indeed, the core values influencing almost every discussion of the SPC were inclusiveness and diversity. The SPC's recommendations are strongly influenced by the desire to welcome members that have a diversity of views, experiences and talents and to provide multiple forums, in numerous locations, in which those views, experiences and talents can be shared; to assure our structure, governance and financial practices are appropriate for the continued delivery of high-quality services; and to continue to enhance our membership benefits. Accordingly, the recommendations detailed below include measures to:

- Better enable all members, wherever located, to access the benefits of membership by making activities available in a variety of geographic locations and through continued use of technology;

- Foster stronger communications with members, including more avenues for member feedback;
- Expand our outreach to students and other organizations in order to increase our membership in a manner consistent with our core values of diversity and inclusiveness;
- Improve the timely delivery of information of interest to our members;
- Increase the opportunities for networking;
- Better communicate the diversity of available activities and resources, such as the newly-established opportunity to participate in pro bono energy law projects; and
- Expand and sustain the variety of programming to cover all aspect of energy law of interest to our members.

The specific recommendations of the Committee are set forth below:

## **I. PROGRAMS AND SERVICES**

*The 2005 Strategic Plan enumerated the various benefits of membership and identified strategic initiatives for each. In addition to those enumerated member benefits, the SPC recommends the EBA formally recognize pro bono opportunities and networking as member benefits. Except as otherwise specifically discussed, the SPC recommends continuation of the initiatives set forth in the 2005 Strategic Plan, in addition to the new initiatives discussed below.*

### **A. Programs and Seminars**

*The 2005 Strategic Plan recognized the high value of EBA’s annual and mid-year meetings to members and encouraged EBA to: (a) explore ways of enhancing attendance for all aspects of the programs; (b) present “primers” at least annually on various topics of interest to its members and (c) organize timely additional programs on emerging state and federal issues of national importance. Similar themes emerged from the membership survey. A significant number of respondents indicated a desire for more “outside the beltway” opportunities for participation, ideas and events, in particular, a greater, more regional diversity of topics—beyond a FERC-focused, Washington, DC practice – in EBA’s programs.*

*The SPC has taken a fresh look at EBA National, Chapter and Committee programs with these points in mind and recommends the initiatives below.*

#### **1. Regional Diversity Issue: Meeting Locations and Times**

- a) Hold EBA-sponsored primers of national interest in locations outside of DC, preferably in conjunction with a Chapter regional meeting, when requested or approved by the Chapter board.

- b) Explore whether it is practicable to develop a primer that could be presented in more than one location (e.g., primer on RPS in the Northeast and the West).

*In response to member requests for more meetings, including national meetings, to be held outside of Washington, the SPC recommends that the location of an annual primer be rotated among cities other than Washington, and in an effort to bolster attendance at regional meetings, be held in conjunction with a Chapter regional meeting or event when requested or approved by that Chapter Board. EBA should also encourage and support primers organized by Regional Chapters.*

*The EBA has already agreed to implement this suggestion. A natural gas primer will be held in New Orleans in March, co-sponsored by the New Orleans, Houston and Southern Chapters. The EBA is continuing to move forward with plans for a primer to be held in Washington, DC in conjunction with the Annual Meeting, so the initiative will increase the number of primers.*

*The SPC considered, but does not view as viable, moving the Annual or Mid-Year Meeting out of Washington DC at this time. Among other things, the highest concentration of EBA members is still in DC, and the financial success of these meetings is critical to the operations of the EBA. Moreover, planning a major meeting in another popular, easy-to-access location would be logistically difficult with the EBA's small professional staff. The Committee recognizes that past annual primers have also been a significant source of revenue to the EBA, and therefore there is financial risk to holding one outside of Washington DC as well. However, until tested, we cannot draw a conclusion as to the effect on revenue of moving a meeting, and some meeting topics may be better received outside of Washington. Pairing a primer with a Chapter meeting may have the offsetting benefit of increasing attendance, profile and revenue of the associated Chapter meeting and will present less of an administrative challenge than holding a separate meeting that is not associated with a Chapter event. Thus, on-balance, the SPC believes that holding primers outside of DC is a reasonable measure toward addressing member requests for more national meetings outside of Washington. Holding nationally-sponsored primers outside of Washington will also provide useful actual experience to the EBA as to benefits and challenges associated with holding national meetings outside of Washington.*

- c) All Boards and Committees should consider varying their meeting times to encourage participation across all US time zones. Flexibility is important in order not to favor any particular geographic location.

- d) Committees should draw on speakers from outside the beltway and hold brown bag lunches in the city where the speaker is located, linking

via video or teleconferencing hook-ups to provide access in other geographic areas.

(1) Specific recommendation: Suggest to the Renewable Committee that it host a speaker from a company developing new renewable technologies, to be held in California or the southwest, where a lot of the solar and wind development is occurring.

## 2. Diversity of Topics

a) Encourage all EBA members to get involved in Committees and help set the Committee agendas.

b) Institutionalize the approach this year's Program Committee has taken of involving the other Committees in program planning.

c) Urge all program planners to draw on topics from multiple sources. Some ideas:

1. Non-regulatory issues, such as contracting or intellectual property.
2. Ask general counsels of energy companies and/or other in-house personnel for suggestions about hot topics.
3. Look at what other organizations are doing (*e.g.*, EEI, AGA, APPA, INGAA) to identify trends and emerging issues, and use that as a basis for ideas.
4. Work with Chapters to identify regional issues of national interest and invite the Chapter to contribute to national programs.
5. Work with co-sponsors and ask them for suggestions of issues of interest to their members.
6. Get state commissioners involved.

d) Encourage FERC to continue making senior staff (*e.g.*, the General Counsel) available to assist in program planning and also to provide "hot topics at FERC" briefings, particularly for regional meetings. Since FERC staff availability is often constrained, Chapters and committees are urged to use the FERC calendar as a tool to identify opportunities to invite a FERC staff person to speak at an event outside of DC at a time when that person is traveling to that location on other business.

e) Publicize the availability of, and urge EBA members to use, the on-line electronic "suggestion box" to suggest program topics and propose speakers. Urge all program planners (the Program Committee, Chapters

organizing conferences and lunches and Committees organizing lunches) to use the suggestions as one of their source of ideas.

### 3. Other Program Initiatives

a) Use technology to reach wider audiences *See Technology, below.*

b) Complete the “EBA handbook” of “How to Put Together a Program” to assist program planners. This would be useful in assuring that programs are well-organized and publicized in a timely manner. Some of the suggestions above could be included in the handbook.

## **B. Job Bank**

*No change, other than increased effort to enhance awareness.*

## **C. Judicial Opinions and State Matters**

1. Responsibility for judicial opinions should be reassigned from the Assistant Secretary to the Judicial Review Committee.

*Having multiple people available from the committee should enhance the thoroughness of the collection and timely preparation and distribution. Further, the task overlaps to some degree with the Judicial Review Committee’s existing responsibility for preparing an annual report for the ELJ. The Judicial Review Committee should be encouraged to call on the Young Lawyer’s Committee for help where feasible.*

*This initiative was considered and approved by the board and the Judicial Review Committee is organizing itself to assume this responsibility. The Assistant Secretary of the EBA will work with the Judicial Review Committee to transition this responsibility.*

2. Timely notification and short synopses of significant decisions from U.S. federal and state courts (concerning both federal and state matters) is of value to our members. While summary information is helpful, a brief summary of one or two lines is sufficient.

3. Updates should be no less than quarterly; more frequently when possible.

4. The summaries should be (1) distributed to all members via e-mail with links to the cases (where possible) at the time they are released and (2) posted on the EBA website.

#### **D. Energy Law Journal**

*The FELJ has independently been working on initiatives to respond to particular suggestions, and the SPC defers to the FELJ. The comments requesting more timely coverage of cases is addressed above, under Judicial Opinions.*

#### **E. Charitable Opportunities**

1. Urge CFEBA to use more CFEBA-specific communications, including announcements to members when grants are made, to increase awareness of its activities and successes and to attract new contributors.

#### **F. Pro Bono Opportunities**

1. Recognize the opportunity to participate in *pro bono* energy projects as a member service.
2. Publicize the availability of opportunities to work on *pro bono* energy cases and assure such information is readily available on the EBA website.

#### **G. Directory**

1. Enhance the information to be collected/provided by including an opportunity for members to specify their areas of practice (within applicable ethical guidelines) and make such information available to members on-line.

*It was determined that the current information in the hard copy directory is sufficient given the space limitations in that directory and that specific practice area information could be included in the electronic directory. The membership committee has revised the membership application form and EBA will begin collecting this information this year. Members are not required to provide this information; disclosure is voluntary.*

2. Committee membership should continue to be included in the directory.

*Notwithstanding recommendations, below, to increase the flexibility of committee membership, the SPC determined there is value to including the list of committee members in the directory. Up-to-date lists of members should be maintained on the website.*

#### **H. Alliances**

1. Build and expand relationships with law schools.

*The SPC discussed the value for EBA members of optimizing what may be a currently underutilized resource, law schools. Many law schools have public utility and/or energy specialties. EBA should pursue opportunities with those and other law schools to reach out in cooperation on programming and to look for*

*ways to encourage students and professors to join the EBA organization. For example, current EBA members should be encouraged and supported in their efforts to contact their alma mater law schools for purposes of promoting EBA and EBA programs. Law schools can also serve as a source of volunteers for EBA programs in assistance with the various area programs. (The Young Lawyers Committee's mission statement includes educating law students, and the committee should be encouraged to undertake activities in combination with law schools.)*

## **I. Committees**

*The SPC supports the 2005 Strategic Plan initiative of reviewing the list of committees annually and the current practice whereby the President-Elect undertakes that review and recommends changes for the coming year to the EBA. However, the SPC recommends that in 2008-2009, a new committee be established (or an existing committee change its name and scope of activity) to address Climate Change issues. The SPC also discussed whether it was necessary to have a committee on compliance and enforcement and noted the disparity in the size of some committees.*

1. Work with existing committee chairs and vice-chairs to assure committee leaders have a clear understanding of their responsibilities and to identify new leaders.

*The SPC recognizes the need to cultivate leadership within the EBA organization. The SPC determined that the Chairs and Vice-chairs of the committees should regularly report to the EBA Board on committee activities, at least quarterly, including where applicable, recognition of members that show leadership. This will assist the EBA Board in assessing whether committees are fulfilling their missions and determining potential new leaders in the organization.*

2. At the beginning of the committee leaders' terms, each committee should put together a projected committee plan for the upcoming year, identifying goals and potential projects for the upcoming year.
3. Take advantage of mid-year and annual meetings and Chapter conferences as opportunities and venues for face-to-face meetings of committee members.

*The SPC discussed the need to bring people together for in-person meetings and discussions for the purpose of improving communications. In this light, it was determined that it would be helpful to hold more in-person business meetings of the committees, possibly piggy-backing off of other events where members are assembled, such as the mid-year and annual meetings.*

4. Survey committee members to determine where they want to concentrate their efforts.

*The SPC discussed the idea of increasing input of the current committee members to optimize member leadership, networking, learning, and growth opportunities.*

*It was determined that the chairs and vice-chairs should be charged to more regularly communicate with committee members to assess what issues are of importance to those members and to provide opportunities to act upon those interests to promote promising programming in those areas.*

5. Provide more recognition to active committee members.

*The SPC discussed the need to recognize those members who regularly contribute or those who take on special projects. It was determined that the EBA Board and all EBA leadership should, whenever possible, highlight member contributions. This can be done by identifying the contributors to particular efforts, for example in the quarterly committee reports, the EBA newsletters, publicity for a brown bag lunch, and perhaps EBA could even include attributions in the information put on the web site regarding particular events, etc.*

6. Improve communications with committee members.

*The SPC recognized the need for improvement in the administrative process of joining committees and maintaining committee membership. In particular, the SPC discussed the existence of a possible administrative problem by which some EBA members sign up for committees and somehow do not end up on the committee member list and/or then over time may get inadvertently dropped from the committee list. The SPC determined that there needs to be an improved administrative process for adding new members to the various committees, for enabling opportunities to join different committees and for members to actually be informed of committee meetings and have the opportunity to participate. More attention should be paid to keeping updated lists of the various committees. It is recommended that there should be a more user-friendly method of joining a committee, possibly to be made available via the EBA web site. There should further be an increased emphasis on providing notice to all committee members of upcoming meetings and related conference calls.*

## **J. Newsletter**

1. Continue to use the newsletter as a key (but not exclusive) means of communicating with members.

*The SPC examined the need for improved communications with its members. It determined the newsletter is an effective means and should continue to be the key method of communicating with members. It also determined that additional information can be effectively communicated electronically to members, as the EBA administrative staff currently does.*

## **K. Additional Value-Added Services**

1. Pursue gym memberships; consider technology discounts, others as they arise (but do not seek out).

*The SPC discussed potential opportunities to add value to EBA members through services. It is recommended that EBA pursue business relationships with area service providers, such as gyms, insurance companies, technological service vendors, and trade press entities, when an opportunity presents itself, to determine whether EBA members could obtain discounts with particular vendors.*

#### **L. Member Feedback and Communications**

*The SPC recognized the necessity of timely member feedback and communications. In order to facilitate feedback and improve communications, the SPC recommends the following initiatives:*

1. Increase use of short surveys (using tools such as Survey Monkey).
2. Increase use of comments/inbox feature of website to solicit feedback.
3. Assure calendar is up to date. Committee chairs, chapter presidents, and other leaders in the organization, should communicate on a regular basis, at least monthly, with the EBA Administrative Office to provide updates to the calendar.

#### **M. Networking** (new recognition of this as a member service)

1. Sponsor networking receptions not connected to EBA meetings. These may be held in conjunction with other organizations. Sponsorships (multi-source) would be appropriate.

*EBA has already adopted this initiative and a successful event was held at FERC in October.*

2. Add more break time to meetings.

## **II. MEMBERSHIP, LAW STUDENTS AND NEW MEMBERS**

*Existing initiatives regarding membership, new members and law students did not attract much comment from the SPC, other than a general desire to attract more members, young members and members from other regions.*

#### **A. Membership**

1. Enhance outreach and stimulate growth by:
  - a) Conducting career discussions with law students at member alma maters
  - b) Working through EBA chapters and committees with universities to put on speeches or programs at universities using speakers drawn from academia as well as practitioners, in order to offer enhanced programs for

member benefits and to reach out to students that might not be aware of some of the issues in our industry.

c) Using the EBA Young Lawyers Committee as a resource for membership growth.

## **B. Diversity**

1. Continue recognizing diversity as a core value.

*The SPC reviewed the diversity policies and practices of the EBA and felt that these were very strong. However, the SPC believes that a continued focus on these issues can only strengthen the organization. Outreach efforts should take into consideration the importance of diversity. For example, a law school outreach effort should include contact with student associations that represent persons of color or other minority groups.*

## **C. Active Membership**

*See “Committees” under Programs and Services.*

# **III. GOVERNANCE**

*The 2005 Strategic Plan set goals of enhancing communications and coordination among the EBA, CFEBA, and FELJ (including through overlap in membership of the Boards, an annual joint meeting of the three Boards, and joint actions), and among those entities and the Chapters and Committees. Under “Leadership Training and Opportunities,” it set goals of an annual EBA/Chapters leadership meeting, and of emphasizing nomination visibility and selection efforts. The SPC recommends that each previous goal be retained.*

## **A. Relationships**

1. Maintain high levels of communications and coordination among EBA, FELJ, and CFEBA, and continue joint actions.

*Previous goals have enhanced communications and coordination among the three organizations, and resulted in worthy joint actions. That level of communications and coordination should be actively pursued.*

## **B. Chapter and Committee Initiatives**

1. Foster higher levels of Chapter and committee activity.

2. National-level EBA should provide strong support, coordination, and information for Chapter and committee leadership and provide opportunities for National, Chapter and committee leadership to share their experiences and build relationships with one another.

3. Communications/coordination among Chapters and among committees should be fostered.
4. Enable/encourage committees to participate in program planning, both national and Chapter, as appropriate to their subject areas.
5. Hold semi-annual meetings of the Presidents and Vice-Presidents of all of the Chapters with either the EBA Officers or entire EBA Board. Invite Officers or entire Boards of FELJ and CFEBA to all or a portion of such meetings.

*Meetings provide opportunity for the Chapters to coordinate, and share best practices, information, experiences, and the like. Meetings also provide an opportunity for the National leadership to provide guidance, explain expectations, and arrange for support where needed.*

6. Hold, in addition to the annual committee “kick off” luncheon, a second, later meeting among committee chairs/vice chairs, and EBA leadership to allow committees to coordinate, discuss progress on their annual plans, best practices and experiences and the like. EBA leadership should use this opportunity to reinforce guidance, make sure expectations are clear and understood, and arrange for any needed support.

## **IV. TECHNOLOGY**

### **A. Applications**

1. Use technology to enhance availability of programs.

*Survey feedback indicated a strong desire that EBA make better use of technology so that its programs may be more accessible to members in multiple locations. The SPC embraces this suggestion and urges that EBA consider wider use of “live” teleconference and videoconference capabilities in connection with its national and regional brown bag lunches and committee meetings. The SPC discussed the possibility of making other national and chapter conferences available for remote attendance, but does not recommend taking that step at this time given current technology (and potential disruption to the conference or dissatisfaction of the participants if that technology is insufficient), and the potential reduction in physical attendance at the meetings, which could reduce the effectiveness of the meeting, the financial contribution of the meeting to the EBA, and the networking potential. The SPC recommended consideration of the possibility of “digitizing” select programs (e.g., primers) after the event, and making them available to members who may not have been available to attend in person, possibly for a fee.*

2. Facilitate use of technology by EBA members

## **B. Oversight and Implementation**

1. Assign to technology committee

## **V. IDENTITY**

*The SPC affirms the 2005 Strategic Plan's recommendation that the EBA remain an apolitical association and continue the EBA Award.*

### **A. Annual Report**

1. The scope and presentation of the annual report should be enhanced.

*The current annual report is a narrative prepared at the end of each President's term, largely by the President, describing for members the activities and accomplishments of the EBA. The SPC recommends consideration of expanding that annual report to be more visually appealing for a broader audience, similar to annual reports by corporations and other high profile for-profit and not for profit organizations. That consideration should also include discussion of the extent to which the EBA annual report includes detailed information concerning the FELJ and CFEBA.*

### **B. CFEBA**

1. CFEBA should be encouraged to develop its own brand and identity, while maintaining its strong relationship to the EBA.

*The 2005 Strategic Plan included publicizing CFEBA's activities as an element of the EBA's identity. The SPC recommends continued strong support of the CFEBA as among the benefits of EBA membership. However, the CFEBA has a mission distinct from that of the EBA and its work may appeal to people and organizations other than (and in addition to) those that participate in EBA activities. Therefore, to garner the widest possible support it should be encouraged to create its own brand and identity, including, for example, by communicating directly via e-mail or newsletter with its donors and EBA members (independently from EBA) and soliciting support from other sources in addition to EBA members. This recommendation is not intended to diminish in any way the present close relationship between CFEBA and EBA, and CFEBA activities should continue to be features in the EBA newsletter and its events publicized to EBA members.*

### **C. EBA Award**

*The SPC does not recommend any changes or additions to the goals and initiatives in the 2005 Strategic Plan that relate to the EBA President's Award or State Committee's Practitioner Award*

## **VI. FINANCIAL/ADMINISTRATION**

*Neither the 2000 nor 2005 Strategic Plans set out specific “Financial” goals. The SPC is aware that certain financial goals were considered for the 2000 Strategic Plan, but not adopted. The SPC thought it was appropriate as a part of its review process to discuss goals in the nature of financial goals.*

*The SPC asked the EBA Board whether it should recommend specific financial targets (e.g., a balanced budget). The EBA Board was very receptive to receiving information documenting historic budgeting goals but indicated that it preferred to refrain from adopting specific forward-looking financial goals as part of a strategic plan in part because these matters already receive attention and review by each Board annually through a comprehensive budgeting process and because the current Board was reluctant to potentially limit the discretion and judgment of future Boards. The budget each year should properly consider all facts and circumstances at the time.*

*The SPC concurs with the Board that there is no need to formally include Financial goals in the Strategic Plan, in part because the Boards of the EBA and its sister organizations are already highly attuned to financial matters as a major component of the Boards’ work. However, it recommends adoption of the following initiatives:*

### **A. Financial Strength**

1. Enhance member participation in sponsorship opportunities that are contemplated by the Joint Enterprise Policy by creating opportunities for sponsorship by smaller organizations and firms.
2. Consider, on an on-going basis, whether there are other sources of revenue available to the EBA.

*Currently, the EBA’s major sources of revenues for defraying costs are dues, mid-year and annual meeting fees, and other program fees. Given increases in EBA activities and services, EBA’s costs are likely to continue rising. Although, partly as result of good planning, revenues have kept up with expenses so far, the SPC discussed whether there are other sources of income that should be tapped. The SPC did not identify any such sources at this time. The SPC recommends that the EBA consider such possibilities on an ongoing basis.*

3. Continue to develop and deliver exemplary programs, services, and opportunities to participate for the membership, because these are the key to strong EBA finances.

### **B. Use of Funds**

1. A strong Administrator’s Office is crucial to EBA’s success. EBA must assure it continues to invest the time, attention, and money to ensure that the Administrator’s Office is reasonably able to keep pace with expanding EBA activities, through budget, office space, personnel, training and equipment.

*The Administrator's Office has a nearly immediate need for another full-time employee, which means that it also has a need for additional office space. EBA must address these needs, beginning no later than 2d Q 2008.*