

MICHAEL J. DOANE

Michael Doane has conducted economic research on a variety of antitrust and regulatory issues in the electric power, natural gas, oil, pipeline, computer software, and telecommunication industries. He has served as an expert witness before courts of law, arbitration panels, and federal and state regulatory commissions. His published articles have appeared in a number of academic journals, including the *Journal of Law and Economics*, *Journal of Law, Economics & Organization*, *Quarterly Journal of Economics*, *Yale Journal on Regulation*, and the *Energy Journal*, among others. A specialist in applied microeconomics with an emphasis on network industries, his research includes:

- Economic analysis of entry regulation, rate regulation, and market power; industries examined include natural gas, oil pipeline, electric power, telecommunications, and computers;
- Studies of economic liability and damages in cases involving such issues as patent infringement, breach of contract, product liability, price fixing, product tying, and foreclosure;
- Economic analysis of relevant product and geographic markets in evaluation of antitrust claims;
- Analyses of public utility pricing and rate design, cost allocation methodologies, cost and productivity measurement, electricity and natural gas demand, and energy conservation policies and investment;
- Evaluation of the effects of mergers on industry structure and competition;
- Valuation of natural resources for severance tax purposes;
- Development of statistical models for certification and damage calculations in class action complaints; and
- Development of customer surveys and econometric models for various retail-based industries to predict product choice and market share; industries examined include transportation, telecommunications, retail gasoline, hotel, computers, food products, and home appliances;

Mr. Doane received his M.A. in applied economics from the University of California at Santa Barbara and has completed additional graduate study in price theory and econometrics. He holds a B.A. in economics from the University of Connecticut. Prior to joining PM KeyPoint, Mr. Doane was a Vice President and Principal of Analysis Group, Inc., where he managed the firm's San Francisco office and directed the firm's energy and telecommunications practices. He also served as a Senior Economist at Arthur D. Little, Inc.

SELECTED CASEWORK

STATE OF ALASKA, REGULATORY COMMISSION OF ALASKA

In the Matter of Petition by GCI Communication Corp for Termination of the Rural Exemption and Arbitration with PTI Communications of Alaska. Docket Nos. U-97-83 and U-97-142 (2004).

Prefiled opposition testimony regarding rural exemption issues (2004)

AUSTRALIAN CONSUMER AND COMPETITION COMMISSION.

Section 152ATA digital pay TV anticipatory individual exemption applications lodged by Telstra Corporation and Telstra Multimedia and Foxtel Management Pty Limited.

Expert Report regarding access pricing for analogue pay TV carriage services and set-top units (2003)

U.S. DEPARTMENT OF TRANSPORTATION

Notice of Proposed Rulemaking on Computer Reservation Regulations

Economic Analysis of Proposed Regulations. (2003)

STATE OF ALASKA, REGULATORY COMMISSION OF ALASKA

In the Matter of the Investigation of Local Exchange Revenue Requirement, Depreciation, Cost of Service, and Rate Design Studies filed by ACS of Fairbanks, ACS of Alaska, and ACS of Northland Inc. Docket Nos. U-01-83, U-01-85, and U-01-87.

Prefiled direct testimony and prefiled reply testimony on access pricing and cost recovery issues. (2003)

COMMON PLEAS COURT OF CUYAHOGA COUNTY, OHIO, CIVIL DIVISION

In the Matter of WestSide Cellular, Inc. d/b/a CellNet of Ohio v. New Par, et al., Case No. 428050

Economic analysis of alleged damages. (2003)

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA

In re: Gemstar Development Corporate Patent Litigation

Economic analysis of antitrust and patent misuse claims. (2003)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA

In re: Vitamins Antitrust Litigation, M.D.L. 1285, Misc. No. 99-0197

Economic analysis of price-fixing claims and damages. (2002)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA

In re: Methionine Antitrust Litigation, M.D.L. 1311, Case No. C-99-3491 (CRB)

Economic analysis of price-fixing claims and damages. (2002)

UNITED STATES INTERNATIONAL TRADE COMMISSION

In re: Certain Set-Top Boxes and Components Thereof
Economic analysis of patent misuse claims. (2002)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA

U.S. v. Microsoft Corp., No. 98-1232
Economic analysis of proposed settlement and public interest standard. (2002)

U.S. Dento Steels, Inc. et al v. USX Corporation, Cause No. 1999-12025
Economic analysis of relevant market, antitrust claims, and antitrust damages.
(July 2001)

AMERICAN ARBITRATION ASSOCIATION

Ford Dealer Computer Services, Inc. v. Prestige Ford, AAA Case No. 54-117-00326-98
Expert report with David Sibley and Michael A. Williams on behalf of Ford
Dealer Computer Services, Inc. (July 2001)

AMERICAN ARBITRATION ASSOCIATION

Ford Dealer Computer Services, Inc. v. Trademark Motor Co., AAA Case No. 70-177-
189-00
Expert report with David Sibley and Michael A. Williams on behalf of Ford
Dealer Computer Services, Inc. (July 2001)

AMERICAN ARBITRATION ASSOCIATION

Elk River Ford-Mercury, Inc. v. Dealer Computer Services, AAA Case No. 54 117-0057-
97
Expert report with David Sibley and Michael A. Williams on behalf of Ford
Dealer Computer Services, Inc. (July 2001)

COMMONWEALTH OF MASSACHUSETTS, DEPT. OF TELECOMMUNICATIONS AND
ENERGY

Investigation of the Dept. of Telecommunications and Energy on its Own Motion on the
Appropriate Regulatory Plan to Succeed Price Cap Regulation for Verizon.
Prepared rebuttal and surrebutal testimony and oral cross examination. Economic
analysis of market power in telecommunication markets (2001).

FEDERAL TRADE COMMISSION

In the Matter of Pepsi-Co, Inc., and Quaker Oats Company
Economic analysis of the competitive effects of proposed merger (2001)

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

In re: Southeast Banking Corporation, Debtor

Analysis of liability faced by directors and officers of a failed regional bank holding company. (2001)

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

Geneva Pharmaceutical Technology Corp. v. Barr Laboratories, et al.

Economic analysis of relevant antitrust market and monopolization claims. (2000)

U.S. FEDERAL COMMUNICATIONS COMMISSION

In the Matter of Application of MCI WorldCom Inc. and Sprint Corporation for Transfer of Control of Sprint Corporation to MCI WorldCom, Inc.

Economic analysis of competitive effects of proposed merger in long-distance telecommunication markets. (2000)

U.S. FEDERAL ENERGY REGULATORY COMMISSION

San Diego Gas and Electric Company, Docket Nos. ER98-496-000 and ER 98-2160-000

Affidavit. Economic evaluation of tariff amendments requested by the California Independent System Operator Corporation concerning the operation of reliability must-run generating units. (2000)

UNITED STATES DISTRICT COURT, TRAVIS COUNTY, TEXAS

BMC Software, Inc. v. Peregrine/Bridge Transfer Corp., Skunkware, Inc, NEON Systems, Inc. Wayne E. Fisher, and John J. Moores v. BMC Software, Inc. and Max P. Watson

Economic analysis of product tying and predatory pricing claims. Economic analysis of damage claims. (1999)

STATE OF FLORIDA, FLORIDA PUBLIC SERVICE COMMISSION

Investigation Into Pricing of Unbundled Network Elements, Docket No. 990649

Prepared Direct and Rebuttal testimonies. Economic analysis of proposals to deaverage the prices of unbundled network elements sold to competitive local exchange carriers. (1999)

U.S. FEDERAL TRADE COMMISSION

Exxon Corporation's proposed acquisition of Mobil Corporation

Consultant to Federal Trade Commission. Economic analysis of the competitive effects of the proposed merger. (1999)

STATE OF TEXAS. PUBLIC UTILITY COMMISSION OF TEXAS

Project No. 21155 – Request for Comments on Additional Questions Regarding Anti-Competitive Standard

Economic analysis of alleged price squeeze in the provision of wholesale telecommunication services. (1999)

U.S. FEDERAL TRADE COMMISSION

Barnes & Noble, Inc.'s Proposed Acquisition of Ingram Book Company

Consultant to Federal Trade Commission. Economic analysis of horizontal and vertical aspects of proposed merger. (1999)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA

United States of America v. Microsoft Corporation, Civil Action No. 98-1232 (TPJ) and Civil Action No. 98-1233 (TPJ)

Consultant to the U.S. Department of Justice, Antitrust Division. Economic analysis of the competitive effects of Microsoft's bundling and contractual practices. (1998)

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF MISSOURI

Riverside Pipeline Company, et al. v. Panhandle Eastern Pipeline Company

Economic analysis of Panhandle's interconnection policy and alleged Sherman Act violations. (1998)

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS

Phillips Petroleum Company, et al. v. Heeremac, v.o.f., et al.

Economic analysis of damages arising from a price fixing conspiracy involving heavy-lift marine transportation. (1998)

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

Barr Laboratories, Inc. v. Dupont Merck Pharmaceutical Company

Economic analysis of damages resulting from the delayed introduction of a generic prescription drug. (1998)

STATE OF NORTH CAROLINA, NORTH CAROLINA UTILITIES COMMISSION

Docket No. P-100, Sub 133d

Direct Testimony and Rebuttal Testimony on stranded costs in local telephony. Oral cross examination. (1998)

NATIONAL ENERGY BOARD, CANADA

Alliance Pipeline Application for a Certificate of Public Convenience and Necessity

Economic analysis of the cost effectiveness and public interest implications of the proposed Alliance Pipeline in the Province of Canada. (1998)

STATE OF INDIANA, UTILITY REGULATORY COMMISSION

In the Matter of the Commission Investigation and Generic Proceeding on GTE's Rates for Interconnection Service. Unbundled Network Elements, Transport and Termination Under the Telecommunications Act of 1996 and Related Indiana Statutes. Cause No. 40618

Direct Testimony and Rebuttal Testimony on stranded costs. Oral cross-examination. (1997)

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK
FOX News Network, L.L.C. v. Time Warner, Inc., Time Warner Entertainment Company, L.P.,
Turner Broadcasting System, Inc. and R. E. "Ted" Turner III
Economic analysis of issues pertaining to Sections 1 and 2 of the Sherman Act. (1997)

U.S. FEDERAL ENERGY REGULATORY COMMISSION
City of Las Cruces, New Mexico, Docket No. SC 97-2-000
Economic analysis of stranded costs in the context of municipalization. (1997)

STATE OF PENNSYLVANIA, PENNSYLVANIA PUBLIC UTILITY COMMISSION
Application of PECO Energy Company for Approval of its Restructuring Plan Under Section
2806 of the Public Utility Code
Economic analysis of a proposed code of conduct to govern the relationship between
PECO's regulated wire business and its competitive, unregulated businesses. (1997)

U.S. FEDERAL COMMUNICATIONS COMMISSION
Application of Ameritech Michigan Pursuant to Section 271 of the Telecommunications Act of
1996 to Provide In-Region, InterLATA Services in Michigan
Analysis of competition in long distance phone markets and the public interest benefits of
Ameritech's entry. (1997)

U.S. FEDERAL ENERGY REGULATORY COMMISSION
Southern Natural Gas Company, Docket No. RP94-67-000, et al.
Economic analysis of the prudence of long-term gas contracts. (1997)

ARBITRATION PROCEEDINGS
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996
Expert report and oral testimony in thirteen arbitration proceedings in nine states. (1996)

STATE OF CALIFORNIA, PUBLIC UTILITIES COMMISSION
Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services
and establish a Framework for Network Architecture Development of Dominant Network
Carriers. Docket No. R.93-4-003
Economic analysis of proposed pricing rules. (1996)

U.S. FEDERAL COMMUNICATIONS COMMISSION
Implementation of the Local Competition Provisions in the Telecommunications Act of 1996,
CC Docket No. 96-98
Economic analysis of the pricing provisions of the Act. Empirical study and affidavit
prepared on behalf of GTE Service Corporation. (1996)

STATE OF ILLINOIS, ILLINOIS COMMERCE COMMISSION

Petition for a Total Local Exchange Service Wholesale Tariff from Illinois Bell Telephone Company d/b/a Ameritech Illinois and Central Telephone Company Pursuant to Section 13-505.5 of the Illinois Public Utilities Act, Docket No. 95-0458

Economic analysis of the pricing of wholesale telecommunication services. (1995)

STATE OF CALIFORNIA, PUBLIC UTILITIES COMMISSION

Order Instituting Rulemaking on the Commission's Own Motion Into Competition for Local Exchange Carriers

Economic analysis of proposed local competition rules, including whether the rules afford the local exchange carrier an opportunity to earn a fair return on invested capital. (1995)

STATE OF WISCONSIN, PUBLIC SERVICE COMMISSION

Investigation of the Appropriate Standards to Promote Effective Competition in the Local Exchange Market in Wisconsin, Docket No. 05-TI-138

Economic analysis of regulatory policy for the establishment of competitive local telephone services, including the pricing of interconnection, unbundled network elements, and wholesale services. (1995)

STATE OF MICHIGAN, PUBLIC SERVICE COMMISSION

In re: The Commission's Own Motion to Establish Permanent Interconnection Arrangements Between Basic Local Exchange Service Providers

Economic analysis of the pricing of wholesale telecommunication services. (1995)

U.S. FEDERAL ENERGY REGULATORY COMMISSION

SFPP, L.P., Docket No. OR92-8-000, et al.

Economic analysis of proposed ratemaking method for oil pipeline, and assessment of business risk claims. (1995)

STATE OF CALIFORNIA, PUBLIC UTILITIES COMMISSION

In the Matter of Alternative Regulatory Frameworks for Local Exchange Carriers, Docket No. I.87-11-003

Economic analysis of customer presubscription for intraLATA toll services. (1995)

U.S. FEDERAL COMMUNICATIONS COMMISSION

In the Matter of Market Entry and Regulation of Foreign-Affiliated Entities, IB Docket No. 95-22

Economic analysis of competition in international outbound long distance markets. (1995)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA
U.S. v. Western Electric, Inc. and AT&T, Civil Action No. 82-0192 (HHG)
Economic analysis of competition in California long distance telecommunications markets. (1994)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA
U.S. v. AT&T Corp. and McCaw Cellular Communications, Inc.
Economic analysis of proposed merger. (1994)

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA
U.S. v. Western Electric, Inc. and AT&T, Civil Action No. 82-0192 (HHG)
Economic analysis of competition in long distance telecommunications. (1994)

U.S. FEDERAL ENERGY REGULATORY COMMISSION
Stingray Pipeline Company, Docket No. RP94-301-000
Economic analysis regarding the pricing of interruptible transportation services. (1994)

STATE OF NEW YORK, PUBLIC SERVICE COMMISSION
P.S.C. Case Nos. 94-E-0098 and 94-E-009
Tariff Design for commercial and industrial electricity customers. (1994)

U.S. FEDERAL COMMUNICATIONS COMMISSION
Implementation of Section 309(j) of the Communications Act Competitive Bidding, PP Docket No. 93-253
Auction design for Personal Communications Services. (1994)

U.S. FEDERAL ENERGY REGULATORY COMMISSION
Mojave Pipeline, Docket No. CP93-258-000
Economic analysis of bypass in the natural gas industry. (1993)

STATE OF CALIFORNIA, PUBLIC UTILITIES COMMISSION
Application of GTE California for Review of the Operations of Incentive Based Regulatory Framework Adopted in Decision 89-10-031.
Economic analysis related to the role of productivity in the price-cap formula. (1993)

U.S. FEDERAL ENERGY REGULATORY COMMISSION
Great Lakes Gas Transmission Limited Partnership, Docket No. RP 91-143-000
Prepared Direct and Rebuttal Testimonies. Economic analysis regarding the pricing of pipeline expansion projects. (1993)

MATTER OF ARBITRATION

Between ProGas Limited and Texas Eastern Transmission Corporation

Economic analysis regarding the redetermination of a gas purchase contract. (1992)

U.S. DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

The Protectoseal Company v. Charles Barancik

Economic analysis pertaining to interlocking directorates. (1992)

INTERNATIONAL CHAMBER OF COMMERCE, COURT OF ARBITRATION, PARIS,
FRANCE

Panhandle Eastern Pipeline Company v. Northwest Alaskan Pipeline Company

Affidavit and arbitration testimony. Economic analysis regarding the redetermination of a gas purchase contract. (1992)

MATTER OF ARBITRATION

Between W&T Offshore, Inc. and Texas Eastern Transmission Corporation

Deposition and arbitration testimony. Economic analysis regarding the performance of a natural gas purchase contract. (1991)

U.S. FEDERAL ENERGY REGULATORY COMMISSION

Great Lakes Gas Transmission Limited Partnership, Docket No. RP 91-143-000

Prepared Direct Testimony. Economic analysis regarding the pricing of pipeline expansion projects. (1991)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

City of Long Beach v. Pacific Refining Corporation

Deposition testimony and economic analysis of breach of contract claim. (1991)

U.S. FEDERAL ENERGY REGULATORY COMMISSION

Texas Eastern Transmission Corporation, Docket No. CP90-2154

Economic analysis of competition in the natural gas industry. (1991)

CANADIAN RADIO-TELECOMMUNICATIONS COMMISSION, CANADA

Unitel and B.C. Rail/Lightel Applications to provide public long distance voice services and related resale and sharing issues

Economic analysis of entry into the long-distance voice service market. (1991)

STATE OF ALASKA, DEPARTMENT OF REVENUE

Marathon Oil Company, Docket No. 89314

Economic analysis of alternative methods for valuing natural gas for severance tax purposes. (1990)

U.S. DISTRICT COURT, DISTRICT OF CONNECTICUT

Great Northern Nekoosa Corporation v. Georgia Pacific Corporation and NM Acquisition Corp.
Economic analysis of the proposed acquisition. (1989-1990)

STATE OF CALIFORNIA, PUBLIC UTILITIES COMMISSION

Southern California Edison Company and San Diego Gas and Electric Company, Docket No. CP88-12-035
Economic assistance to counsel during merger review. (1989)

U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS

JJ - CC Limited v. Transwestern Pipeline Corporation and Enron Corporation
Economic analysis regarding the performance of a natural gas take-or-pay contract.
(1988)

U.S. FEDERAL ENERGY REGULATORY COMMISSION

Mojave Pipeline Company, et al., Docket No. CP85-437-000
Economic analysis of the impact of bypass in a regulated natural gas market. (1987)

STATE OF CALIFORNIA, PUBLIC UTILITIES COMMISSION

Application of Southern California Gas Company for Authority to Sell and Leaseback Its Headquarters Property, Application No. 87-07-041
Economic analysis regarding the regulatory treatment of the sale and leaseback of headquarters property. (1987)

U.S. DISTRICT COURT, WESTERN DISTRICT OF NORTH CAROLINA

H. Deadwyler, et al. v. Volkswagen of America, Inc.
Econometric analysis of the lost resale value of automobiles with design flaws. (1987)

U.S. DISTRICT COURT, DISTRICT OF COLUMBIA

Joseph A. Albert, et al. v. General Motors Corporation
Economic analysis of damages. (1986)

U.S. INTERNATIONAL TRADE COMMISSION

In re: Certain Aramid Fibers, Investigation No. 337-TA-194
Statistical analysis of titanium prices. (1985)

U.S. INTERSTATE COMMERCE COMMISSION

Santa Fe-Southern Pacific Corporation, Control, Docket No. 30400
Statistical analysis of stock market prices at the time of announced merger. (1985)

ARTICLES IN REFEREED JOURNALS

“Pricing Access to a Monopoly Input,” *Journal of Public Economic Theory*, 2003 (forthcoming) (with D.S. Sibley, M.A. Williams, and S. Tsai).

“Having Your Cake: How to Preserve Universal-Service Cross Subsidies While Facilitating Competitive Entry: A Response,” *Yale Journal on Regulation*, (1999) vol. 16, no. 2, pp. 311-326 (with David S. Sibley and Michael A. Williams).

“Transmission Access Pricing and ‘Non-Bypassable’ Competitive Transition Charges,” *Natural Resource Journal*, (1997), Volume 37 (with Paul W. MacAvoy).

“Municipalization: Bypass and Opportunism in the U.S. Electric Utility Industry,” *Energy Law Journal*, (1997), Volume 18, No. 2 (with Daniel F. Spulber).

“Forty Years of Regulatory Reform in the Natural Gas Industry,” *Oil and Gas Tax Quarterly*, (1996), Volume 45, No. 1 (with Paul W. MacAvoy and Michael A. Williams).

“System Average Rates and Management Efficiency: A Statistical Benchmark Study of U.S. Investor-Owned Electric Utilities,” *The Energy Journal*, (1996), Volume 17, No. 3 (with Ernst R. Berndt and Roy J. Epstein).

“Competitive Entry into Regulated Monopoly Services and the Resulting Problem of Stranded Costs,” in *Humes Papers on Public Policy: Deregulation and Privatization in the United States*, (1995) Volume 3, No.3, University of Edinburgh, Scotland, (with Michael A. Williams).

“Evolution of the U.S. Spot Market for Natural Gas,” *Journal of Law & Economics*, (1994) Volume XXXVII (2), (with D.F. Spulber). Also Kellogg Graduate School of Management, Discussion Paper No. 91-48, Northwestern University. Invited paper presented at the State of California Public Utilities Commission’s “En Banc Conference on Natural Gas Procurement,” February 1992.

“Consumer Rationality and the Status Quo,” *Quarterly Journal of Economics*, (1991) February, (with R.S. Hartman and C.K. Woo).

“Status Quo Bias in the Measurement of Value of Service,” *Resources and Energy*, (1990) Vol. 12, (with R.S. Hartman and C.K. Woo).

“Households’ Perceived Value of Electrical Service Reliability: An Analysis of Contingent Valuation Data,” *The Energy Journal*, (1988) Vol. 9, (with R.S. Hartman and C.K. Woo).

“Household Preference for Interruptible Rate Options and the Revealed Value of Electric Service Reliability,” *The Energy Journal*, (1988) Vol. 9, (with R.S. Hartman and C.K. Woo).

“The Use of Hedonic Analysis for Certification and Damage Calculations in Class Action Complaints,” *Journal of Law, Economics, and Organization*, (1987) Fall, (with R.S. Hartman).

“Taking the Con Out of Conservation Program Evaluation,” *Resources and Energy*, (1987) Vol. 9, (with R.S. Hartman). Also in *Papers and Proceedings of the 8th Annual North American Conference*, (1987) Massachusetts Institute of Technology.

“The Estimation of the Effects of Utility-Sponsored Conservation Programmes,” *Applied Economics*, (1986) January, (with R.S. Hartman) . *Natural Resources Journal*

“Household Discount Rates Revisited,” *The Energy Journal*, (1986) Vol. 7, (with R.S. Hartman).

OTHER ARTICLES/WORKPAPERS/BOOK CHAPTERS

“Evaluating and Enhancing Competition in Interstate Natural Gas Markets,” *Natural Resource Journal* (forthcoming) (with Michael Williams and R. Preston McAfee).

“Evolution of the Market for Air Travel Information,” (2004), Chapter 1 in *Organizing the New Industrial Economy: Advances in Applied Microeconomics, Vol. 12*, Edited by Michael R. Baye, Elsevier (with Ken Hendricks and R. Preston McAfee)

“Raising Rivals’ Costs: An Analysis of Barnes and Noble’s Proposed Acquisition of Ingram Book Company,” 2002, Book Chapter in *Measuring Market Power*, Edited by Daniel Slottje, North Holland (with David S. Sibley).

“U.S. v. Microsoft: Is the Proposed Settlement in the Public Interest?” (with David S. Sibley), *Computer Industry Newsletter*, American Bar Association, Spring 2002, Vol. 7., No. 1.

“Exclusionary Restrictions in U.S. vs. Microsoft,” (with David S. Sibley and A. Nayyar), *UWLA Law Review*, 2001.

“U.S. v. Microsoft: Were the Exclusionary Practices Anticompetitive” (with David S. Sibley), *Computer Industry Newsletter*, American Bar Association, Spring 2000, Vol. 5., No. 1.

“Electric Utility Rates and the Evaluation of Management Performance” (1995), *Electricity Journal*, August/September (with Ernst R. Berndt and Roy J. Epstein)

“Environmental Damages,” (1995) Book Chapter in *Litigation Services Handbook, Second Edition*. Edited by Roman Weil, Michael Wagner, and Peter Frank, John Wiley & Sons, Inc. New York, New York. (with Mark Egland).

“System Average Rates of U.S. Investor-Owned Electric Utilities: A Statistical Benchmark Study” (1995) Massachusetts Institute of Technology, Center for Energy and Public Policy Research, Working Paper, MIT-CEEPR 95-005WP (with Ernst R. Berndt and Roy J. Epstein).

“An Evaluation of Public Preferences for Superfund Site Cleanup (January 1995),” University of Colorado, Dept. of Economics, Working Paper, Presented at the American Economic Association, Annual Meetings, Washington, D.C.

“Design and Implementation of Electric Utility Curtailable Rate Programs,” (1990) Kellogg Graduate School of Management, Discussion Paper No. 90-30, Northwestern University, (with D.F. Spulber).

“Policy and Competitiveness Issues in California Long Distance Telephone Service Markets,” (December 94), Yale School of Management, Working Paper Series C, #39, Government-Business Relations, (with Paul W. MacAvoy and Michael A. Williams).

“Federal Energy Regulatory Commission Order 636: Divestiture Of Gas Ownership By The Pipelines As The Penultimate Regulatory Reform In The Natural Gas Industry,” (December 1994), Yale School of Organization and Management, Working Paper Series C, #38, (with Paul W. MacAvoy and Michael A. Williams).

PRESENTATIONS

“The Costs of Regulatory Delay in Pharmaceutical Drug Markets,” *Annual Conference of the American Legislative Exchange Council*, Nashville, Tennessee, 1999.

“The Effects of Partial Deregulation on Gas Transportation Charges,” *Conference on Deregulated Markets for Natural Gas*, John M. Olin Foundation Research Program for the Study of Markets and Regulatory Behavior, Yale School of Management, New Haven, October 1996.

“Renegotiating the Regulatory Contract: Opportunism, Municipalization and Bypass,” EEL Municipalization and Bypass Conference,” Washington, D.C., October 1996.

“Transmission Access Pricing and ‘Non-Bypassable’ Competitive Transition Charges,” University of New Mexico Law School, Invited Paper, July 1996.

“Comments on Phase II Proposed Decisions: Wholesale Rates Established by Local Exchange Carriers,” California Public Utilities Commission, All Party Ex Parte Meeting, February 1996.

“Competitive Entry Into Regulated Monopoly Services and the Resulting Problem of Stranded Costs.” *Conference on Deregulation and Privatization in the United States*, John M. Olin Foundation Research Program for the Study of Markets and Regulatory Behavior, Yale School of Management, New Haven, May 1995.

“On the State of Competition in Long Distance Telecommunication Markets,” Presented at Economic Round Table of San Francisco, April 1995.

“The Design and Implementation of Electricity Curtailment Programs,” presented at the *Journal of Regulatory Economics* Editors’ Conference, San Diego, October 1992.

“The Evolution of the U.S. Spot Market for Natural Gas,” presented at the 14th Annual International Association for Energy Economics’ North American Conference, New Orleans, October 1992.

“The Impact of Open-Access Regulation on the Geographic Scope of the Natural Gas Spot Market,” Presented at the Center for Regulatory Studies Conference: “At the Crossroads -- Restructuring the Natural Gas Industry,” Chicago, October 1991.

“Outage Costs as Design Criteria for Product Differentiation,” (with C.K. Woo) New Service Opportunities for Electric Utilities: Creating Differentiated Products, Symposium sponsored by the Electric Power Research Institute and the University of California, Berkeley, September 1990.

“Estimating the Welfare Loss of Electrical Power Outages Using Contingent Valuation Survey Methods,” presented at the Electric Power Research Institute Conference: New Dimensions in Pricing Electricity, Syracuse, NY, September 1988.

“The Contingent Market for Priority Electric Service,” (with B. Neenan), presented at Rutgers University’s Advanced Workshop in Regulation and Public Utility Economics, New Paltz, NY, May 1988.

“Taking the Con Out of Conservation Program Evaluation,” presented at the 8th Annual International Association of Energy Economists North American Conference, MIT, Cambridge, MA, 1987.

“Measuring the Impact of Utility Conservation Programs,” presented at the Electric Power Research Institute Symposium: Buildings and Their Energy Systems, Chicago, IL, 1985.

RESEARCH REPORTS

Renegotiating the Regulatory Contract: Opportunism, Municipalization and Bypass in the U.S. Electric Power Industry (with Daniel F. Spulber); prepared for the Edison Electric Institute, May 1997.

An Assessment of the Factors Affecting San Diego Gas & Electric Company's Electric Rates, prepared for San Diego Gas & Electric Company, May 1995.

An Evaluation of Public Preferences for Superfund Site Cleanup, Volume 1: A Preliminary Assessment (with W. Schulze, et al.). USEPA Cooperative Agreement # CR-821980, Office of Policy, Planning and Evaluation, U.S. Environmental Protection Agency, March 1994.

An Evaluation of Public Preferences for Superfund Site Cleanup, Volume 2: Pilot Study (with W. Schulze, et al.). USEPA Cooperative Agreement # CR-821980, Office of Policy, Planning and Evaluation, U.S. Environmental Protection Agency, March 1994.

Recommended Rate Redesign for the SC-3 and SC-3A Service Classes, prepared for Niagara Mohawk Power Corporation, 1993.

Analysis of the Electricity Tariffs of the Comision Federal de Electricidad, prepared for Secretary of Energy, Mines, and State Industries (SEMIP), 1993.

The Market for Electric Power in Niagara Mohawk Power Corporation's Service Territory, prepared for Niagara Mohawk Power Corporation, 1993.

Industrial Outage Cost Survey (with D. McClland, W. Schulze and C.K. Woo), prepared for Niagara Mohawk Power Corporation, 1990.

Residential Outage Cost Survey (with D. McClland, W. Schulze and C.K. Woo), prepared for Niagara Mohawk Power Corporation, 1990.

Recommended Approach for Collecting Data on Outage Cost and the Value of Service Reliability (with R.S. Hartman, W. Schulze and C.K. Woo), prepared for Niagara Mohawk Power Corporation, 1988.

A Review of Electricity Demand Price Elasticity Estimates, prepared for Southern California Edison Company, (with D. Aigner and E. Berndt), 1988.

An Econometric Analysis of Customer Subscription to the E-20 Interruptible Rate, prepared for Pacific Gas and Electric Company, (with C.K. Woo), 1988.

An Analysis of the Determinants Space Heating Fuel Choice, prepared for Brooklyn Union Gas Company under subcontract to Opinion Research Corp., January 1988.

Recent Contributions to the Theory and Measurement of Customer Value of Service Reliability, prepared for Niagara Mohawk Power Corp., September 1987.

The Determinants of Savingpower Audit Participation: An Analysis of the Market for Home Energy Audits, prepared for Niagara Mohawk Power Corp., April 1986.

An Analysis of Space Heating Fuel Choice in the Homeowner Replacement and New Construction Markets, prepared for the American Gas Association, May 1986.

A Survey of Residential Outage Costs, prepared for Pacific Gas and Electric Company under subcontract to Meta Systems, Inc., (with A. Sanghi and K. Van Lier) December 1986.

An Analysis of the Fuel Choice Decisions of Commercial Firms, prepared for Boston Gas Company under subcontract to Arthur D. Little, Inc., 1985.

A Critical Review of the Maryland Power Plant Siting Commission's Econometric Electricity and Natural Gas Demand Forecasting Models, prepared for the Maryland Power Plant Siting Commission, 1985.

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