

**ROBERT A. SINCLAIR**  
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**Business Address**

Potomac Economics  
9990 Fairfax Blvd Suite 560  
Fairfax VA 22030

**Education**

Ph.D., Economics, University of Pittsburgh (1993)  
B.A., Economics, Indiana University of Pennsylvania (1986)

**Fields of Concentration**

Applied Microeconomics, Law and Economics, Empirical Industrial Organization

**Professional Experience**

2001 - Vice President, Potomac Economics, Fairfax, VA  
2000 - 2001, Economic Consultant, Micronomics, Washington, DC  
1993 - 2000, Economic Consultant, J.W. Wilson and Associates, Washington, DC

**Expert Testimony and Reports**

*Before the Federal Energy Regulatory Commission*

Northeast Utilities Service Company and NSTAR Electric, (2009); Docket No. EL09-20-000, prepared affidavit on behalf of Nalcor Energy addressing vertical market power issues associated with a participant-funded transmission line.

*Before the Régie de Énergie, Quebec*

Complaint by Transmission Customer Newfoundland and Labrador Hydro concerning Transmission provider Hydro Quebec's Administration of its Tariff, etc. (2008) Case No: P-110-1692, prepared and filed expert testimony on behalf of Newfoundland and Labrador Hydro on issues relating to the technical requirements for receiving certain-transmission service.

*Before the Régie de Énergie, Quebec*

Complaint by Transmission Customer Newfoundland and Labrador Hydro concerning Transmission provider Hydro Quebec's Administration of its Tariff, etc. (2008) Case No: P-110-1565 and No: P-110-1597, prepared and filed expert testimony on behalf of Newfoundland and Labrador Hydro on issues relating to calculation of available transmission capacity and open access policies.

*Before the Louisiana Public Service Commission*

Joint Application of Entergy Louisiana, LLC. And Entergy Gulf States, Inc. for Authorization to Participate in Contracts for the Purchase of Electric Power, (2007) Docket No. U-29955, prepared and filed expert testimony at the request of the Louisiana Public Service Commission Staff on the independent monitoring of Entergy's evaluation of power supply proposals.

*To the South East Europe Energy Regulation Forum*

Report on Market Monitoring in South East Europe (2007-2008), principal author of market monitoring report for the NARUC/USAID Market Monitoring Pilot Project addressing electricity market activities among the countries of South East Europe.

*To the Federal Energy Regulatory Commission*

Quarterly Market Monitoring Report on the Public Service Co. of New Mexico, (2005-2008) Docket No. EC05-29-000, principal author of market monitoring report to FERC addressing the potential for market power related to the company's operation of its transmission and generation facilities.

*To the Federal Energy Regulatory Commission*

Quarterly Market Monitoring Report on the Arizona Public Service Co., (2005-2008) Docket No. EC03-131-000, principal author of market monitoring report to FERC addressing the potential for market power related to the company's operation of its transmission and generation facilities.

*To the Federal Energy Regulatory Commission*

Quarterly Market Monitoring Report on the Oklahoma Gas & Electric Company, (2004-2006) Docket No. EC03-131-000, principal author of market monitoring report to FERC addressing the potential for market power related to the company's operation of its transmission and generation facilities.

*Before the Federal Energy Regulatory Commission*

Progress Energy, Inc., (2003); Docket No. ER03-1389-000, *et al.* prepared affidavit on behalf of Florida Municipal Power Agency and Seminole Electric Power Cooperative addressing market power issues associated with Progress Energy's application to sell wholesale power at market-based rates.

*Before the United States District Court for the Northern District of California—San Jose Division*

ABB Power T&D Company v. Alstom ESCA Corporation, (2001) Case No. C-99-21242 SW PVT ENE, prepared expert report on behalf of plaintiff on economic and structural issues in the electric power industry.

*Before the Connecticut Department of Environmental Protection*

In the Matter of the Determination to Issue the Draft Air and Water Permits to Towantic Energy, (2001), prepared expert report on behalf of citizens group opposing new plant construction; report addressed economic benefits of new plant construction.

*Before the Federal Communications Commission*

In the Matter of Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities, (2000) GN Docket No. 00-185, prepared affidavit to support comments on behalf of various consumer groups and Internet Service Providers relating to policies on open access cable broadband.

*Before the Superior Court of the State of Arizona in and for the County of Santa Cruz*

Sam and Sherri Chilcote, et al., v. Citizens Utilities Company, et al., (2000) Case No. CV 98-471, prepared expert report on behalf of a class of electricity customers relating to damages resulting from inadequate electric service.

*Before the United States District Court for the Southern District of Ohio -- Western Division*

PepsiCo, Inc. v. Central Investment Corporation, (2000) Case No. C-1-98-389, prepared expert report on behalf of PepsiCo on economic issues relating to soft drink production and distribution (co-authored with Roy Weinstein).

*Before the Federal Energy Regulatory Commission*

Western Resources, Inc., (1998); Docket No. ER98-2157-000, prepared affidavit on behalf of the Kansas City Board of Public Utilities addressing market power issues associated with Western Resources' application to sell wholesale power at market-based rates.

*Before the Corporation Commission of the State of Oklahoma*

Joint Application of American Electric Power Company, Inc. Public Service Company of Oklahoma and Central and South West Corporation Regarding Proposed Merger, (1999) Cause No. PUD 980000444, prepared testimony on behalf of public power entities on merger-related market power issues.

*Before the Public Service Commission of the State of Wisconsin*

In the matter of Proposed Revision of Chapter PSC 100, Wis. Admin. Code – Rules for Wholesale Merchant Plants (1999) Docket No. 1-AC-174, prepared testimony on behalf of various intervenors concerning market power issues relating to merchant plant development.

*Before the Federal Energy Regulatory Commission*

New England Electric Power Company, et al., (1998); Docket Nos. ER98-6-000 and EC98-1-000, prepared affidavit on behalf of the Town of Norwood addressing market power issues associated with the New England Power's sale of generating assets to U.S. Generating Company.

*Before the Corporation Commission of the State of Oklahoma*

Report on Market Power Issues related to the Merger of American Electric Power Company and Central and South West Corporation (1998) Cause No. PUD 980000444, prepared expert report on behalf of the Municipal Electric Systems and Oklahoma Association of Electric Cooperatives.

*Before the Mississippi Public Service Commission*

Report on Retail Market Power Issues (1998) Docket No. 96-UA-389, prepared expert report on market power issues associated with electric utility restructuring in Mississippi on behalf of the Municipal Energy Agency of Mississippi.

*Before the Connecticut Department of Public Utility Control*

Review of the Connecticut Light & Power Company Rates and Charges (1998) Docket No. 98-01-02, prepared testimony and exhibits on cost allocation and rate design issues on behalf of the Connecticut Office of Consumer Counsel.

*In United States District Court for the District of Massachusetts*

Town of Norwood, Massachusetts v. New England Power Company, et al. (1998) Case No. 97-CV10818-PBS, prepared affidavit on behalf of the Town of Norwood addressing antitrust issues associated with New England Power Company's sale of generating assets.

*In United States District Court for the District of Massachusetts*

Town of Norwood, Massachusetts v. New England Power Company, et al. (1998) Case No. 97-CV10818-PBS, prepared affidavit on behalf of the Town of Norwood addressing recent changes in the corporate organization of Pacific Gas & Electric Company pertinent to New England Power's sale of its generating assets to an affiliate of Pacific Gas & Electric Company.

*Before the Federal Energy Regulatory Commission*

San Diego Gas & Electric Company, Enova Energy, Inc. (1997); Docket No. EC97-12-000, prepared affidavit on behalf of Southern California Public Power Authority addressing market power issues associated with the San Diego Gas & Electric/Southern California Gas merger.

*Before the Federal Energy Regulatory Commission*

The Cleveland Electric Illuminating Company and Market Responsive Energy, Inc. (1997); Docket Nos. ER96-372-000 and ER95-1295-000, respectively; prepared affidavit on behalf of Cleveland Public Power in opposition to CEI's and MREI's settlement offer to resolve market power issues in their filing under §206 of the Energy Policy Act to sell power at market-based rates.

*Before the California Public Service Commission*

Joint Application of Pacific Enterprises, Enova, et al. (merger of San Diego Gas & Electric Company and Southern California Gas Company, 1997 ); Application No. A96-10-038 prepared testimony on behalf of Southern California Public Power Authority addressing market power issues associated with the merger.

*Before the Public Utilities Commission of Ohio*

Application of the Toledo Edison Company and the Cleveland Electric Illuminating Company for authority to increase rates (1996); Case No. 95-299-EL-AIR and 95-300-EL-AIR; prepared testimony on cost allocation and rate design issues on behalf of the Ohio Office of Consumers' Counsel.

*Before the South Carolina Public Service Commission*

South Carolina Electric & Gas Company Application for Increases in Electric Rates and Charges (1995); Docket No. 95-1000-E; prepared testimony on behalf of the South Carolina Department of Consumer Affairs analyzing the Company's proposal to shift depreciation reserves and shorten amortization schedules in order to reduce the unrecovered costs of generation assets in preparation for retail competition.

*Before the Public Service Commission of the District of Columbia*

Application of the Potomac Electric Power Company for an Increase in its Retail Rates (1995); Formal Case No. 939; prepared testimony on cost allocation and rate design issues on behalf of the District of Columbia Office of People's Counsel.

## **Publications and Papers**

### ARTICLES

1. "Electric Power: Generating Controversy," with D.B. Patton Industry Studies, 3<sup>rd</sup> edition, Larry Duetsch, editor, New York: M.E. Sharpe (2002).
2. "An Empirical Model of Entry and Exit in Airline Markets," (October 1995) 10 *Review of Industrial Organization*
3. "Incremental Transmission Pricing, the Comparability Standard, and an Alternative to the FERC's 'Higher of' Policy," with D. F. Greer and J.W. Wilson (December 1994) *The Electricity Journal*

4. "Airport Dominance and State Action Antitrust Immunity for Airport Operators," (Fall 1991), *96 Dickinson Law Review*

#### BOOK REVIEWS

1. "Designing Competitive Electricity Markets," by Hung-po Chao and Hillard G. Huntington (eds.), for the *Review of Industrial Organization* 2000.
2. "Power Structure - Ownership, Integration, and Competition in the U.S. Electric Utility Industry," by John Kwoka for the *Review of Industrial Organization*, 1998
3. "Electric Utility Mergers - Principles of Antitrust Analysis", by M. Frankena and B. Owens for the *Review of Industrial Organization*, 1994

#### Teaching Experience

The George Washington University (2005)  
Law and Economics

The University of Pittsburgh (1989-1993)

Courses Taught (full responsibility; all at undergraduate level):

Microeconomics (intro and advanced)  
Industrial Organization and Antitrust  
Macroeconomics (intro)

Department of Economics Outstanding Teaching Award (1992)

#### Speeches

1. "Who Should be the Market Monitor?" presented at Southeast Europe Electricity Market Monitoring Workshop, sponsored by USAID and NARUC, Athens, Greece, October 2005.
2. "Market Monitoring and Standard Market Design," presented at Standard Market Design – Dealing with the New Giga-NOPR sponsored by Infocast, Washington, D.C., December 5, 2002.
3. "The Role of Market Monitoring in Competitive Electricity Markets," presented at How's It Going – Snapshots of the Status of Electric Restructuring sponsored by the Energy Bar Association, Midwest Energy Conference, Kansas City Missouri, February 7, 2002.
4. "Measuring Market Shares in the 'Energy Services' Market," presented at Communicating Competitive Concerns, sponsored by the American Gas Association, Arlington, VA, February 25, 1998.

5. “Hostile Takeovers in the Electric Utility Merger Wave,” presented at Antitrust, Merger Guidelines, and Regulation of Utility Consolidation, sponsored by the Institute of Public Utilities at Michigan State University, Washington D.C., November 7, 1996.
6. “Telecommunications: Developing the Future at Home and Abroad,” presented at The Future of Competition, sponsored by National Association of Regulatory Utility Commissioners, Columbus, OH, September 13, 1996.
7. “Economic Aspects of FERC’s Policy on Electric Utility Mergers,” presented at Mergers: A Threat to Competition?” sponsored by the McGraw-Hill Company, Washington, D.C., March 15, 1996.