

BRUCE M. MCCONIHE

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EDUCATION

B.A., CONNECTICUT COLLEGE
MBA, GEORGE MASON UNIVERSITY

PRESENT POSITIONS

LECG, LLC, 2000 - present
Principal, Electric Power, Oil & Gas Practice

- Ms. McConihe specializes in market power issues relating to regulated industries (natural gas, electric, telecommunications and stock exchanges). She has testified before federal and state regulatory commissions.
- Specialist areas include: measurement of potential market power in connection with: 1) authorization services at market-based rates for: natural gas storage services, natural gas hub services, sales of wholesale electric power, sales of electric power ancillary services; 2) electric utility mergers; 3) electric and natural gas mergers; 4) electric generation asset acquisitions; and 5) antitrust litigation.

OTHER POSITIONS HELD

PHB HAGLER BAILLY, INC., 1998 – 2000
Principal

- Ms. McConihe specializes in market power issues relating to regulated industries (natural gas, electric, telecommunications and stock exchanges). She has testified before federal and state regulatory commissions.
- Specialist areas include: measurement of potential market power in connection with: 1) authorization services at market-based rates for: natural gas storage services, natural gas hub services, sales of wholesale electric power, sales of electric power ancillary services; 2) electric utility mergers; 3) electric and natural gas mergers; 4) electric generation asset acquisitions; and 5) antitrust litigation.

ECONONE CONSULTING GROUP, 1995 – 1998

Senior Consultant

- Measurement of market power in connection with applications by natural gas storage companies and hub services providers for hub services. In addition, conducted market power studies for electric utilities in connection with applications for sales of wholesale power and ancillary services at market-based rates. These analyses were accepted and market-based rates were approved.

LECG, LLC, 1995

Consultant

- Provided analytic support to a senior member of the firm in connection with electric utility mergers. In addition, provided antitrust analysis in support of testimony concerning ring laser gyroscopes.

PUTNAM HAYES & BARTLETT, INC., 1990 – 1995

Senior Associate

- Provided analytic support to senior members of the firm in connection with electric utility mergers. In addition, provided antitrust analysis in support of testimony concerning Syncrude litigation in Canada.

NATIONAL ECONOMIC RESEARCH ASSOCIATES, 1973 – 1990

Senior Consultant

- Worked on behalf of AT&T in connection with their defense in antitrust litigation (MCI, Sprint, equipment manufacturers). In addition, worked on antitrust litigation in defense of various electric in connection with price squeeze issues.

OTHER

Board of Directors, GRAHAM SMOKELESS COAL COMPANY

TESTIMONY

- 1) Affidavit on behalf of Central and South West Corporation subsidiary, CSW Marketing in support of its application for market-based rates in Docket No. ER96-____-____, dated March 7, 1996.
- 2) Affidavit on behalf of Central and South West Corporation subsidiary, CSW Marketing in support of its application for market-based rates in Docket No. ER97-1236-000, dated January 3, 1997.
- 3) Prepared Statement on behalf of Market Hub Partners subsidiary Moss Bluff Gas Storage Systems, In support of its application for market-based rates for storage and hub services in Docket No. PR 95-3-000, dated January 24, 1997.

- 4) Prepared Statement on behalf of Market Hub Partners subsidiary NE Hub Partners, L.P., in support of its application for market-based rates for storage services in Docket No. CP 96-53-000, dated February 3, 1997.
- 5) Affidavit on behalf of Central and South West Corporation subsidiary, CSW Marketing in support of its application for market-based rates in Docket No. ER97-1238-000, dated March 15, 1997.
- 6) Affidavit on behalf Virginia Power in support of its application for market-based rates in Docket No. ER97-3561-000, dated April 21, 1997.
- 7) Prepared Statement on behalf of Market Hub Partners subsidiary Egan Hub Partners, L.P., in support of its application for market-based rates for storage and hub services in Docket No. PR 96-199-000, dated June 23, 1997.
- 8) Affidavit on behalf of Commonwealth Edison Company subsidiary, Unicom Power Marketing Inc., in support of its application for market-based rates in Docket No. ER97-3954-000, dated July 25, 1997.
- 9) Affidavit on behalf Virginia Power in support of its application for market-based rates in Docket No. ER97-3561-000, dated August 12, 1997.
- 10) Affidavit on behalf of Commonwealth Edison Company subsidiary, Unicom Power Marketing Inc., in support of its application for market-based rates in Docket No. ER97-3954-000, dated August 27, 1997.
- 11) Affidavit on behalf of Central and South West Services, Inc. As Agent for: Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma, and Southwestern Electric Power Company in support of its application for market-based rates in Docket No. ER98-542-000, dated October 31, 1997.
- 12) Affidavit on behalf of Destec Energy, Inc. and NRG Energy, Inc. subsidiary, El Segundo Power LLC, in support of their application for market-based rates in Docket No. ER97-1127-000, dated December 17, 1997.
- 13) Direct Testimony on behalf Virginia Power in support of its application for market-based rates in Docket No. ER97-3561-000, dated January 9, 1998.
- 14) Affidavit on behalf of Commonwealth Edison Company in support of its application for market-based rates in Docket No. ER98-1734-000, dated January 14, 1998.
- 15) Affidavit on behalf of Destec Energy, Inc. and NRG Energy, Inc. subsidiary, Long Beach Generation LLC, in support of their application for market-based rates in Docket No. ER98-____-000, dated February 6, 1998.
- 16) Affidavit on behalf of Houston Industries Power Generation, Inc. and Enova Power Corporation subsidiary, El Dorado Energy, LLC, in support of their application for market-based rates in Docket No. ER98-4109-000, dated July 29, 1998.
- 17) Affidavit on behalf of Enova Corporation subsidiary, Sempra Energy Trading Corp., in support of its application for market-based rates for ancillary services in Docket No. ER98-4497-000, dated September 9, 1998.
- 18) Affidavit on behalf of Enova Corporation subsidiary, San Diego Gas & Electric Company, in support of its application for market-based rates for ancillary services in Docket No. ER98-4498-000, dated September 9, 1998.

- 19) Affidavit on behalf of Destec Energy, Inc. and NRG Energy, Inc. subsidiary, Cabrillo I LLC and Cabrillo II LLC, in support of their application for market-based rates in Docket No. ER99-____-000, dated December 31, 1998.
- 20) Affidavit on behalf of Enova Corporation subsidiary, Sempra Energy Trading Corp., in support of its application for market-based rates for ancillary services in Arizona and Nevada in Docket No. ER99-1473-000, dated December 23, 1998.
- 21) Affidavit on behalf of Cogeneration Corporation of America and Calpine Corporation in support of their application to merge in Docket No. EC99-__-000, dated September 17, 1999.
- 22) Affidavit on behalf of Atlantic City Electric Company, Delmarva Power & Light Company, PECO Energy Company and Public Service Electric and Gas Company in support of their application in connection with the asset divestiture/acquisition of Peach Bottom Nuclear Station, Salem Nuclear Station and Hope Creek Nuclear Station in Docket No. EC00-____-____, dated December 7, 1999.
- 23) Affidavit on behalf of GPU Inc. and AmerGen Energy Company L.L.C. in support of their application in connection with the asset divestiture/acquisition of Oyster Creek in Docket No. EC00-____-____, dated December 17, 1999.
- 24) Affidavit on behalf of Honeoye Storage Company in support of its application for market-based rates for natural gas storage services in Docket No. CP00-____-000, dated February 22, 2000.
- 25) Report to the Securities and Exchange Commission (“SEC”) on behalf of the New York Stock Exchange, Inc., entitled “Issues Surrounding Cost-based Regulation of Market Data Prices,” in connection with the SEC Concept Release on “Regulation of Market Information Fees and Revenues,” (Release No. 34-42208; File No. S7-28-99), dated April 10, 2000.
- 26) Report for NiSource Inc. in connection with its merger with Columbia Energy Group, entitled “A Reexamination of Market-Based Pricing of Storage Services at NE Hub Partners’ Tioga Facilities,” dated May 25, 2000.
- 27) Affidavit on behalf of Entergy Nuclear Generation Company in connection with its application for the Indian Point 3 and FitzPatrick asset acquisition in Docket No. EC00-____-000, dated June 7, 2000.
- 28) Report for NiSource Inc. in connection with its merger with Columbia Energy Group, entitled “A Reexamination of Market-Based Pricing of Storage Services at NE Hub Partners’ Egan and Moss Bluff Facilities,” dated June 23, 2000.
- 29) Affidavit on behalf of Sempra Energy Resources in connection with its application for market-based rates in Docket No. ER01-____-000, dated February 6, 2001.
- 30) Affidavit on behalf of Sempra Energy in connection with its application for market-based rates in Docket No. ER01-____-000, dated February 7, 2001.

REPORTS AND PUBLICATIONS

- 1) Report to the Securities and Exchange Commission (“SEC”) on behalf of the New York Stock Exchange, Inc., entitled “Issues Surrounding Cost-based Regulation of

Market Data Prices,” in connection with the SEC Concept Release on “Regulation of Market Information Fees and Revenues,” (Release No. 34-42208; File No. S7-28-99), dated April 10, 2000.

- 2) Natural Gas Storage Competition Study, Prepared for Enbridge Inc., January 8, 2001.
- 3) Bruce M McConihe and Carl R. Danner, “The Western Transmission Grid: The Urgent Call for Investment,” Prepared for the Edison Electric Institute, August 2001.

Sept. 2001