



Wednesday, March 1, 2023

8:30 a.m. to 10:30 a.m.
15 Minute Break after Question 2

Rapidly Changing Energy Marketplace: Powering the Future of Ohio's Economy

Moderator: Carolyn Brakey, Esq., *Principal*
Brakey Law LLC, Chagrin Falls

Rajiv (Raj) Bazaj, *Vice President, Sustainability Solutions,*
Constellation Energy Corp., Livonia, MI

Gabe Castro, *Senior Vice President, US Retail Business Markets,*
Dynegy, Irving, TX

Asim Z. Haque, *Vice President, State Policy & Member Services,*
PJM Interconnection, Audubon, PA

David Holt, *President,* **Consumer Energy Alliance**, Houston, TX

Jeffrey Levine, *Vice President, Gov't. /Regulatory Affairs,*
ENGIE North America Inc., Philadelphia, PA

Steve Melink, *Founder & Chairman,* **Melink Solar**, Cincinnati

David F. Proaño, *Regulatory Counsel, Industrial Energy Users-*
Ohio and Partner, BakerHostetler LLP, Cleveland

27th Annual Ohio

Energy Savings & Management

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Page 2 - Questions for Panelists (3-4 Minute Reply)

1. **Mr. Bazaj:** Commercial and industrial customers are **increasingly announcing aggressive carbon reduction goals** to meet sustainability targets during a time of extreme market volatility. What **strategy changes has Constellation seen companies** employ to lower their carbon footprint?

1. **Mr. Castro:** How does expanded availability and access to **smart meter data** for customers and retail suppliers like Dynegy **impact energy usage, cost management** and optionality for competitive supply products?

1. **Mr. Haque:** You are participating in this panel in your role as a Vice President of **PJM Interconnection**. You've participated in years past in your then role as **Chairman of the Public Utilities Commission of Ohio (PUCO)**. Could you **compare and contrast** the two organizations and how you have worked to **balance reliability, cost, and environmental policy** over the course of your career?

1. **Mr. Holt:** The Consumer Energy Alliance describes itself as "***the leading voice for sensible energy and environmental policies for consumers.***" Can you tell us a little **more about the Alliance**? How does the organization parse what makes for a "sensible" policy?

1. **Mr. Levine:** As a global energy supplier with a robust Ohio presence, how does **ENGIE view the competitiveness of energy here in Ohio** in the context of recent geopolitical turmoil and global energy crises?

1. **Mr. Melink** ~ You've authored the book ***Fusion Capitalism, a Clean Energy Vision for Conservatives***. Conservatives often shudder at the thought of the government picking winners and losers in the marketplace. How is the **electrification movement affecting the Ohio economy and what is government's role**?

1. **Mr. Proaño:** You bring a legal and regulatory perspective to these issues, as a lawyer representing different entities in the energy markets before the PUCO, in a range of matters and on a variety of issues. How do you view the **intersection of the law and energy markets**, and how do the **legal and regulatory frameworks** in place for the provision and delivery of energy impact the energy markets?

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Page 3 - Questions for Panelists (3-4 Minute Reply)

2. On December 23, 2022, **Winter Storm Elliott** plunged Ohio into a deep freeze – including more rural areas of the state that principally rely on electric heat. At hour-ending 6 pm, the AEP Zone registered its highest hourly load since 2015. Provide us your **assessment of grid conditions during this time period** and what **resources helped prevent a crisis** like what was seen in Texas during Winter Storm Uri. What does **Ohio and PJM need to do to ensure continued grid reliability** in extreme conditions?

Answers in Order by Panelists: **Mr. Castro, Mr. Haque, Mr. Holt, Mr. Levine, Mr. Melink, Mr. Proaño, and Mr. Bazaj**

15 Minute Break

3. Ohio's **Standard Service Offer (SSO)** is the default price customers pay that do not elect to competitively source power. Because of the timing of SSO auctions, SSO prices have been below market since late Summer 2021. As a result, we have seen a mass migration of customers – ranging from residential and small commercial government aggregation to some of Ohio's largest energy users – defaulting to the SSO. How long does this remain a **viable strategy** for customers and when should consideration be given to **reentering power supply agreements** with Competitive Retail Electric Service suppliers?

Answers in Order by Panelists: **Mr. Haque, Mr. Holt, Mr. Levine, Mr. Melink, Mr. Proaño, Mr. Bazaj, and Mr. Castro**

4. What **policies** should Ohio follow to ensure that the Ohio energy market remains **attractive and competitive**, so that new businesses and enterprises continue to choose Ohio as a preferred place to expand existing businesses and establish new businesses?

Answers in Order by Panelists: **Mr. Holt, Mr. Levine, Mr. Melink, Mr. Proaño, Mr. Bazaj, Mr. Castro and Mr. Haque**

Biographical Information

Carolyn Brakey, Esq., Principal, Brakey Law LLC, Chagrin Falls, Ohio
216-230-6200 carolyn@brakeylaw.com

General Counsel, Brakey Energy, Inc., Chagrin Falls, Ohio
216-751-1758 carolyn@brakeyenergy.com

Carolyn Brakey is an accomplished business attorney with a background in mechanical engineering and in-depth knowledge of legal issues related to energy. She has a thorough understanding of Ohio energy law and Ohio's deregulated energy market.

Carolyn assists commercial, industrial, and institutional clients in disputes involving energy, including helping clients solve problems with investor-owned utilities, municipal utilities, certified retail electric service (CRES) suppliers, and energy brokers. She also specializes in energy transactions, including negotiating and drafting electric generation, natural gas, and demand response agreements.

She has extensive experience successfully representing plaintiffs in class action lawsuits involving electricity billing issues. She originated a class action lawsuit on behalf of commercial and industrial customers of FirstEnergy Solutions that had paid charges related to the 2014 polar vortex. The case resulted in a \$12 million settlement, referred to as the Polar Vortex Settlement.

Carolyn also serves as General Counsel to Brakey Energy. Brakey Energy provides comprehensive energy management services to scores of large energy users that operate in the state of Ohio. Brakey Energy helps commercial and industrial users lower their energy bills through electric generation and natural gas procurement, demand response, capacity cost mitigation, energy efficiency, and managing regulatory issues.

In March 2022, Carolyn was appointed to the Geauga County Board of Health. She is most proud of being the principal author of the health district's COVID-19 guidance for schools in August 2022, which resulted in all the county's public and private schools becoming mask-optional and ending restrictive quarantine procedures. At the time, it was the least restrictive school guidance of any health district in Ohio and influenced surrounding districts.

Carolyn is a current class member of the Jo Ann Davidson Ohio Leadership Institute, which is a program created to encourage and train women in business and civic leadership to assume more prominent roles in government and their communities. She has been named a Rising Star in Ohio in 2020, 2021, and 2022 by Super Lawyers®. She was honored by Crain's Cleveland Business as a Notable General Counsel (2021) and as a member of the Forty Under 40 class (2015).

Carolyn holds a J.D. from the Case Western Reserve University School of Law and a B.S. in Mechanical Engineering from Grove City College. She is admitted to the practice law in all Ohio State Courts, the U.S. District Court for the Northern District of Ohio, and the U.S. Patent and Trademark Office.

Carolyn lives in Russell, Ohio with her husband Matt and their boy/girl twins. In her free time, you can find Carolyn exploring Geauga County's parks with her family, attending local political events, participating in 5:30 am spinning classes, or training for her next marathon or half-marathon.

Biographical Information

Raj Bazaj, Vice President, Sustainability Solutions, Constellation

Raj leads a business group at Constellation that works with a diverse group of customers assisting them in implementing a wide range of solutions to help them achieve their sustainability objectives. Key focus areas include data analytics, renewables and energy efficiency. The primary goal is to create a customized decarbonization strategy while effectively managing risk and costs.

Raj has worked in the chemical and energy industry across a wide range of roles. He began his career in the chemical industry working with multi-national companies Bayer, Cytex Industries and American Cyanamid. Roles included R&D, marketing and sales before being promoted to the Director of Marketing for NAFTA where he also managed the Export and Resale sales channels. Responsibilities included managing the P&L and developing short- and long-term strategy including production of chemicals manufactured in the U.S for export overseas.

Raj started his energy career with WPS Energy Services (later Integrys) in 2005 as the Managing Director for retail power and gas sales. The business was acquired by Constellation in 2014. Most recently Raj led the effort to develop a multi-year partnership agreement with the Johnson Controls Hall of Fame Village. The agreement recognizes Constellation as the official energy provider and provides exclusive naming rights for the Constellation Center for Excellence, a key component of the development project under way in Canton, OH.

As a member of the White House Initiative on Asian American and Pacific Islanders (AAPI), Raj has attended Leadership summits at the White House under both the Obama and Trump administration. The initiative focuses on several key areas including education, career development, business, jobs, immigration, health care, housing and workforce leadership.

Raj holds a B.S. in Chemical Engineering from the University of Arizona and an Executive MBA from the University of Connecticut.

Biographical Information

Gabe Castro, Senior Vice President, US Retail Business Markets, Dynegy

Gabe Castro is senior vice president of U.S. retail business markets at Vistra Corp./Dynegy. In this role, he leads the company's retail efforts with all commercial and industrial customers across many U.S. deregulated markets. Focused on driving customer retention and profitable growth, he oversees direct and indirect sales, product development, sales enablement, performance analytics, deal structuring and demand-side solutions.

Castro has spent nearly 30 years in the energy business, working both domestically and internationally, and he has deep experience in both power and natural gas. He and his teams have worked with a variety of customers, helping them meet their energy needs and sustainability goals. He has held progressive roles within the enterprise, helping drive strong, profitable growth of the business markets segment for Vistra/Dynegy

Castro serves on the executive committee of the National Minority Supplier Development Council Inc. and is also active in the local community with the United Way of Dallas, participating with both the Builder Society and the Tocqueville Society.

Castro is a graduate of St. Mary's University where he earned a BBA in Finance. He is also active in the community, serving on the board of the North Texas Big Brother Sisters, as a board member of the National Minority Supplier Diversity Council, in addition to his involvement with the United Way of Dallas, actively participating with both the Builder Society and the Tocqueville Society.

Asim Z. Haque, Vice President, State & Member Services, PJM Interconnection

Mr. Haque leads state government policy, electricity infrastructure policy and member services at PJM. In that role, Mr. Haque oversees PJM's policy development and interaction with state government, which includes state commissions, governor's offices, state legislatures and state security agencies. Mr. Haque also oversees PJM's member interactions which includes the PJM stakeholder process.

Prior to joining PJM, Mr. Haque was the chairman and chief executive officer of the Public Utilities Commission of Ohio (PUCO). As the state's chief regulator, he guided Ohio through some of the most relevant energy policy issues facing the nation, including Clean Power Plan compliance, cases related to the future of baseload power plants in competitive markets and distribution grid modernization.

Mr. Haque began his career at the law firm Ice Miller LLP, where he served as a trial, appellate and regulatory litigator. He later joined the in-house counsel team at Honda of America Mfg., Inc. until his appointment to the PUCO in 2013. Mr. Haque holds a bachelor's degree in chemistry and political science from Case Western Reserve University and a Juris Doctor from The Ohio State University.

Biographical Information

David Holt, President, Consumer Energy Alliance

David Holt has served as President of Consumer Energy Alliance since January 2006.

David has almost 30 years of experience working for state and federal agencies and Congress and directing outreach and advocacy efforts. David founded what became HBW Resources in 2005 to provide counsel and guidance to companies regarding governmental and industry energy initiatives, including issues related to energy security, exploration and production, advanced technologies, air quality and refining. Previously, David served as Vice President of Government Affairs for Hart Energy Services; Senior Legal & Energy Counsel to Chairman James E. Nugent of the Texas Railroad Commission; Counsel to the House Judiciary Committee; and in public affairs to the U.S. Department of State.

He currently serves as President of Consumer Energy Alliance, a trade association that focuses on expanding the dialogue between the energy sector and the rest of the economy. With more than 280 corporate members and 450,000-plus individual members representing every sector of the U.S. economy, Consumer Energy Alliance has become the “voice of the energy consumer.”

With regional and state chapters in 20 states throughout the nation, from Florida to Alaska, CEA is leader in helping to shape broad consensus in support of sensible, pro-economic growth energy policies utilizing an “all of the above” approach. CEA maintains an active presence on Capitol Hill and in the states, meeting regularly with the Administration, Congress and Governors on issues that impact energy consumers.

David regularly authors op-eds and appears in national media outlets. He is a frequent speaker at national energy forums, has testified before Congress and is regularly sought out by policymakers and business leaders.

David serves as a founding Board Member of the Consumer Energy Education Foundation and a member of the Board of Trustees of the St. Anne Catholic Foundation. He is also Managing Director of HBW Resources, a strategic planning consultancy. He is a member of the Texas Bar Association and the Houston Bar Association.

David and his wife, Maureen, have three children and reside in Houston, Texas.

Biographical Information

Jeffrey Levine, Vice President, Government & Regulatory Affairs, ENGIE

Jeffrey Levine has 25 years of experience in the energy industry. For the past 15 years, he has served in many market design and strategic policy positions for ENGIE North America focusing on retail and wholesale electricity market design at both the state, ISO and Federal levels.

Prior to his work with ENGIE, Mr. Levine represented major US utilities as a lobbyist on Clean Air Act implementation issues and carbon reduction strategies. As part of the Clinton Administration, he served as a political appointee to the US Department of Energy, Office of Policy working on national energy infrastructure as well as a federal initiative to introduce retail electricity market restructuring nationwide.

Mr. Levine lives in Philadelphia with his wife and two young children.

Engie North America manages a range of energy businesses in the United States and Canada, including solar and wind electricity generation and cogeneration, energy efficiency, battery storage, and retail energy sales and related services to residential, commercial and industrial customers.

Steve Melink, Founder and CEO, Melink Solar

Steve Melink is founder and CEO of Melink Corporation & Melink Solar, a pioneer and leader in clean energy since 1987. Steve is the author of Fusion Capitalism. His clients include Walmart, Target, McDonald's, Starbucks, Marriott, Hilton, Publix, Whole Foods, P&G, Google, Microsoft, Facebook, US Veterans Administration, and the US Army and Navy.

Melink's headquarters consists of two Net-Zero Energy office buildings, and a growing fleet of electric cars. Steve is a national expert and speaker on sustainability, clean energy, and zero-energy buildings.

He earned a BS degree in mechanical engineering from Vanderbilt University and an MBA from Duke University. Steve is an avid reader of U.S. history, leadership, and all things sustainability. Steve and his wife, Mary Frances, have four children.

Biographical Information

David Proaño, Regulatory Counsel, Industrial Energy Users-Ohio and Partner, BakerHostetler LLP

David Proaño represents clients in the utility and energy industries on regulatory compliance, commission investigations, retail energy contracts, commercial disputes and business issues, and has years of experience with multiple facets of the retail energy industry. David routinely appears and practices before the Public Utilities Commission of Ohio on regulatory and litigated matters and has served as lead defense counsel in several major PUCO investigations of certified retail energy suppliers.

David also represents energy brokers and commercial and industrial energy consumers on regulatory and business issues and serves as outside general counsel for a major energy broker. David combines candid advice, strong writing skills and powerful advocacy to achieve the best possible outcomes for his clients.

David is also an advocate for his clients before federal and state trial and appellate courts, bankruptcy courts, and arbitration panels. David has a proven track record representing clients on major matters involving a wide range of commercial disputes, including fraudulent financial transactions, electricity and energy contracts, steel supply contracts, tier 1 automotive supply contracts, property easements, insurance coverage, banking regulations, environmental liability, and professional misconduct. David has also defended large companies in class action lawsuits.

In addition to an active regulatory and litigation practice, David devotes considerable time and effort serving the Cleveland community and representing pro bono clients. He served as the president of the board of directors of Esperanza, a nonprofit organization that supports Hispanic educational achievement through scholarships and mentoring. David is also committed to the advancement of inclusion and diversity at BakerHostetler and in the legal profession, and to that end serves as the leader of BakerHostetler's Hispanic/Latinx Affinity Group and also serves on the firm's Diversity Council and Diversity and Inclusion Committee. Crain's Cleveland Business recognized David as one of its "Forty Under 40" for his professional accomplishments and community service. David was born in Quito, Ecuador, served in the Peace Corps in the Dominican Republic, and is conversant in Spanish.

Select experience includes:

- Successfully represented steel manufacturer in administrative trial before PUCO involving demand by a large electric utility company for millions of dollars in security on a commercial electricity supply contract. PUCO not only found in favor of the client but mandated a review by the electricity utility of its policies and procedures.
- Regulatory counsel to competitive retail electricity supplier in Ohio, with experience advising client on all aspects of retail electricity marketing and sales in the state and compliance with PUCO regulations.
- Litigation counsel to large national energy company pursuing and defending environmental and administrative claims in different forums, including before Ohio Environmental Review Appeals Commission and state courts.