

# ELLISON, SCHNEIDER & HARRIS L.L.P.

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## JEFFERY D. HARRIS

### PROFESSIONAL:

**Partner** – Ellison, Schneider & Harris L.L.P., Sacramento (1998 – present)

Specializing in energy, water, land use, public agency, and environmental law. Advises both private sector and public agency clients on matters related to energy law, in general, and electric utility restructuring, in particular. Assists project proponents in resolving the legal, regulatory, and political challenges arising from negotiations with private parties, public agencies, elected officials, and their staffs. Represents clients in public proceedings, including, applications for licenses and permits, public agency rulemakings, and responses to requests for proposals. Represents clients at meetings and negotiation sessions. Drafts transactional documents such as contracts as well as letters, testimony, and other documents for filing in administrative and regulatory proceedings. Litigation experience, mandamus proceedings, before the California Supreme Court, the First District Court of Appeals, the Third District Court of Appeals, Sacramento Superior Court, San Francisco Superior Court, and Contra Costa Superior Court.

**Partner** – Hunter, Richey, Di Benedetto & Brewer, LLP, Sacramento (1995-98)

Attorney at law practicing in the areas of real estate, land use, zoning, development agreements, the California Environmental Quality Act (“CEQA”), groundwater law, surface water law, clean air compliance, energy law, administrative law, regulatory compliance and permitting, and governmental relations.

**Legislative Counsel** – Congressman Vic Fazio (1993-95)

Advised Congressman on energy, water, natural resources, and environmental legislation and issues, including the Clean Water Act, Endangered Species Act, the Safe Drinking Water Act, Superfund Reauthorization, the Clean Air Act, and the Private Property Rights and Takings provisions of the Contract with America. Acted as Congressman Fazio’s In-House Legislative Counsel on all legislative matters related to the legal system and the federal judiciary, including tort reform and judicial appointments.

**Associate Staff** – U.S. House of Representatives, Appropriations Subcommittee on Energy and Water Development, Washington, D.C. (1993-95, concurrent with duties as Legislative Counsel)

Established budgetary priorities and direct project-specific funding for the Department of Energy, the Federal Energy Regulatory Commission (“FERC”), the Power Marketing Administrations (“PMAs”), including Western Area Power Administration (“WAPA”), the Bureau of Reclamation, and the U.S. Army Corps of Engineers. Drafted statutory and report language for the Energy and Water Appropriations legislation.

**Law Clerk** – Sacramento Municipal Utility District (“SMUD”) (August to October, 1993)

Assisted in Superfund litigation, drafted and responded to discovery requests, participated in settlement meetings with other potentially responsible parties.

**Power Contracts Specialist** – SMUD (1992-93)

Drafted and edited contracts for the purchase of air pollution “Emission Reduction Credits” required by the Clean Air Act for siting of new powerplants. Participated in negotiations between SMUD and industry for the right to purchase Emission Reduction Credits resulting from SMUD-financed upgrades to the industrial seller’s existing pollution control devices.

**Law Clerk** – California Energy Commission, Sacramento (1991-92)

Acted as primary research assistant and contributing writer for appellate litigation; researched law and prepared memoranda on diverse energy issues, including questions of statutory interpretation, federal/state regulatory jurisdiction, and constitutional law.

**Sacramento County Field Representative** – Congressman Fazio (1989-90)

Acted as liaison to federal, state, county, city, and other local governmental entities; mediated disputes between federal agencies, local governments, and constituents; spoke of Congressman at community events and policy forums.

**REPORTED CASES:**

*Santa Teresa Citizen Action Group et al. v. California Energy Commission*, 105 Cal.App.4th 1441, 130 Cal.Rptr.2d 392, Feb. 5, 2003, As Modified Feb. 24, 2003, Review Denied May 14, 2003.

**OTHER LITIGATION:**

*Santa Teresa, et al. v. California Energy Commission*; California Supreme Ct. No. S.103019

*T.H.E. P.U.B.L.I.C. v. California Energy Commission*; California Supreme Ct. No, S.101578

*Santa Teresa, et al. v. California Energy Commission*; California Supreme Ct. No. S114463

*City of Morgan Hill, et al. v. Hearing Board of the Bay Area Air Quality Management District, et al.*; 1<sup>st</sup> Appellate District No. A102518

*Santa Teresa, et al. v. California Energy Commission*; Sacramento Superior Ct. No. 01CS01830

*City of Morgan Hill, et al. v. Hearing Board of the Bay Area Air Quality Management District, et al.*: San Francisco Superior Court, Case No. CPF-02-501624

**HONORS:**

“Chambers USA” 2008 Band 1 ranking for Projects & Energy: Regulatory & Litigation.

**PROFESSIONAL AND TRADE ORGANIZATIONS:**

State Bar of California, admitted 1993

Sacramento County Bar Association

Sacramento Metropolitan Chamber of Commerce

Member of the Board of Directors, 1999

Legal Counsel, 1998

Chairman, Flood Control and Water Supply Committee, 1996-97

Chairman, 1997 Capitol to Capitol Lobbying Trip to Washington, D.C.

**EDUCATION:**

**J.D. McGeorge School of Law**, 1993

Director, 1992-93 Moot Court Executive Committee; Best Oralist Finalist and Best Brief Winner, McGeorge National Moot Court Competition, 1991-92; Dean’s Honor Roll, 1992-93

**M.A. Penn State University**, 1986, with Honors

Minor in Political Science

**B.A. University of California, Davis**, 1984, with Honors

Departmental Citation of Excellence

**PRESENTATIONS AND SPEAKING ENGAGEMENTS**

*Why Is California Unique? NEPA and CEQA Issues in Siting Wind Energy Projects in California*; Panelist; American Wind Energy Association; Portland Oregon, 2004.

*Energy in California*; Law Seminars International; Conference Co-Chair; San Francisco, California, 2007.

*Siting Challenges and Opportunities in California: Siting Processes California Powerplants And Electric Infrastructure (Powerplants and Transmission Lines)*; Panelist, Wyoming Infrastructure Authority, Quarterly Meeting, Jackson Hole, Wyoming, 2012.

*California: The “SONGS” Remain the Same: In-State Resources, Greenhouse Gas Policy, Renewable Portfolio Standards and Opportunities in California for Wyoming Wind*; Panelist, Wyoming Infrastructure Authority, Quarterly Meeting, Jackson Hole, Wyoming, 2013.

*Permitting Thermal and Non-Thermal Powerplants in California, Environmental Impact Review Processes for Energy Projects*; Faculty, Law Seminars International; San Francisco, California, 2014.