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TVPPA

02/06/2019

1:00 pm - 5:00 pm

ALL MEMBER MEETING

Mirabella E

Details and registration requirements for TVPPA's All-Member Meeting are communicated separately.

02/07/2019

7:30 am

Registration Open

Registration Desk

7:30 am - 8:20 am

Embassy Suites offers a full complimentary breakfast for hotel guests. Light morning refreshments are available in the conference area for those commuting to the event.

Mirabella Hallway

8:20 am

Welcome Remarks

Mirabella E

8:20 am

LEGAL CONFERENCE

No location

8:30 am

FIRST GENERAL SESSION

Mirabella E

8:30 am - 9:00 am

TVPPA and Seven States Power Corporation – The Year Ahead

Mirabella E

Doug Peters, President/CEO, TVPPA

Betsey Kirk-McCall, Executive Vice President, Market Strategy & Corporate Operations, TVPPA

Doug Peters is the President and CEO of TVPPA and the Seven States Power Corporation. Betsey McCall, a lawyer by training, is one of the Executive Vice Presidents

9:00 am - 9:45 am	<p>of TVPPA and is Vice President of Seven States. Doug and Betsey will provide an overview of TVPPA's and Seven States' initiatives and strategic priorities for 2019. Many of these initiatives and priorities will require the early input and involvement of TVPPA members' regular counsel.</p> <p><i>Federal Legal and Regulatory Update</i></p> <p>Mirabella E</p> <p>Delia Patterson, General Counsel, American Public Power Association</p> <p>Delia Patterson, General Counsel of the American Public Power Association, will provide an overview of national legal and regulatory developments of interest to public power systems.</p>
9:45 am - 10:30 am	<p><i>TVA Update</i></p> <p>Mirabella E</p> <p>Kimberly Bolton, Deputy General Counsel, TVA</p> <p>Sherry Quirk has been TVA's General Counsel since 2014. Prior to her selection as General Counsel, she practiced as an energy lawyer in Washington, DC. She will review TVA's legal developments during the past 12 months, and her views for the coming year. She will highlight those developments and pending matters that may have legal implications for TVPPA members systems and their primary counsel.</p>
10:30 am - 10:45 am	<p><i>Refreshment Break</i></p> <p>Mirabella Hallway</p>
10:45 am - 11:45 am	<p><i>Small Cell Installations - Regulatory, Operational and Financial Considerations for Lawyers</i></p> <p>Mirabella E</p> <p>Mark W. Smith, Attorney, Miller & Martin, PLLC</p> <p>Andrew Afflerbach, CEO & Chief Technology Officer , CTC Technology & Energy</p> <p>Joanne Hovis is President of CTC Technology & Energy. An attorney with a background in communications and commercial litigation, Joanne is also the CEO of the Coalition for Local Internet Choice (CLIC), and former President of the National Association of Telecommunications Officers and Advisors (NATOA). She will provide an overview of pole attachments and deployment issues arising from the deployment of small cell wireless attachments. Mark Smith, a lawyer with Miller & Martin and TVPPA's Assistant General Counsel, will address some of the related legal and regulatory issues arising from these new attachments.</p>
11:45 am - 1:15 pm	<p><i>Lunch with Friends and Colleagues at Local Restaurants</i></p> <p>No location</p>
1:15 pm	<p>SECOND GENERAL SESSION</p> <p>Mirabella E</p>
1:15 pm - 2:00 pm	<p><i>Easement, Danger Trees and Related Issues</i></p> <p>Mirabella E</p> <p>Nicholas Pascale, Assistant General Counsel, National Rural Electric Cooperative Association</p> <p>This session will discuss legal considerations regarding danger and hazard trees; trees</p>

2:00 pm - 2:45 pm

outside of rights-of-way; and, vegetation management legal issues for distribution lines. Nick will also provide an update on a significant forest fire case in New Mexico, which is now on appeal. This case has potential for legal implications for local power companies with respect to vegetation management issues.

Public Finance Update

Mirabella E

Jeffrey A. Oldham, Attorney, Bass Berry & Sims

Jeff Oldham practices in the public finance group of Bass Berry & Sims. In a period of changing interest rates and a changing national political and regulatory climate, Jeff will address the opportunities for financing or refunding large capital projects.

2:45 pm - 3:00 pm

Refreshment Break

Mirabella Hallway

3:00 pm - 4:30 pm

Litigation and Claims Update - Part 2

Mirabella E

Larry L. Cash, Attorney / Counsel for Distributors Insurance Company, Miller & Martin, PLLC

William Coley, Attorney, Hodges Doughty and Carson

Anthony Salvatore, Area Senior Vice President, A.J. Gallagher & Co.

These are interesting times in the worlds of insurance and litigation. Mr. Salvatore will discuss his views of what can be expected in the insurance market during these turbulent times, and Mr. Cash and Mr. Coley will review new and somewhat unique claims theories which are being seen within the Valley. The presentation will include a discussion of a recent trend in which claimants who claim their property has been damaged now allege that LPCs have "taken" their property without just compensation. This theory has become popular because, if successful, the traditional analysis of negligence theories, and the accompanying tort liability protections, may not be applicable.

4:30 pm - 5:15 pm

#MeToo Movement: Fact or Fiction?

Mirabella E

John Bode, Attorney, Miller & Martin PLLC

An in-depth examination (and reexamination) of the anti-harassment campaign's impact in the workplace, including a live presentation of trial testimony. Please join us in an exploration of the latest "best practices" - those that work and those that do not, remembering that the perception of impropriety is not easily accomplished in an ever-evolving work setting.

5:15 pm - 6:15 pm

Reception

Mirabella AB

Come enjoy hors d'oeuvres and refreshment, mingle with friends and make dinner plans!

02/08/2019

7:15 am

Registration Open

Registration Desk

7:15 am - 8:15 am

Embassy Suites offers a full complimentary breakfast for hotel guests. Light morning

	<p><i>refreshments are available in the conference area for those commuting to the event.</i></p> <p>No location</p>
8:15 am	<p>THIRD GENERAL SESSION</p> <p>Mirabella E</p>
8:15 am - 9:00 am	<p><i>TVPPA Washington Report</i></p> <p>Mirabella E</p> <p>Elizabeth Whitney, Managing Principal, Meguire Whitney</p> <p>Elizabeth Whitney, the Washington DC representative of TVPPA will provide an overview of the recent mid-term elections and an overview of recent and pending legislative proposals of direct interest to public power as well as those indirectly affecting public power.</p>
9:00 am - 9:45 am	<p><i>Cooperative Federalism: Who Sets the Rules for DER in Retail and Wholesale Markets?</i></p> <p>Mirabella E</p> <p>Jim Rossi, Associate Dean for Research, Vanderbilt University Law School</p> <p>The Supreme Court has sustained an expansive view of the Federal Energy Regulatory Commission's jurisdiction to include all matters "directly affecting" wholesale electricity rates, albeit within a framework of "cooperative federalism." Clashes between state energy policies and federal wholesale market regulation have spawned litigation at FERC and in the courts. In this session, one of the nation's leading energy law scholars will describe the new energy federalism and its implications - including the regulation of distributed energy resources in retail and wholesale markets and the implications for these new developments within the TVA region.</p>
9:45 am - 10:00 am	<p><i>Refreshment Break</i></p> <p>Mirabella Hallway</p>
10:00 am - 10:45 am	<p><i>TVA Regulatory Update - Broadband</i></p> <p>Mirabella E</p> <p>Vera Dygert, Attorney, TVA Office of General Counsel, TVA</p>
10:45 am - 11:45 am	<p>As interest from local power companies to provide retail broadband services has grown, TVA has issued guidance to assist local power companies in achieving compliance with regulatory requirements under the wholesale power contract. In this session, TVA counsel Vera Dygert will provide an overview of broadband expansion initiatives at the federal and local levels and TVA's regulatory guidance in this area.</p> <p><i>Employment Law Update</i></p> <p>Mirabella E</p> <p>Stacie Caraway, Attorney, Miller & Martin PLLC</p> <p>Stacie Caraway of Miller & Martin will present an annual review of the most significant court and agency decisions relating to employment laws that affect the day to day operations of Local Power Companies. She will discuss the agendas of the EEOC, DOL and other federal agencies for 2018 and 2019 as well as highlighting pending and potential</p>

11:45 am - 1:00 pm	federal and state legislative employment law developments that, if enacted, have implications for employers. <i>Lunch with Friends and Colleagues at Local Restaurants</i> No location
1:00 pm	<i>FOURTH GENERAL SESSION - Ethics & Professionalism for Attorneys</i> Mirabella AB
1:00 pm - 2:00 pm	<i>Public Power and the Attorney-Client Privilege</i> Mirabella AB Hance Price, Staff Attorney, Frankfort, KY, Electric & Water Plant Board Public power attorneys communicate with various stakeholders while advising their clients. Some, but not necessarily all, of these communications are protected by attorney-client privilege. Learn who is covered, what special considerations exist for attorneys representing public power entities, how open records laws affect the privilege, and steps you can take to preserve the privilege.
2:00 pm - 3:00 pm	<i>Ethical Considerations Associated with IT and Data Security</i> Mirabella AB Elin Neal, Attorney, Miller & Martin PLLC Ethical considerations are on the rise as more and more electronic information is exchanged between attorneys and clients. Elin Neal, an attorney with Miller & Martin, will provide an overview of some of the most common data security breaches and other IT vulnerabilities and will address the ethical considerations associated with practicing law in the new information age.
3:00 pm - 3:15 pm	<i>Refreshment Break</i> Mirabella AB
3:15 pm - 4:15 pm	<i>Legal Ethics</i> Mirabella AB Steven J. Christopher, Disciplinary Counsel - Investigations, Board of Professional Responsibility of the Supreme Court of Tennessee Steven Christopher, Disciplinary Counsel with the Tennessee Board of Professional Responsibility will provide an overview of some ethical issues and questions most commonly faced by attorneys in Tennessee, including an attorney's duty to report misconduct, the responsibilities of lawyers in supervising other attorneys and non-lawyers, and the duty of candor to the tribunal.
4:15 pm	Adjourn Mirabella AB