
Mark S. Shaffer

Associate

Mark Shaffer, former Executive Director of the Interstate Natural Gas Association (INGAA) Foundation and long time legal and policy advisor to several Federal Energy Regulatory Commission (FERC) commissioners joined BWMQ in early December 2008. He brings to BWMQ a wealth of energy regulatory and legislative policy experience and strategic planning insight gained over twenty years in various senior positions at the FERC and at INGAA. His expertise encompasses a wide range of issues related to natural gas pipelines, LNG facilities, oil pipelines, and electric transmission facilities. His extensive experience in the public and private sector, combined with his knowledge of FERC processes, organization, policy direction and personnel will provide BWMQ's clients with a useful resource for insight into how to achieve company objectives consistent with FERC and other governmental rules and policies.

Mark also can provide valuable insight into how to effectively interface with a broad range of industry associations and ad hoc groups to advance positions advantageous to BWMQ clients. Given the current state of the economy and its derivative impacts on the energy industry, combined with legal uncertainty as to regulatory jurisdiction over energy commodity futures, he will pay close attention to any legislative or regulatory efforts that might impede the ability of BWMQ's clients to respond to market conditions in an unfettered manner. Also, with the advent of significant political change in Congress and changed leadership at the FERC, Mark's extensive background will provide a significant resource to BWMQ in responding to client concerns about the dollar and operational impacts legislative and regulatory initiatives will have on their companies and how to present their concerns to appropriate government officials.

As Executive Director of the INGAA Foundation, Mark directed the administrative affairs and research study program of the trade association's research foundation comprised of over 100 member companies that build, operate and provide services to interstate natural gas pipelines. During his tenure as Executive Director, the Foundation produced several major studies and white papers dealing such issues as future natural gas pipeline capacity needs, the importance of long term contracts in growing the market for natural gas consumption, the effects of steel pipe cost and availability on pipeline construction, and the impacts of workforce shortages on the ability of the industry to timely construct authorized and projected interstate natural gas pipeline projects. While at INGAA, Mark also served for a period of time as INGAA's Director of Public Policy. In that capacity, he worked with INGAA officers and senior natural gas pipeline company executives to develop positions on regulatory and legislative policy issues that impacted the trade association's interstate natural gas pipeline members and he advocated policy positions with members of FERC's senior staff. He also represented the trade association at the Center for LNG.

Prior to INGAA, Mr. Shaffer spent 14 years at the FERC. He started as a senior attorney in the Office of General Counsel where he wrote the initial Buckeye Pipeline order that offered the possibility of market based rates to oil pipelines. Shortly thereafter, he became Commissioner Branko Terzic's chief of staff. In that position he provided legal and policy advice on virtually all matters that came before Commissioner Terzic during his tenure. He was particularly instrumental in advising the Commissioner during the series of Order No. 636 proceedings that restructured the interstate natural gas pipeline industry, and on subsequent orders that implemented restructuring on individual pipelines. In the process, he gained a broad understanding of rate and operational issues that affect virtually all on and offshore pipelines in the Continental United States. During this time he also helped the Commissioner form his position on rolled-in versus incremental pricing in the Great Lakes proceeding and also provided advice to the Commissioner on oil pipeline rate cases. He administered Commissioner Terzic's national Competition Task Force, which developed methodologies for determining whether pipelines exercise market power over transportation and worked extensively with the Commissioner on development of the Commission's approach to incentive ratemaking.

When Commissioner Terzic left the FERC, Mark became Commissioner Vicky Bailey's natural gas/oil pipeline legal and policy advisor. In this position, he continued to provide natural gas pipeline restructuring advice on individual cases that came before the Commissioner, as well as advice on many significant rate and major certificate matters (such as dealing with ad volorem tax refunds, the Alternative Rate Policy Statement, the Certificate Policy Statement, the Independence and Millenium projects and numerous offshore gathering cases). Mark returned to FERC senior staff after Commissioner Bailey's departure from FERC and held diverse positions. Initially, he served as a senior attorney in the Office of Markets, Tariffs and Rates where he led a team responsible for advancing the Regional Transmission Organization effort in the southeast region of the United States. Later he provided legal and policy advice to the Director of the office that provides the Commission with engineering and environmental expertise to certificate new gas pipeline

projects and to authorize and monitor hydroelectric projects. Mark worked closely with Commissioners' offices to ensure that energy projects moved forward in a timely and environmentally responsible manner and served as Acting Deputy Director of Office during a period of political transition. For a one year period, he held a Senior Executive appointment leading a task force to implement National Energy Policy initiatives at the FERC. In this position he helped formulate policy recommendations that were consistent with the NEP and interacted with other government officials that had NEP responsibilities that impacted the FERC.

Mark concluded his career at FERC as a legal and policy advisor to Commissioner Linda K. Breathitt. He provided advice with respect to all energy industries regulated by the Commission and participated in the Commission's decision-making process with respect to natural gas pipeline Order No. 637 restructuring cases, electric industry Standard Market Design, and hydroelectric licensing reform.

Mark earned his J.D. from Temple University School of Law in 1976 and his B.A. degree from Wittenberg University in 1972.