

RICHARD W. PORTER



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PROFESSIONAL AFFILIATIONS

Energy Bar Association

INGAA Foundation

Interstate Pipeline Regulatory
Committee

Southern Gas Association

American Gas Association

EDUCATION

B.S., Economics

Louisiana State University

VOLUNTEER ACTIVITIES

Grosse Pointe Little League,
Detroit, Michigan 1993 to 1995

Pit Krewe *Supporting the
Shreveport Symphony*,
Shreveport, La., 1987 to 1992

Trunkline Credit Union,
Supervisory Committee -
Houston, Tx., 1980 to 1986

SELECT PROJECT EXPERIENCE

DUE DILIGENCE / M&A

Natural Gas Pipeline Acquisition Support | Confidential Client | 2020

The client required a strategic analysis of the regulatory requirements and potential risks associated with the acquisition of an interstate natural gas pipeline from a production company. The project included a detailed report outlining the steps required for the seller to abandon and the purchaser to acquire and operate the pipeline. The report also highlighted regulatory and non-regulatory strategic issues that impact a regulated entity for the client's consideration.

Natural Gas Pipeline Acquisition Due Diligence | Confidential Client | 2018

On behalf of equity investors, the engagement included developing an analysis reviewing the pipelines' certificate authority, cost of service and rates, tariff, regulatory compliance status and contract obligations. It also included developing strategic options to enhance future operations and operating margins through implementation of the investor's commercial strategies.

Gas Gathering System Due Diligence | Morgan Stanley Infrastructure | 2014

The project team performed a technical, operations and construction due diligence review of a gas gathering system in the Ohio and West Virginia vicinity. The team reviewed the reasonableness of CAPEX and OPEX budgets and forecasts, O&M and inspection programs, employee staffing levels, and financial model inputs. The team also reviewed current and planned construction projects for the pipeline system, providing a high-level assessment of budget, schedule, ROW acquisition, permitting, and growth opportunities. The team assessed the condition and reliability of ongoing integrity management programs and pipeline safety. The team performed an environmental assessment to review status of licenses, permits and other related documents for pipeline operations.

Interstate Pipeline Purchase / Certificate Application Support | Kinetica Pipeline Partners | 2012 - 2013

Mr. Porter directed the preparation of a Natural Gas Act §7(c) application for a startup entity to buy natural gas pipeline assets from another natural gas pipeline. Mr. Porter's responsibilities included the oversight and preparation of all exhibits, including the analysis and design of service rates, service development, and tariff preparation. Because of Mr. Porter's efforts, the pipeline implemented innovative, market-responsive tariff services and pricing.

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Regulatory Due Diligence | Confidential Client | 2012

On behalf of the investors, Mr. Porter provided a regulatory review of an LNG export facility and its affiliated interstate pipeline. The export facility has subsequently received its required authority from the Department of Energy (DOE) and FERC.

Regulatory Due Diligence | Confidential Client | 2012

On behalf of a midstream entity, he evaluated the regulated assets associated with the potential acquisition of assets with a book value exceeding \$4 billion, resulting from Federal Trade Commission (FTC) required assets sales associated with the acquisition of a major interstate pipeline. Mr. Porter prepared an analysis reviewing the pipelines' certificate authority, cost of service and rates, tariff, regulatory compliance status and contract obligations. Mr. Porter made specific recommendations regarding issues to be addressed prior to closing, as well as proposals for addressing various earnings-related issues post-closing.

Regulatory Due Diligence | Summit Midstream Partners | 2011

On behalf of the investors, Mr. Porter provided a regulatory, contract and market review of the EQT Big Sandy Pipeline project. The review included a review and analysis of existing contracts, regulatory rights and obligations, quality specifications and waivers needed from downstream pipelines and other related matters pertinent to the future earning potential of the asset.

PROJECT DEVELOPMENT

Greenfield Oil Pipeline Development Support | Confidential Client | 2018

This greenfield pipeline required experienced support to establish the protocols for its open season. The engagement included developing various strategic options in concert with client and assisting in the development of the open season documents, including the Notice of Open Season, TSA, Rules & Regulations and Allocation Procedures.

LNG Export Project Pricing and Regulatory Support | Confidential Client | 2013 - 2016

As part of the project team, Mr. Porter provided pricing analysis and regulatory support to a potential investor / exporter of LNG from the United States. The project required the review of the pricing and terms of service of the export terminal and the connected natural gas pipelines.

Greenfield Pipeline for Power Generation Facility | Confidential Client | 2012 - 2015

The project team, on behalf of a confidential client, developed a regulatory strategy for a Greenfield pipeline to provide natural gas for a proposed electric generation facility. Mr. Porter developed an overall regulatory strategy, cost studies, pipeline services and rate design.

LNG Takeaway Pipeline Project - | Confidential Client | 2009

On behalf of a midstream entity, Mr. Porter directed the initial regulatory and economic analysis, later participating in the negotiation of precedent agreements and service rates and managing the development of terms of service and recourse rates.

Colorado Residue Line Greenfield Project | Enterprise Products Partners | 2008

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Mr. Porter developed a new interstate natural gas pipeline service allowing the gathering/processing company to hold firm capacity on the residue line and act as the nominating, scheduling, and billing agent for its own gathering and processing customers. He directed the initial regulatory and economic analysis for the project and took part in the negotiation of precedent agreements and service rates. He oversaw the development of terms of service and recourse rates and later was responsible for negotiating the approval of the terms of service and rates at the FERC.

Natural Gas Shale Greenfield Pipeline Projects | Enterprise Products Partners | 2008 - 2009

On behalf of a midstream entity he directed the initial regulatory and economic analysis of the evacuation pipeline projects. He took part in the negotiation of precedent agreements and service rates and oversaw the development of terms of service and recourse rates. Subsequently, he negotiated and filed for the approval of the terms of service and rates at the FERC.

Natural Gas Pipeline Power Generation Transportation Rates

Mr. Porter oversaw the preparation and filing of the certificate application for the Gulfstream Pipeline. Among other things, he was responsible for the development of the innovative rate design method used to price power generation services that required non-uniform rates of flow. He later adapted that same design method for a major interstate pipeline to promote the development of power generation load and maximize pipeline revenue opportunities.

GOM Deepwater Pipeline Expansion

On behalf of an offshore pipeline, Mr. Porter provided the regulatory support for the partnerships' efforts to attach natural gas supplied in the deep waters of the Gulf of Mexico. He developed the overall regulatory strategy, took part in the contract negotiations, and ensured that the service seamlessly integrated into those of the downstream pipelines. Mr. Porter made specific recommendations that were implemented to promote the long-term revenue stability of the pipeline.

EARNINGS ENHANCEMENT

Natural Gas Pipeline Rate Case Intervenor Support | EQT Energy, LLC; Tenaska Marketing Ventures; AOS Energy Partners | 2019

Retained as expert witness and to provide cost of service, cost allocation and rate design analysis for a natural gas producer, a natural gas marketer, and an electric power generator. Provided affidavit focusing on a) rolled-in pricing and b) the unsupported nature of the shared service expenses proposed by the pipeline, on behalf of one client in opposition to the proposed rate case settlement.

LDC / Hinshaw Pipeline and Storage Rate Case Support | Pacific Gas & Electric | 2014

Mr. Porter directed the project team that provided a benchmark study to evaluate the client's costs and services vis-à-vis other similarly situated companies in the country. The tasks conducted also provided for the review of various costing and allocation methods utilized by other companies and evaluation of the potential for the use of those methods on client's system.

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Oil Pipeline Peer Group, Rate Case and Regulatory Analysis | Confidential Client | 2012 - 2013

On behalf of a major oil producer, Mr. Porter led a team that was engaged to provide a second opinion and review rate case options for an oil pipeline. The team evaluated the operations and financial performance of the pipeline compared to a peer group and developed studies supporting revenue enhancement strategies and rate case filings before federal and state regulatory agencies. The engagement produced a negotiated settlement with the shippers that significantly increased cash flow and operating margins.

Cost and Revenue Study Analysis and Settlement Support | Columbia Gulf Transmission | 2011 - 2012

On behalf of a shipper trial group, Mr. Porter provided technical analysis of the pipelines' as-filed cost and revenue study. As an active participant in the settlement discussions on behalf of the trial group, he analyzed the various settlement options and developed settlement positions to help the group achieve their goals. The case was successfully settled, and the client's goals achieved.

Rate Case Analysis and Expert Testimony | Northeast Shippers Group | 2011

On behalf of a shipper trial group, he provided analysis of the pipeline company initial rate increase filing, analysis of FERC Staff Top Sheets, and assisted in the development of settlement positions. He was also engaged to provide expert testimony in the event of litigation.

Pipeline Rate Case Preparation and Expert Testimony | Stingray Pipeline LLC | 2011

On behalf of a midstream entity, he developed a rate increase filing for one of the companies' pipelines, assisting in the development of various cost of service and rate design positions. The pipeline was fully depreciated and presented special challenges in the rate case process. He provided expert witness testimony and economic analysis regarding the applicability of a supplemental management fee and an economically based remaining depreciable life. The case was successfully settled.

Interstate Pipeline Rate Case | UT Offshore System | 2011

On behalf of a midstream entity, he developed a rate increase filing, assisting in the development of various cost of service and rate design positions. He provided expert witness testimony and economic analysis regarding the applicability of a supplemental management fee and an economically based remaining depreciable life. The case was successfully settled.

Section 311 Rate Cases | Enterprise Products Partners | 2004 - 2009

On behalf of a midstream entity, he oversaw the planning, development, filing and settlement of various Section 311 proceedings. The pipelines involved often had contemporaneous regulatory requirements associated with their respective states and required coordination of the process with the FERC and the various state regulatory commissions. These filings also included extensive revisions to the Statements of Operating Conditions for the pipelines.

LITIGATION SUPPORT

Expert Testimony | Power Market Analysis Support | Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid | 2015 – 2016

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Constructed an analytical framework to evaluate the proposals received in response to a RFP for the construction of new energy infrastructure in New England, provided pre-filed testimony and stood for cross examination before the Massachusetts DPU. As part of the engagement team worked with and coordinated responses to discovery and the preparation of market study to evaluate the benefits of the implementation of the individual proposals.

Litigation Support at U.S. Court of Appeals for the DC Circuit | Enterprise Products Partners | 2004 -2005

On behalf of an interstate pipeline and a storage provider Mr. Porter oversaw the preparation and argument of a successful appeal on the proper constitution of the proxy group used to figure out the cost of equity for interstate pipelines. The Court's remand of the FERC Order coincided with the issuance of a new FERC policy statement on the composition of pipeline proxy groups.

Rate Case Litigation and Settlement

Mr. Porter managed three months of litigation of a Section 4 rate case for a major interstate pipeline and used the litigation record as a basis to achieve a successful settlement of all issues in the proceeding. For three days, Mr. Porter presented extensive testimony on the proper rate design method to be used. Later, as part of the settlement, he submitted an affidavit attesting to a methodology for the innovative design of rates for short-term services.

STRATEGIC ADVISORY

Natural Gas Regulatory Accounting, Ratemaking Fundamentals and Compliance Training | Confidential Client | 2017

On behalf of a midstream entity, the engagement included developing and implementing a series of training sessions for accounting staff to promote compliance with regulatory accounting rules and regulations and to increase sensitivity to impacts of accurate accounting records on pipeline earnings. The engagement included preparation of outlines for training programs, preparation of training materials, presentations and training of accounting staff and coordination of effort with compliance team and CFO.

Midstream Labor Capitalization Analysis | Confidential Client | 2015

Mr. Porter was a member of the project team engaged by an integrated mid-stream company with regulated and unregulated business lines (\$125 billion asset value) to develop and recommend an enterprise wide capitalized overhead policy and approach. In this study, the team worked with multiple internal clients, including FERC regulatory affairs, executive leadership, and key accounting executives to evaluate the Company's current method and to find where opportunities existed to optimize labor capitalization ratios and promote commercial viability of project development. The team also focused on procedures to improve regulatory acceptance of capitalized overhead across the client's various operating segments.

New England States Committee on Electricity (NESCOE) – Gas Electric Coordination Study | 2012 - 2013

Mr. Porter took part in the preparation of the study and document prepared on behalf of NESCOE on coordination between gas and electric wholesale markets in the U.S. He provided oversight and policy guidance into current challenges between the two industries and offered insight as to needed changes in gas and electric market. He specifically addressed the issues needed to fund the required infrastructure, resulting in proposed funding units by electric utilities.