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## Employment History

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### **2011-present Principal, Public Policy Consulting**

Following my four year term on the Colorado Public Utilities Commission, I have resumed my consulting practice in regulation of energy and telecommunications markets. In the energy area, my focus is on climate, clean tech, integrated resource planning and smart grid. In telecommunications, my focus is on adapting regulation to deal effectively with today's markets, emphasizing policies that accelerate the deployment of broadband services.

### **2007-2011 Chairman, Colorado Public Utilities Commission**

I was appointed by Governor Bill Ritter, Jr. in January 2007. My focus has been on helping implement the Governor's vision of Colorado's New Energy Economy, implementing the state's 30% Renewable Energy Portfolio Standard, fulfilling the Commission's role in the Governor's Climate Action Plan, streamlining telecommunications regulation, promoting broadband telecommunications investment and improving the operation of the Commission.

Here are some major accomplishments during my term on the Commission:

- **Implementing the Clean Air-Clean Jobs Act (2010).** Following passage of this new law in 2010, the Commission has worked under a very compressed time schedule to consider proposals by XcelEnergy and Black Hills Energy to reduce pollutants from their coal fired generation plants. The contentious Xcel proceeding involves thirty-four legal parties, testimony from sixty-one witnesses and the consideration of more than a dozen contending compliance plans. The case has required the close cooperation between the Commission and the Department of Public Health and Environment.
- **Implementing dozens of new energy, transportation and telecommunications laws.** In each legislative session during the term of Governor Ritter, the general assembly passed numerous utility-related laws. Many of these new laws require the Commission to adopt rules, compile reports, or conduct hearings. Rarely has there been this much activity required of the Commission.
- **Modifying and approving the electric resource plan of XcelEnergy (2009).** After extensive hearings, the Commission approved a plan that includes large amounts of new wind capacity, the early closure of two coal power plants to reduce carbon and other

emissions, the acquisition of 200-600 megawatts of solar thermal capacity, and substantial amounts of new energy efficiency savings. The target portfolio will reduce CO<sub>2</sub> emissions per megawatt-hour by 22% from current levels by 2017. The Commission decision requires competitive acquisition for new resources.

- **Adopting new, aggressive energy efficiency requirements (2008)** for Colorado gas and electric utilities. The Commission's requirements for electric utilities go well beyond the statutory minimum levels enacted in 2007. The Commission's policies also provide for rapid cost recovery of energy efficiency spending and bonus incentives for superior performance for the utilities.
- **Rewriting the Commission's electric resource planning rules (2007)** to require full consideration of future costs for carbon emissions, new clean energy resources and environmental and economic externalities. Retained and refined the requirements for competitive acquisition of new resources.
- **Improving communications with stakeholders.** I successfully sought legislation to modify the Commission's enabling statute, allowing the use of a "permit-but-disclose" communications process similar to the one employed successfully by the FCC and the FERC. The result has been much greater exposure of the Commissioners and staff (outside the hearing process) to the thinking of consumers, utilities, environmental advocates, large customers, advocates for new technologies, etc.
- **Organizing meetings of Western state regulators on regional transmission issues.** We discussed coordination in our efforts to add transmission capacity, especially to renewable energy zones. In future meetings we will discuss a goal of eliminating "pancaked" transmission pricing in the intermountain west.
- **Conducting hearings in eight towns around the state** on a "road trip" to collect consumer opinions about energy rates, distributed generation, the future of the energy sectors, and support for moving toward a more environmentally-sensitive utility industry.
- **Reorganizing the PUC's staff** to create a Research and Emerging Issues section. As chairman, I am working to improve deployment of the agency's modest staff so that the Commissioners can stay apprised of new technology and policy alternatives and be able to investigate and implement new regulatory approaches.
- **Reaching out to consumers and interest groups.** I frequently speak at meetings of consumer organizations, environmental groups, business and professional associations, legal seminars, etc. The two-way-street communications improves my understanding and conveys to the public the immense challenges we face in energy policy with climate change.

## **1995-2006    President, Public Policy Consulting**

Consultant, specializing in energy and telecommunications regulatory policy issues. Assignments include strategic counsel to clients and research and testimony before regulatory and legislative bodies. In addition, I produced several research reports about the impact on rates of adding significant amounts of wind and solar capacity to utility systems. These reports are

listed below.

I had a wide range of clients, including: consumer advocate offices, rural electric utilities, senior citizen advocacy groups, environmental groups, industrial electric users, homebuilders, building managers, telecommunications resellers, incumbent local exchange companies, low-income advocacy organizations, and municipal utilities. I have testified as an expert witness before regulatory commissions in twelve states.

**1996-2003    President and Policy Director, Competition Policy Institute**

Competition Policy Institute was an independent non-profit organization that advocated for state and federal policies to bring competition to energy and telecommunications markets in ways that benefit consumers. Duties included: determining the organization's policy position on a wide range of telecommunications and energy issues; conducted research, produced policy papers, presented testimony in regulatory and legislative forums, hosted educational symposia for state regulators and state legislators.

**1984-1995    Director, Colorado Office of Consumer Counsel**

Director of Colorado's first state-funded utility consumer advocate office. By statute, the OCC represents residential, small business and agricultural utility consumers before state and federal regulatory agencies. The office was a party to more than two hundred legal cases before the Colorado Public Utilities Commission, the Federal Communications Commission, the Federal Energy Regulatory Commission and the courts.

Managed a staff of eleven, including attorneys, economists, and rate analysts who conduct economic, financial and engineering research in public utility matters. Testified as an expert witness on subjects of utility rates and regulation. Negotiated rate settlement agreements with utility companies. Regularly testified before the Colorado general assembly and spoke to professional business and consumer organizations on utility rate matters. Consulted with advisory board of consumer leaders from around the state.

Held leadership roles in National Association of State Utility Consumer Advocates. Member of high-level advisory boards to Federal Communications Commission (Network Reliability Council and North American Numbering Council) and Environmental Protection Agency (Acid Rain Advisory Council). Frequent witness before congressional committees and invited speaker before national industry and regulatory forums.

**1977-1984    Consulting Utility Rate Analyst**

Represented clients in public utility rate cases and testified as an expert witness in utility cases before regulatory commissions in Utah, Wyoming, Colorado and South Dakota. Clients included state and local governments, low income advocacy groups, irrigation farmers and consumer groups. Testimony spanned topics of telephone rate design, electric cost-of-service studies, avoided cost valuation of nuclear generation, electric rate design for irrigation customers and municipal water rate design.

**1975-1984    Instructor in Mathematics**

Taught mathematics at the University of Colorado, Denver and Boulder campuses. Nominated three times for outstanding part-time faculty member.

**1971-1974     Manager, Blue Cross and Blue Shield**

Managed major medical claims processing department. Responsibilities included budgets, hiring, training, managing supervisors, and coordinating with medical peer review committee.

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**Other Business Interests**

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**1994-present             Managing Partner, Trail Ridge Winery**

Managing Partner and Secretary/Treasurer of Trail Ridge Winery. Trail Ridge is a Colorado winery located in Loveland, Colorado, producing a variety of award-winning wines from Colorado-grown grapes. Beginning in 2009, the winery has been reducing its production and will likely end operations in 2011.

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**Education**

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M.A. (Mathematics) 1977. University of Colorado. Course requirements met for Ph.D.

Graduate courses toward M.A. in Economics 1981-1984. University of Colorado. Twenty-seven hours including Economics of Regulated Industries, Natural Resource Economics, Econometrics.

B.A. with Honors (Philosophy) 1971. St. Louis University.

Diploma 1967. Catholic High School, Little Rock, Arkansas.

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**Professional Associations and Activities**

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**Selected Current:**

Harvard Electric Policy Group, John F. Kennedy School, Harvard University 1994-present

Advisory Council to the Board of the Electric Power Research Institute (EPRI) 2008-present

Keystone Energy Board 2009-present

Aspen Institute for Humanistic Studies, Communications and Society Programs 1986-present

## **Selected Past:**

National Association of Regulatory Utility Commissioners

Member, Energy Resources and Environment Committee 2007-2011

Member, International Relations Committee 2007-2011

Chair, NARUC Task Force on Climate Policy 2010-2011

President, Western Conference of Public Service Commissioners, 2010-2011

Acid Rain Advisory Council to the Environmental Protection Agency, circa 1991

American Association for the Advancement of Science

American Vintners Association (*now* WineAmerica), Executive Committee, Membership Chair

Chair, Telecommunications Committee 1992-1995

Colorado Common Cause, Board Member

Colorado Energy Assistance Foundation, Board Member, Past President

Colorado Legislative Task Force on Information Policy, Gubernatorial Appointee 2000-2001

Colorado Public Interest Research Foundation, Board Member

Colorado Telecommunications Working Group, Gubernatorial Appointee

Colorado Wine Industry Development Board, Chairman

Council on Economic Regulation, Past Fellow

Denver Mayor's Council on Telecommunications Policy

Exchange Carriers Standards Association Network Reliability Steering Committee

Legislative Commission on Low-Income Energy Assistance, Past President

National Association of State Utility Consumer Advocates

President 1991-1992, Vice-President 1990, Treasurer 1987-1989

Network Reliability Council to the Federal Communications Commission

New Mexico State University Public Utilities Program, Faculty and Advisory Council

North American Numbering Council to Federal Communications Commission, Co-Chair

Outreach Committee, Western States Coordinating Council Regional Planning Committee

Total Compensation Advisory Council to the State of Colorado Department of Personnel

Who's Who in Denver Business

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## **Regulatory Testimony and Presentations**

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From 1977 to 2006, Mr. Binz participated in more than 150 regulatory proceedings before the Federal Communications Commission, the Federal Energy Regulatory Commission, State and Federal District Courts, the 8<sup>th</sup> Circuit, 10<sup>th</sup> Circuit and D.C. Circuit Courts of Appeal, the U.S. Supreme Court and state regulatory commissions in California, Colorado, Georgia, Idaho, Maine, Missouri, New York, North Dakota, South Dakota, Texas, Utah, and Wyoming. He has filed testimony in approximately sixty proceedings before these bodies. His testimony and

comments have addressed a wide variety of technical and policy issues in telecommunications, electricity, natural gas and water regulation.

In addition, Mr. Binz is a frequent conference speaker on topics in energy and telecommunications policy. Copies of many of these presentations and testimonies are available at these websites: [www.dora.state.co.us/puc](http://www.dora.state.co.us/puc) or [www.rbinz.com](http://www.rbinz.com).

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### Congressional Testimony

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Mr. Binz has testified fifteen times before U.S. House and Senate Committees. In addition, he has testified numerous times before state legislatures in several states. Here is a list of his U.S. Congressional testimony:

United States House of Representatives Commerce Committee, Energy Subcommittee, 2008. Testimony concerned a proposal to adopt a federal renewable energy standard.

United States House of Representatives Judiciary Committee, November 1999. Testimony concerning H.R. 2533, The Fairness in Telecommunications License Transfer Act of 1999.

United States Senate Judiciary Committee; Antitrust, Business Rights and Competition Subcommittee, April 1999. Testimony concerning S.467, The Antitrust Merger Review Act.

United States Senate Commerce Committee, Telecommunications Subcommittee, May 1998. Testimony in oversight hearings concerning the performance of the Common Carrier Bureau of the Federal Communications Commission.

United States Senate Judiciary Committee, Washington, D.C., September 1996. Presented testimony on behalf of the Competition Policy Institute on the competitive impact of proposed mergers of Regional Bell Operating Companies.

United States House of Representatives Subcommittee on Telecommunications and Finance of the Committee on Commerce, May 1995. Testimony presenting NASUCA's position on H.R. 1555 by Representative Fields.

United States Senate Subcommittee on Antitrust, Washington, D.C., September 1994. Testimony presenting NASUCA's position on S. 1822 by Senator Hollings.

United States House of Representatives Subcommittee on Telecommunications and Finance of the House Energy and Commerce Committee, Washington, D.C., February 1994. Presented testimony on H.R. 3636.

United States House of Representatives Subcommittee on Economics and Commercial Law, Washington, D.C., October 1992. Supplemental testimony presenting NASUCA's position on legislation concerning the Modified Final Judgment introduced by Representative Brooks.

United States House of Representatives Subcommittee on Telecommunications and Finance, Washington, D.C., October 1991. Testimony on RBOC entry into telecommunications manufacturing and information services.

United States House of Representatives Subcommittee on Economics and Commercial Law, Washington, D.C., August 1991. Testimony presenting NASUCA's position on possible federal legislation concerning the Modified Final Judgment.

United States Senate Subcommittee on Energy Regulation and Conservation, Denver, Colorado, April 1991. Testimony presenting NASUCA's position on federal legislation concerning regulation of the natural gas industry, introduced by Senator Wirth.

United States Senate Communications Subcommittee, Washington, D.C., February 1991. Testimony on behalf of NASUCA concerning S.173, telecommunications legislation introduced by Senator Ernest Hollings.

United States Senate Communications Subcommittee, Washington, D.C., July 1990. Testimony on behalf of NASUCA concerning S.2800, telecommunications legislation introduced by Senator Conrad Burns.

United States House of Representatives Subcommittee on Telecommunications and Finance, July 1988. Testimony on the FCC Price Cap proposal.

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### Reports and Publications

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Mr. Binz produced two reports, funded by the Energy Foundation, of the impact of a renewable energy standard in Colorado:

***The Impact of the Renewable Energy Standard in Amendment 37 on Electric Rates in Colorado. (September 2004)***

***The Impact a Renewable Energy Portfolio Standard On Retail Electric Rates In Colorado. (February 2004)***

Mr. Binz is the co-author, with Jane Pater, of a study, conducted for the InterWest Energy Alliance, of the fuel savings associated with the increased use of wind power in Colorado:

***Wind on the Public Service Company of Colorado System: Cost Comparison to Natural Gas***

Mr. Binz is the co-author of two major reports on electric industry restructuring:

*Navigating a Course to Competition: A Consumer Perspective on Electric Restructuring.*

*Addressing Market Power: The Next Step in Electric Restructuring.*

In the telecommunications area, Mr. Binz published a major discussion paper entitled *Qwest, Consumers and Long Distance Entry: A Discussion Paper.*