

HOWARD A. FROMER
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EXPERIENCE

DIRECTOR, MARKET POLICY, PSEG Power New York December 2001 to Present

As a member of PSEG's leadership team, advise senior management and commercial teams on all aspects of energy markets in New York, and assist efforts to expand company's physical presence and marketing activities in the State. Responsibilities include: managing the company's advocacy before the NYISO and other state-related energy policy organizations; representing PSEG on all committees of the NYISO; chairing (through 2004) the NYISO working group responsible for installed capacity market design, including development of first-of-its-kind demand curves; and drafting FERC pleadings concerning NYISO market rules. Coordinated with NYISO the commissioning in 2005 of new 750 MW gas-fired combined cycle plant in Town of Bethlehem, New York. Serve as Chairman of the Board of Directors of Independent Power Producers of New York.

DIRECTOR, GOVERNMENT AFFAIRS, Enron Corp April 1996 to December 2001

Established Enron's New York Government Affairs Office and managed its efforts to create competitive and open markets in the electric industry through the administrative, political and regulatory processes in support of Enron's wholesale and retail merchant business. Responsibilities included: actively participating in efforts to create the New York Independent System Operator as the successor to the New York Power Pool and serving as Enron's representative on all committees of the NYISO; serving as first chair of the NYISO working group responsible for ICAP requirements; providing support to Enron trading and origination functions; drafting FERC pleadings concerning market rules administered by the NYISO and the creation of a single northeast RTO; and overseeing Enron's participation and advocacy in utility restructuring proceedings before the NYPSC, which helped shape the pace and direction of retail access in the State.

GENERAL COUNSEL, New York State Energy Office **COUNSEL, New York State Energy Planning Board** March 1987 to April 1995

As the Office's chief legal advisor and head of its Office of Counsel, advised the Agency and the Governor's Office on the development and implementation of energy policies, programs and legislation relating to the supply, demand and price of all forms of energy in the State. Responsibilities included: overseeing the drafting and negotiation of Agency contracts, grants, RFPs and other agreements involving more than \$350 million; supervising the Agency's participation in administrative and legal proceedings; overseeing the Agency's

preparation of testimony before other State agencies, the State Legislature, Congress and Federal Agencies; managing its legislative program; overseeing the development of the Agency's energy efficiency codes and standards and other regulations; directing the State's participation in the Federal petroleum overcharge proceedings, which resulted in over \$400 million being returned to the State for use in energy-related programs; and serving as the Agency's ethics officer.

As Counsel to the Energy Planning Board following its creation in 1992, developed the hearing procedures and other regulations governing the Board's statutorily mandated energy planning proceedings, and advised the Board regarding its review of the hearing record leading to adoption of State Energy Plan.

DEPUTY COUNSEL, New York State Energy Office

April 1982 to March 1987

Responsibilities included heading a task force responsible for the Agency's participation in the multi-billion dollar Federal petroleum overcharge cases; preparing testimony concerning energy policies and programs for submission before other State and Federal agencies, the State Legislature and Congress; drafting the Agency's energy conservation standards and other regulations and serving as Hearing Officer in connection with their adoption; and supervising staff participation in administrative proceedings.

ASSISTANT COUNSEL, New York State Energy Office

September 1979 to April 1982

Responsibilities included advising staff, drafting and negotiating agreements and regulations, and representing the Agency in activities relating to energy planning, energy conservation, renewable resources and the State's coal conversion program.

PARTNER, Fromer and Rapaport, Attorneys at Law, Albany, New York

September 1976 to September 1979

Co-founded a law firm that engaged in a general civil law practice with emphasis on environmental and energy matters. Retained as a legal consultant by the New York State Energy Office, primarily to assist in the drafting of legislation, and frequently served as a Hearing Officer for both the Energy Office and the New York State Department of Environmental Conservation.

ASSISTANT ATTORNEY GENERAL, Water and Air Resources Bureau,

New York State Department of Law

November 1973 to September 1976

Represented the Department of Environmental Conservation, the Adirondack Park Agency and the Department of Health in State and Federal actions and proceedings involving environmental matters.

U.S. ARMY

December 1968 to September 1970. Received Honorable Discharge.

JR. ACCOUNTANT, Touche, Ross, Bailey & Smart, CPAs, New York, NY
September 1968 to December 1968

Assisted in audits of firm's clients.

EDUCATION

New York University School of Law
Juris Doctor, June 1973

Lehigh University
Bachelor of Arts, June 1968
Major: Accounting
Honors: Elected to Beta Alpha Psi, National Accounting Honorary

BAR ADMISSIONS

New York State
U.S. Court of Appeals, 2nd Circuit
U.S. District Court, Northern District of New York

Answers To The Questions Set Forth In The Solicitation

1. Please describe all experience you have had in chairing groups or committees of diverse interests, with a list of such groups.

I chaired the NYISO's Installed Capacity Working Group (ICAPWG) for the first five years of its existence. Additionally, I have served for many years on the Board of Directors of the Independent Power Producers of New York and currently serve as Board Chairman.

2. Please describe the support of your organization for your assuming the position of Vice-Chairperson, and describe your ability to make the necessary time commitment.

My organization fully supports my candidacy, and I am able to commit the time necessary to fulfill the duties of the MC vice chair and, ultimately, the chair.

3. Please describe any training or experience you have had in mediation, ADR or consensus building.

In my previous position as General Counsel of the State Energy Office, I was routinely involved in consensus building among a disparate group of public officials, business interests and consumer groups in developing regulations, adopting a State Energy Plan, and overseeing the distribution of more than \$400 million in petroleum overcharge restitution funds. As an IPPNY Board member and now its Chairman, I play an active role in developing consensus among a diverse group of market participants on positions being advocated in NYISO, FERC and agency proceedings.

4. Please describe briefly why you would like to have this job.

I have spent more than three decades working in the environmental and energy fields in New York. I have had an opportunity to develop and implement State energy policies that have contributed to an improved environment and quality of life for all New Yorkers, including participating in the creation of the NYISO and the selection of its initial Board. Since its creation, I have actively participated in the governance of the ISO, including overseeing the working group that developed the initial rules defining our capacity market, then transitioning it to a monthly market, and finally establishing the first-of-its-kind demand curves. Serving as MC vice-Chair and ultimately Chair would allow me to take on broader responsibilities to help address and shape responses to the many important issues and challenges that face the NYISO and its market participants.

5. Please describe briefly your organizations actual and/or potential business interests in the Northeast and New York State, including the sector in which your organization participates for purposes of NYISO governance.

PSEG Power, one of the nation's largest independent power producers, is a subsidiary of Public Service Enterprise Group Incorporated (PSEG/NYSE:PEG), a diversified energy holding company. PSEG Power owns and operates over 13,000 MW of generation throughout the northeast, including the 750 MW gas-fired combined cycle plant located in Bethlehem, NY that went commercial in 2005. Through PSEG Power's affiliate, Energy Resources & Trade, it also actively trades throughout the PJM, NYISO and ISO-NE markets. PSEG's other primary subsidiaries are Public Service Electric and Gas Company (PSE&G), New Jersey's oldest and largest energy distribution utility company, and PSEG Energy Holdings, a holding company for other non-regulated businesses. PSEG participates in the Other Suppliers sector in the NYISO.