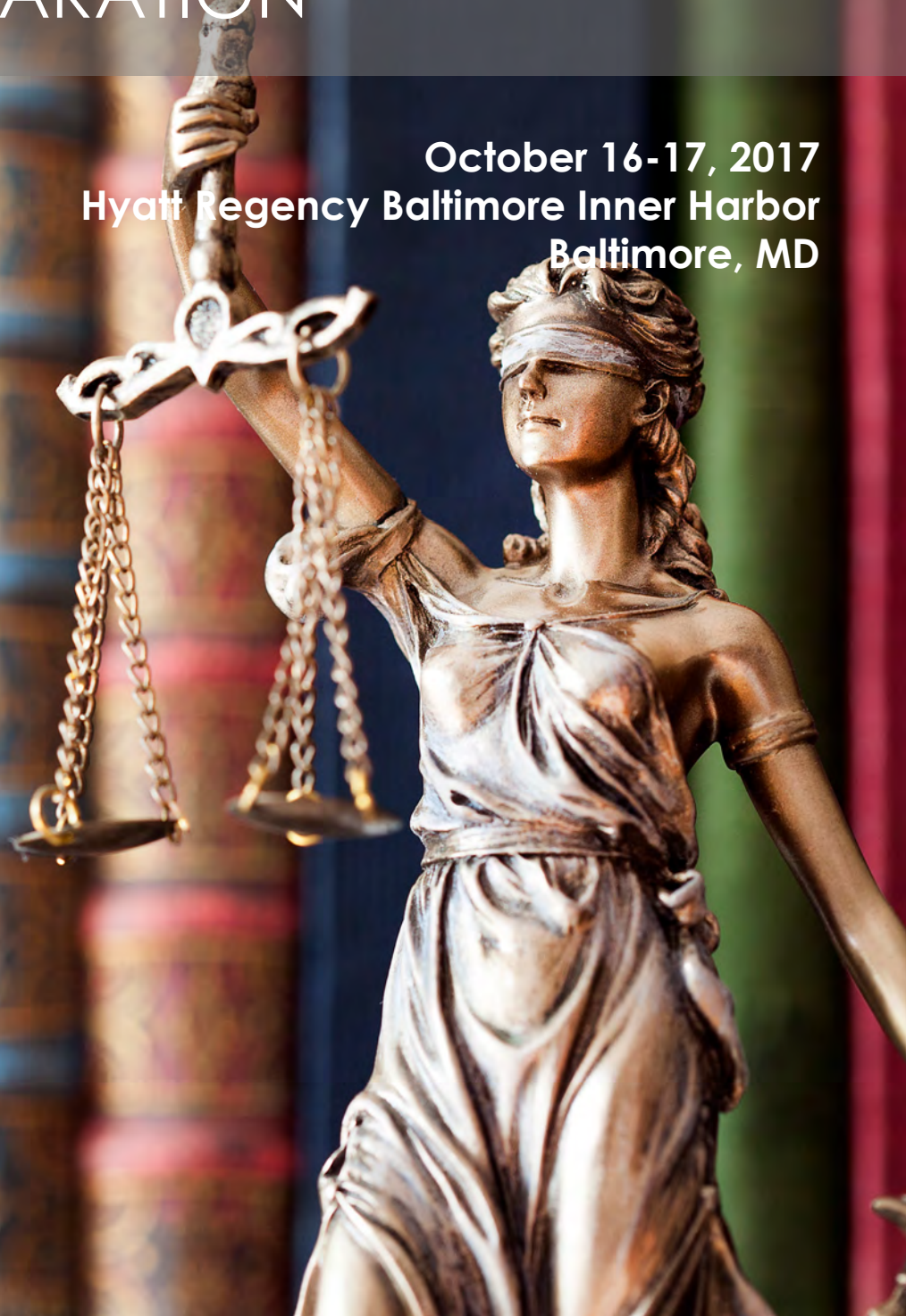


WITNESS PREPARATION

October 16-17, 2017
Hyatt Regency Baltimore Inner Harbor
Baltimore, MD



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EUCI is authorized
by IACET to offer
1.4 CEUs for the
course



EUCI is authorized
by CPE to offer
16.5 CEUs for the
course

OVERVIEW

This course is designed to improve the effectiveness of witnesses as they prepare and serve as experts in rate cases and other associated energy industry testimony. The course is organized in two distinct areas; preparing and serving as an expert during the administrative process and learning how to be an effective witness during associated hearings. During the first portion of the course, participants will consider the rate case and other administrative processes, learn the nuances of preparing and designing successful pre-filed testimony, and acquire skills in writing persuasive questions and answers for submittal. Additionally, initial steps in preparing effective hearing testimony will be reviewed. The second portion of course concentrates on being an effective expert witness in hearing testimony. Skills will be provided on how to approach direct and cross examination, the finer points of persuasive verbal communication, and the potential pitfalls of detrimental and ineffectual non-verbal communications. The course is designed to be highly interactive and will conclude with a mock hearing exercise where participants will demonstrate skills and competency with expert witness responsibilities in the administrative hearing process.

Important Note: Attendees will need to bring a laptop for the course

LEARNING OUTCOMES

- Discuss the rate case process and name five key components
- Identify three elements of expert witness professional ethics and/or standards
- Describe how to properly prepare for pre-filed testimony
- Identify important elements of effective pre-filed testimony
- Describe important elements in writing effective pre-filed questions
- Describe important elements in writing effective pre-filed answers
- Discuss strategies useful in converting written into verbal testimony for hearings
- Explain two effective persuasion techniques
- Name three important considerations when verbally describing credentials
- Discuss methods to prevent attacks on an expert witness's credibility
- Recognize the difference between direct and cross-examination at a hearing
- Explain the role of the administrative law judge
- Name two pitfalls to avoid when interacting with opposing counsel
- Identify important considerations in expert witness testimony at hearings
- Describe the difference between verbal and non-verbal communication
- List three goals of opposing counsel during cross-examination
- Name three methods for responding to difficult questions in hearing testimony
- State three rights of witnesses



"I recommend this course for anyone who plans to provide testimony in a hearing. It is a good overview of what is expected of you as a witness and there are many tips and tricks presented to assist you in being a successful witness."

Regulatory Manager, Black Hills Corp.



"They did a great job and I feel it was worth my time and money."

Project Manager, DTE Energy

AGENDA

MONDAY, OCTOBER 16, 2017

- 7:30 – 8:00 am** **Registration and Continental Breakfast**
- 8:00 – 8:30 am** **Course Introduction and Overview**
- Course overview and logistics
 - Group discussion of perceptions and prior experience with regulated rate cases
- 8:30 – 9:00 am** **Rules, Filings, Procedure, and Case Law Examples for Rate Cases**
- Rule basics
 - How filings are made and requirements
 - Rate case procedures
 - o Distribution of tasks
 - o Concept of pre-filed testimony
 - o Hearings
- 9:00 – 9:45 am** **Rate Case Preparation and Management**
- Overview of the process
 - How to plan and manage a successful case
 - Forming a successful team
 - Examples of how the requirements vary across the country by PUC/PSC
 - Doing the essential homework
 - A framework for assessing internal strengths and weaknesses of the case
- 9:45 – 10:15 am** **The Dynamics of Expert Witnessing: Professional Ethics, Standards and Strategic Planning**
- Professional ethics and standards
 - Interfacing with counsel
 - Interfacing with other professionals and staff
 - Understanding your role on the team
 - Dealing with public and media inquiries
 - Treatment of confidential information
- 10:15 – 10:30 am** **Morning Break**
- 10:30 – 11:30 am** **Strategies for Expert Witnesses Preparing Pre-filed Testimony**
- Understanding the strategy and goals of the utility
 - Determining your objective
 - Planning with other PUC experts and staff coordination
 - Gathering supporting documentation and evidence
 - Considering time allotment and organization
 - Budget considerations
- 11:30 am – 12:00 pm** **Introduction to Group Exercise**
- Overview of mock hearing exercise
 - Review and discussion of Case Study
 - Assignment of roles
- 12:00 – 1:00 pm** **Group Luncheon**

AGENDA

- 1:00 – 2:15 pm** **Preparing Pre-filed Testimony**
- Techniques to more persuasively explain your credentials
 - Knowledge/Skill
 - Experience
 - Training/Education
 - Know your audience
 - Determining what information needs to be addressed
 - Consideration of the layout of testimony - sequence
 - Writing a meaningful question to support your case and expert opinion
 - Writing a clear, concise, and meaningful answer to support your case
 - Improving credibility of positions

- 2:15 – 3:00 pm** **Pre-filed Testimony Writing Exercise**

- 3:00 – 3:15 pm** **Afternoon Break**

- 3:15 – 4:00 pm** **Group Review of Written Testimony**

- 4:00 – 4:30 pm** **Questions and Wrap-up**



“Excellent hands-on course. Speakers are very knowledgeable and experience.”

Controller, EPCOR Water USA

TUESDAY, OCTOBER 17, 2017

- 7:30 – 8:00 am** **Continental Breakfast**

- 8:00 – 8:30 am** **Introduction and Executive Summary of Persuasion Techniques for Expert Witnesses**

- Creating and using powerful, memorable language and analogies
- Coaching and teaching hearing participants
- Converting and communicating essential information from written testimony into oral testimony

- 8:30 – 9:30 am** **Describing Your Credentials in a Verbal Format**

- Stating critical elements
- Leaving out non essentials
- Confidence without boastfulness
- Group exercise

- 9:30 – 10:00 am** **The Dynamics of Hearings: Direct and Cross Examination**

- How hearings are conducted
- Creating a professional appearance
- The principles of direct examination
- The principles of cross examination

- 10:00 – 10:15 am** **Morning Break**

- 10:15 – 10:45 am** **Protecting Yourself from Attacks on your Credibility and Credentials**

- Considering potential weaknesses
- Preparing for the rebuttal
- Learning how not to appear defensive
- Making a reasonable correction or addition

AGENDA

10:45 – 11:15 am

Bonding with the Administrative Law Judge

- The role of the Administrative Law Judge (ALJ)
- How to address and speak to the ALJ
- What to expect in communicating with the ALJ
- Pitfalls to avoid

11:15 – 11:45 am

Developing a Productive Interaction with Opposing Counsel

- The role of opposing counsel
- What to expect from opposing counsel
- Establishing the right relationship
- What to expect in communicating with opposing counsel
- Pitfalls to avoid

11:45 am – 12:45 pm

Group Luncheon

12:45 – 1:15 pm

Basic Considerations in Witness Testimony

- Resisting memorizing or rehearsing testimony
- Listening to the question
- Answering only the questions asked
- Resisting interrupting
- Building trust, likability, and honesty
- Resisting argumentation and frustration

1:15 – 1:45 pm

Subjective Reactions and Effective Verbal Communications

- Tone
- Mannerisms
- Confidence
- Authority
- Understandability
- Memorability

1:45 – 2:15 pm

Effective Nonverbal Behavior and Communication

- Attire
- Facial expressions
- Eye contact
- Posture
- Head and body movements

Overcoming:

- Shyness
- Nervousness
- Impatience
- Simple annoyance
- Arrogance
- Hostility
- Condescendence
- Sarcasm

“

“This course is perfect for those brand new to the ratemaking judicial process.”

Director – Regulatory Accounting, AES

“

“Great material to take back and share with co-workers, will reference material while preppin in the future! Exercises were fun, challenging, purposeful.”

Sr. Program Developer, New Mexico Gas Company

“

“The class was not only educational, it was enjoyable.”

Regulatory Analyst/Auditor, OK Corporation Commission

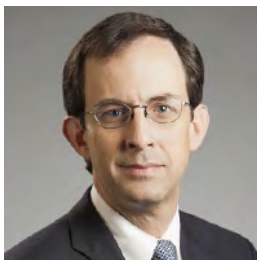
AGENDA

2:15 – 2:45 pm**Special Considerations in Hearing Testimony**

- Forming airtight opinions
- Staying ahead of counsel during cross examination
- Answering difficult questions
- Establishing responses in known problem areas
- Knowing your rights as a witness
 - o Protecting testimony from becoming distorted or mischaracterized
 - o Avoiding testimony from becoming interrupted
 - o Appropriateness in refusing to answer a question

2:45 – 3:00 pm**Afternoon Break****3:00 – 4:30 pm****Mock Hearing Exercise****4:30 – 5:00 pm****Course Wrap-up**

INSTRUCTORS



Thomas L. Brocato

Principal, Lloyd Gosselink Attorneys-at-Law

Mr. Brocato primarily represents municipalities before regulatory agencies in proceedings involving electric power and natural gas utilities. During his legal career, Thomas has focused his efforts on administrative law in the area of utility regulation, but he also has experience in electric aggregation development and appellate litigation. Cumulatively, Thomas has spent more than 25 years participating in over 500 regulatory proceedings. He became an associate with the Firm's Energy and Utility Practice Group in 2004 and a principal with the Firm in 2007. Mr. Brocato is a graduate of the University of Texas (Austin) and the Texas Tech University School of Law. He is licensed to practice before the Fifth Circuit Court of Appeals and the United States Supreme Court.



Joseph Mancinelli

General Manager and President, Energy Practice, NewGen Strategies and Solutions

Joseph Mancinelli has more than 25 years of experience in the areas of cost of service and rate design for electric, water, wastewater, and natural gas utilities acting in the roles of expert witness, project manager, and lead analyst. He has worked closely with public utility commissions, senior management teams, utility boards, city councils, attorneys, and end-users with respect to the strategy and technical fundamentals of cost of service and rate design. He has taught numerous classes on cost of service and rate design methodology, including a cost of service and rate design course for Electric Utility Consultants, Inc. since 2004. He is an expert in approved industry methodologies adopted by the National Association of Regulatory Utility Commissioners and the American Public Power Association. He regularly speaks at conferences across the country on cost of service and rate issues.

“

“Great course! Thank you for sharing your knowledge and expertise!”

Financial Analyst, PUCN - Nevada

REQUIREMENTS FOR SUCCESSFUL COMPLETION

Participants must sign in/out each day and be in attendance for the entirety of the course to be eligible for continuing education credit.

INSTRUCTIONAL METHODS

PowerPoint presentations, classroom discussion, case studies, group exercises, and a mock hearing exercise will be used in the program.

PROCEEDINGS

The proceedings of the course will be published, and one copy will be distributed to each registrant at the course.

EVENT LOCATION

A room block has been reserved at the Hyatt Regency Baltimore Inner Harbor, 300 Light St, Baltimore, MD 21202, for the nights of October 15-16, 2017. Room rates are \$225 plus applicable tax. Call **1-410-528-1234** for reservations and mention the EUCL event to get the group rate. The cutoff date to receive the group rate is September 17, 2017 but as there are a limited number of rooms available at this rate, the room block may close sooner. **Please make your reservations early.**

IACET CREDITS



EUCL has been accredited as an Authorized Provider by the International Association for Continuing Education and Training (IACET). In obtaining this accreditation, EUCL has demonstrated that it complies with the ANSI/IACET Standard which is recognized internationally as a standard of good practice. As a result of their Authorized Provider status, EUCL is authorized to offer IACET CEUs for its programs that qualify under the ANSI/IACET Standard.

EUCL is authorized by IACET to offer 1.4 CEUs for this course.

CPE CREDITS



EUCL is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

Upon successful completion of this event, program participants interested in receiving CPE credits will receive a certificate of completion. **EUCL is authorized by CPE to offer 16.5 credits** for this course. There is no prerequisite for this course. **Program Level 1:** Beginner and Intermediate, **Delivery Method:** Group-Live, **Advanced Preparation:** None

REGISTRATION
to register [CLICK HERE](#) or

Call: 201 871 0474
fax: 253 663 7224
email: register@pmaconference.com
web: <http://pmaconference.com/>
Mail: POB 2303 Falls Church Va 22042

Please make checks payable to: "PMA"

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PLEASE REGISTER

- WITNESS PREPARATION COURSE**
 OCTOBER 16-17, 2017: US \$1495,
 Early bird on or before September 29, 2017: US \$1295

How did you hear about this event? (direct e-mail, colleague, speaker(s), etc.)

Print Name Job Title

Company

What name do you prefer on your name badge?

Address

City State/Province Zip/Postal Code Country

Phone Email

List any dietary or accessibility needs here

CREDIT CARD INFORMATION

Name on Card Billing Address

Account Number Billing City Billing State

Exp. Date Security Code (last 3 digits on the back of Visa and MC or 4 digits on front of AmEx) Billing Zip Code/Postal Code

OR Enclosed is a check for \$ _____ to cover _____ registrations.

Substitutions & Cancellations

Your registration may be transferred to a member of your organization up to 24 hours in advance of the event. Cancellations must be received on or before September 15, 2017 in order to be refunded and will be subject to a US \$195.00 processing fee per registrant. No refunds will be made after this date. Cancellations received after this date will create a credit of the tuition (less processing fee) good toward any other EUCI event. This credit will be good for six months from the cancellation date. In the event of non-attendance, all registration fees will be forfeited. In case of course cancellation, EUCI's liability is limited to refund of the event registration fee only. For more information regarding administrative policies, such as complaints and refunds, please contact our offices at (201) 871-0474.