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Edward Kee



Mr. Kee is the CEO, Founder, and Principal Consultant at Nuclear Economics Consulting Group (NECG) and is an expert on nuclear power economics.¹

Mr. Kee provides strategic and economic advice to companies and governments on nuclear power and electricity issues. He has testified as an expert witness in U.S. and international legal and arbitration cases.

Mr. Kee was appointed to the U.S. DOE Nuclear Energy Advisory Committee (NEAC) in 2022 and 2024. The International Atomic Energy Agency (IAEA), the International Framework for Nuclear Energy Cooperation (IFNEC), and the U.S. Civil Nuclear Trade Advisory Committee (CINTAC) have recognized Mr. Kee as a nuclear power industry expert.

Before starting NECG, Mr. Kee held senior consulting positions at NERA Economic Consulting, CRA International, PA Consulting Group, Putnam, Hayes & Bartlett, and McKinsey & Company. Before becoming a consultant, he was a merchant power plant developer and a nuclear power plant engineer (qualified as chief engineering officer on Nimitz-class nuclear aircraft carriers).

Mr. Kee's articles on nuclear power and the electricity industry appear in *World Nuclear News*, *Wall Street Journal Europe*, *Nuclear Engineering International*, *ANS Nuclear News*, *Nuclear Power International*, *Bulletin of the Atomic Scientists*, *The Electricity Journal*, *Public Utilities Fortnightly*, *Energy Law Journal*, *Atlantic Council EnergySource*, *Power Economics*, and other publications.

Mr. Kee wrote and published the book, “*Market Failure: Market-Based Electricity is Killing Nuclear Power*,” in early 2021.

Mr. Kee holds an MBA from Harvard University and a BS in Systems Engineering (Distinction; Trident Scholar; Colt's Award) from the U.S. Naval Academy.

May 2024

¹ Edward Kee's NECG bio page is <https://nuclear-economics.com/edward-kee/>

Professional Experience

- Nuclear Economics Consulting Group**
2014-present CEO & Principal Consultant
- NERA Economic Consulting**
2014-2019 Affiliated Expert
2009-2014 Vice President
- CRA International**
2006-2009 Vice President
- PA Consulting Group**
2001-2006 Member of Management Group
- PHB Hagler Bailly**
1998-2000 Senior Vice President & Managing Director of Australian subsidiary
- Putnam, Hayes & Bartlett**
1996-1998 Vice President & Managing Director of Australian subsidiary
1993-1996 Vice President
- Charles River Associates**
1990-1993 Senior Consultant
- McKinsey & Co.**
1987-1989 Associate
- Catalyst Energy Corporation**
1985-1987 Development Principal & CEO of merchant power plant subsidiary
- U.S. Navy**
1978-1983 Nuclear Engineering Officer

Education

- Harvard University**
1983-1985 MBA, focus on finance
- U.S. Naval Academy**
1974-1978 BS, Systems Engineering (Distinction; Trident Scholar; Colt's Award)

This CV includes the following sections:

- [Appointments and Citations;](#)
- [Client Engagements;](#)
- [Testimony in Arbitral, Regulatory, Judicial, and Other Proceedings;](#)
- [Books;](#)
- [Training Courses;](#)
- [Commentaries;](#) and
- [Publications, Speeches, and Media Coverage.](#)

Appointments and Citations

Mr. Kee was appointed as a co-arbitrator in ICC Arbitration Case No. 27430/GL.

Mr. Kee was appointed to the U.S. DOE Nuclear Energy Advisory Committee in February 2022 and 2024 to provide independent advice in helping plan, manage, and implement the U.S. DOE nuclear energy program.

Mr. Kee was appointed to the U.S. Civil Nuclear Trade Advisory Committee (CINTAC) for the 2018-2020 session.

From 2015 to 2017, Mr. Kee was a member of the Scientific Advisory Board for Elysium Industries Limited, a start-up nuclear power company.

In June 2016, Mr. Kee was awarded an American Nuclear Society Presidential Citation for his role in the Special Committee on Nuclear in the States, which focused on economic issues and the early closure of U.S. nuclear power plants.

Client Engagements

IAEA – participated in an international expert discussion at the IAEA in Vienna on Electricity Market Reforms, Contracts for Difference, and Power Purchase Agreements; March 25 to 27, 2024.

IAEA – participated in a week-long Research Coordination Meeting at the IAEA in Vienna on the Economic Appraisal of Small Modular Reactor Projects: Methodologies and Applications; March 6 to 10, 2023.

Westinghouse Electric Company – retained to provide advice on power contracts and business model for the eVinci microreactor, 2023.

Atomic Energy of Canada, Limited (AECL) – part of a CRA consulting team that advised AECL on global nuclear power plant project status to provide context for CANDU project progress in 2023.

Electric Power Research Institute (EPRI) – part of a CRA consulting team that developed a report on how advanced and small reactor design attributes may influence project financing costs, 2022.

Confidential Client – NECG retained to provide due diligence advice related to a major U.S. nuclear power industry transaction, 2022.

U.S. Trade and Development Agency – NECG awarded a contract to provide Desk Study analyses and reports on applications for grants related to the nuclear power industry in 2022, 2023, and 2024.

Confidential Client – Edward Kee was retained to provide due diligence advice related to a major nuclear power industry transaction; July and August 2022.

Romania Nuclear Finance Working Group – Edward Kee was appointed to this working group formed to implement the U.S.-Romania Intergovernmental Agreement on civil nuclear power, 2022.

Civil Nuclear Credits – Edward Kee was retained by the U.S. DOE to provide advice on implementing the Civil Nuclear Credits program created by the 2021 Infrastructure Investment and Jobs Act, 2022.

Poland Nuclear Finance Working Group – Edward Kee was appointed to this working group formed to implement the 2020 U.S.-Poland Intergovernmental Agreement on civil nuclear power, 2022.

Grant County Public Utility District – NECG was retained to provide advice and analyses about potential new nuclear projects and related matters, 2021 to 2023.

U.S. Trade and Development Agency – NECG retained to provide Desk Study analyses and reports on applications for grants related to the nuclear power industry in 2021 and 2022.

Confidential client – Edward Kee was retained to provide an overview of the merchant nuclear generation market in the US for a management consulting firm, 2020.

G20 2020 – retained by Saudi Arabia to participate in the G20 Energy Sustainability Working Group session on Circular Carbon Economy Innovation in Reduce, Reuse, Recycle, and Remove as a speaker on nuclear power; Riyadh, March 2020.

Confidential client – engaged to provide due diligence advice on major nuclear power industry acquisition, including preparation of nuclear power due diligence reports, review of legal and financial due diligence efforts, and participation in meetings with client acquisition team, 2020.

Down Under Nuclear Energy (DUNE) – retained by DUNE to prepare a response to the Council of Governments (COAG) Energy Council Energy Security Board (ESB) Issues Paper on Post-2025 Market Design for the Australian National Electricity Market (NEM). NECG's response focused on how the NEM design could incorporate nuclear power, with real-world examples of approaches that work, or not, in countries other than Australia, 2019.

Brookfield – engaged by Brookfield to provide nuclear power industry due diligence advice in its acquisition of Westinghouse Electric Company, including preparation of nuclear power due diligence reports, review of legal and financial due diligence efforts, participation in site visits inside and outside the U.S., and meetings with client bid team, 2018.

King Abdullah City for Atomic and Renewable Energy (K.A.CARE) - engaged to assist Saudi Arabia with the restart of its nuclear power sector development efforts. Reviewed and revised earlier nuclear power industry development plans, strategy, and documents to meet the new nuclear industry approach and assisted in developing a new nuclear power holding company, 2017 to 2019.

World Nuclear Association – retained to draft "level playing field" position paper related to the new WNA Harmony initiative, 2017.

Confidential client – NECG was retained to provide a technical and market assessment of the nuclear power digital instrumentation and control business, 2017.

Utah Science, Technology, and Research Initiative (USTAR) – Edward Kee was retained to review applications for nuclear power industry grants, 2017.

U.S. Department of Energy – NECG was retained in 2017 to analyze economic issues facing U.S. operating nuclear power plants that may lead to early retirement; a report was published in September 2017.

Confidential client – retained by a state-owned nuclear power company to provide advice on governance, organization, and long-term strategy, 2017.

South Australian Parliament – retained by a South Australian Joint Parliamentary Committee to review the Commercial Model for a South Australian high-level waste/spent nuclear fuel repository project, 2016.

U.S. Department of Energy – retained to analyze economic issues facing U.S. operating nuclear power plants that may lead to early retirement; a report was published in September 2016.

Nuclear Energy Institute (NEI) – prepared an analysis of the economic case for small modular reactors, 2016.

G20/B20 2016 – retained by State Power Investment Corporation of China to provide recommendations about the agenda for the Infrastructure Working Group on the nuclear power industry, 2016.

IFNEC Reliable Nuclear Fuel Services Working Group – retained by U.S. DOE to develop interview guide questions on dual-track (i.e., national repository and multinational repository) approach to high-level nuclear waste and spent nuclear fuel disposition, 2016.

American Nuclear Society – a member of the Special Committee on Nuclear in the States, a committee focused on how to address economic issues and early retirement of U.S. nuclear power plants; was the principal author of the ANS Toolkit (see <http://nuclearconnect.org/wp-content/uploads/2016/02/ANS-NIS-Toolkit-V2.pdf>); and was awarded an American Nuclear Society Presidential Citation in June 2016 for my role in this Special Committee, 2016.

Ontario Independent Electricity System Operator (IESO) – part of the NERA Economic Consulting team that reviewed the Amended Bruce Power Refurbishment and Implementation Agreement and provided a Fairness Opinion to IESO; 2015.

Confidential client - conducted a detailed study of global nuclear power plant projects for a major financial institution; the study was focused on new nuclear project cost increases and schedule delays, existing nuclear plant performance and operating costs, and future trends for nuclear project business models; 2014.

Emirates Nuclear Energy Corporation – Edward Kee conducted a detailed study of nuclear power plant projects in the global market, focusing on factors causing project cost increases and schedule delays; 2014.

Citi – prepared a valuation of the Perry nuclear power plant, 2014.

Confidential client – Edward Kee provided advice on nuclear industry risks to a major financial institution with current and planned participation in financing activity for nuclear industry clients and projects, 2014

Itochu – Edward Kee provided advice on nuclear project risks, including business risks linked to innovative nuclear project business model, to an investor in a company preparing to develop, own, and operate the new SINOP merchant nuclear power plant in Turkey; 2014.

MidAmerican Energy – part of the NERA team that prepared a Comprehensive Financial and Economic Assessment of Future Iowa Baseload Generation in a Carbon-Constrained Environment, this NERA report was an Exhibit in Iowa Utilities Board Docket RPU-2013-0005, Nuclear Generating Supply and Cost Review; 2013.

Confidential client – Edward Kee was engaged as a consulting expert in an international arbitration case related to a new nuclear power plant completion delay; 2012.

Centrus Energy (formerly USEC or U.S. Enrichment Corporation) – provided an analysis of the market impact of placing the Advanced Centrifuge Project into commercial operation focusing on competition in the global uranium enrichment industry; public report; 2013.

ECRA (Electricity & Co-generation Regulatory Authority of the Kingdom of Saudi Arabia) – retained to evaluate Saudi Arabian Power Purchase Agreements (PPAs) and their potential impact on planned restructuring/reform of the Saudi electricity industry; 2013.

King Abdullah City for Atomic and Renewable Energy (K.A.CARE) – part of an Oliver Wyman team providing advice on Saudi Arabia's planned nuclear power fleet investment and K.A.CARE strategy, 2012 to 2013.

U.S. Department of Energy – provided an analysis of regulatory and market risks of a proposed new U.S. nuclear power plant in support of the U.S. DOE nuclear loan guarantee program, 2011.

Singapore – assisted the Singapore Ministry of Trade and Industry in a pre-feasibility study on nuclear energy. The feasibility study focused on the economic viability of nuclear energy as a potential long-term fuel source in the context of Singapore's electricity market structure, projected electricity demand, and lack of indigenous generation fuel resources, 2011.

TNB (Tenaga Nasional Berhad) - helped Malaysian electric utility TNB develop a long-term strategy and roadmap for Malaysian nuclear power, 2008.

CPS Energy – assisted CPS Energy on due diligence, Board review, and Public Consultation process related to their participation in the new South Texas Project Unit 3 & 4 nuclear power plant project, 2008 to 2009.

J.P. Morgan – valuation and appraisal of leasehold interests in a U.S. nuclear power plant, 2008.

Eskom – provided business due diligence advice to Eskom related to the 2008 Nuclear One procurement process; reviewed vendor bids and draft contracts; provided an independent report to the Management Committee and Board; 2008.

The City of San Antonio – provided advice to the Mayor, City Council, and City staff on CPS Energy's participation in the South Texas Project nuclear plant expansion; 2007.

Constellation Energy Group – assisted Constellation in Calvert Cliffs 3 nuclear power plant development; compared projected power costs across technologies; and analyzed the projected economic impact of a new nuclear plant on the existing non-nuclear generation portfolio, 2007.

CER (Commission for Energy Regulation), Republic of Ireland – led the PA Consulting Group team in a two-year engagement to conduct a review of interim electricity trading arrangements; to design a new Irish electricity market consistent with Irish and E.U. legislation; and to outline a comprehensive market power mitigation scheme; 2002 to 2004.

Trans-Elect – retained by Trans-Elect, a pure-play electricity transmission company, to assist in acquiring transmission companies and in strategy development, 2002.

Edison Electric Institute – provided advice on liability assumed by transmission owners and market operators in a shift from state to FERC jurisdiction due to the potential increase in

liability to end-use customers seeking consequential damages compensation in system outages; 2002.

Consolidated Edison – retained as consulting expert in a civil litigation case arising from the failed merger between two utility companies on issues related to risk management policies and practices; 2001.

Government of South Australia, Australia – Economic Advisor to the Government of South Australia in the reform, restructuring, and privatization of the former state-owned electricity industry. Assisted with the transition to the National Electricity Market; developed and implemented an approach to restructure the single incumbent government utility; developed and implemented a market power mitigation program involving vesting contracts; and assisted in several proceedings before the Australian Competition and Consumer Commission; 1997 to 2000.

Government of Queensland, Australia – provided advice to Queensland Treasury and Cabinet on reform of government-owned electricity companies, power purchase contracting, retail electricity competition, the development of the Papua-New Guinea natural gas pipeline, and related energy industry issues; 1999.

Government of Victoria, Australia – advised Victorian Treasury and Cabinet on electricity security-of-supply, government intervention in the electricity spot market, electricity industry cross-ownership rules, and related electricity industry issues; 1999.

National Electricity Code Administrator, Australia – led the review of the integration of energy markets and network services that examined the extent to which full nodal spot pricing should be applied in the Australian National Electricity Market; 1999.

National Electricity Market Management Company, Australia – advised NEMMCO on strategic planning and risk management process; 1999.

DNIB (De Nationale Investeringsbank Asia Ltd), Australia – advised DNIB about their participation in the lending consortia to newly privatized gas and electricity retail and distribution companies and generating companies; 1999.

National Electricity Market Management Company, Australia – developed and implemented inter-regional electricity market spot price locational hedge instruments and auction process; 1997.

INESPAL – assisted this Spanish government-owned aluminum producer and manufacturer in evaluating power supply options, including independent power producers, renewing contracts with incumbent utilities, and other options; 1996.

Commonwealth Edison – provided analysis and advice on steam generator replacement issues at the Zion nuclear power plant; 1996.

Illinois Power – provided advice on the Clinton nuclear power plant's status and whether to restart, retire, or sell the plant; assisted in the sale process; 1998.

U.S. Department of Energy – provided strategic advice on U.S. government tritium production options, including linear accelerators, existing commercial reactors, and a new DOE reactor that would burn MOX fuel derived from surplus weapons program plutonium; 1996.

Westinghouse Electric – consulting expert and case manager for extensive litigation engagement during which expert witness testimony on damages and related issues was developed and presented in a series of lawsuits brought by electric utilities seeking damages from Westinghouse related to nuclear power plant steam generator tube degradation; 1993 to 1996.

KP&L/KG&E merger – provided consulting advice and testimony support in connection with FERC merger approval; 1992.

Edison Electric Institute – prepared an analysis of the economic impact of proposed carbon taxes for EEI, focusing on the electric utility industry and electricity prices; 1992.

Fuji Electric – investigated commercial feasibility of fuel cells in the U.S. market to determine configuration and cost necessary for successful market penetration and analyzed product research and development results to identify likely long-term pricing, working in the U.S. and Japan; 1989.

Dominion Energy – conducted a strategic review of utility non-regulated power subsidiary focusing on the decision-making process for investments and acquisitions, 1989.

Virginia Power – developed and implemented a major power purchase procurement auction process to evaluate offered power purchase agreements from IPPs, including assistance in procurement strategy, soliciting and evaluating bids, and negotiating agreements with winning bidders; provided an independent assessment to state electricity regulator; 1988.

Pacific Gas & Electric – provided analysis and advice on the Diablo Canyon nuclear plant rate case settlement; 1988.

Pacific Gas & Electric – provided analysis and advice on the potential acquisition of the Sacramento Municipal Utility District, including the Rancho Seco nuclear power plant; 1987.

Arbitral, Regulatory, Judicial, and Other Proceedings

Edward Kee was appointed as co-arbitrator in ICC Case No. 27430/GL, the case involves the Hanhikivi-1 nuclear power plant in Finland.

Before the U.S. Federal Energy Regulatory Commission, Edward Kee was retained to provide expert testimony on the operation of the Grand Gulf nuclear power plant, Docket # EL21-56-000, Louisiana Public Service Commission, et al., v. System Energy Resources et al., October

2023; retained by the Louisiana Public Service Commissions and the Council of the City of New Orleans, Louisiana.

Before International Chamber of Commerce, International Court of Arbitration; ICC Case No. 25479/MK/PDP; Exelon Generation Company, LLC, Claimant, versus EDF Inc., Respondent. Retained to provide expert testimony on the U.S. merchant nuclear power industry and valuation of merchant nuclear power plant assets. Retained by Exelon; filed an expert report in January 2021, participated in expert conferral, filed a supplemental expert report, and testified at the hearing in March 2021.

Before International Chamber of Commerce, International Court of Arbitration; ICC Case No. 25123/GR; Lightbridge Corporation (U.S.A.), Claimant, versus Framatome SAS (France), Respondent. Retained to provide expert testimony on nuclear fuel, the nuclear fuel industry, Accident Tolerant nuclear fuel, and related issues. Retained by Lightbridge and filed an expert report in October 2020. Case settled.

Before the United States Bankruptcy Court, Northern District of Ohio, Eastern Division; FirstEnergy Solutions Corp. et al., Debtors, Chapter 11, Case No. 18-50757. Retained to provide a declaration on issues concerning a rejected Enriched Uranium Supply Agreement. Case settled before trial in 2020. Retained by counsel for U. S. Enrichment Corporation and American Centrifuge Enrichment LLC (collectively "USEC").

Before the Supreme Court of the State of New York, County of New York; Elmrock Opportunity Master Fund I, L.P. versus Citicorp North America, ESSL 2, and Citigroup Inc.; Index No. 6553300/2016. The case involved valuation issues related to a nuclear power plant leveraged lease. Retained by Citi.

Before State of North Carolina Utilities Commission in In the Matter of Application of Duke Energy Carolinas, LLC, for Adjustment of Rates and Charges Applicable to Electric Utility Service in North Carolina; Docket No. E-7, SUB 1146. Testified as a nuclear power industry expert in hearings in March 2018. Retained by Apple Inc., Facebook Inc., and Google LLC, collectively, the Tech Customers.

Before the Tax Court of Canada as an expert on the uranium industry and global nuclear fuel markets in *Cameco Corporation v HMQ*; the case involved transfer pricing, international corporate structure, uranium markets, and the U.S.-Russia Megatons-to-Megawatts HEU deal. Retained by the Canadian Department of Justice.

Before the U.S. District Court for the District of Vermont in the matter of Entergy Vermont Yankee, et al., v. Peter Shumlin, in his official capacity as Governor of the State of Vermont, et al., Civil Action No. 11-CV-99; filed a declaration in support of preliminary injunction motion in April 2011, filed reply declarations in May 2011, testified at preliminary injunction hearing in June 2011 and at main trial in September 2011. Testified as an expert on economic benefits of continued operation, electricity market impacts, and related matters in preliminary injunction hearing and trial related to state laws prohibiting Vermont Yankee Nuclear Power Station from

operating past original NRC license expiration despite an approved 20-year NRC license renewal. Retained by Entergy.

Before 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana, on the shared savings power purchase agreement terms and financial outcomes in the matter of *Bernhard vs. Board of Supervisors, LSU*; Case No. 542,936; two sessions of deposition testimony completed; presented testimony before the Panel of Engineers in December 2009; case settled in early 2010. This case involved a contract dispute related to the shared savings power purchase agreement for a new cogeneration system installed at the main campus in Baton Rouge. Retained by Louisiana State University.

Before the European Commission Merger Registry, analysis of whether a UK nuclear industry transaction might constitute a potential abuse of market power; filed an expert report with the European Commission merger office on competition issues related to a proposed major transaction in the UK nuclear industry, October 2008. Retained by Confidential client.

Before the International Court for Settlement of Investment Disputes (ICSID) Case No. ARB/05/24, between the Croatian electric utility Hrvatska Elektroprivreda (HEP) and the Government of Slovenia. Testified on ownership, nuclear operation, nuclear safety, and related issues at the Krško nuclear plant, December 2007. Retained by HEP.

Before the New Brunswick Energy and Utilities Board, on the state of electricity industry reform and restructuring in New Brunswick and the extent to which government-imposed power purchase/vesting contracts (including with the Point Lepreau nuclear plant) should be subject to regulatory oversight by the Energy and Utilities Board, June 2007. Retained by N.B. Power.

Before the Energy and Utilities Board of New Brunswick, on the international experience with vesting contracts as electricity industry reform transition arrangements, Public Intervenor motion of 31 May 2007 on generator costs, June 2007. Retained by N.B. Power.

Before the U.S. Federal Energy Regulatory Commission, detailed analysis of Death Star and other Enron trading strategies and market simulation modeling to estimate the impact of these Enron trading strategies on power markets; proceeding related to activities in California and western power markets in 2000 and 2001, *Enron Power Marketing, Inc.*, Docket EL03-180; May 2005. Retained by Enron.

Before the South Dakota Public Utilities Commission, on PURPA implementation in South Dakota, avoided cost levels, typical contract terms, wind project impact, and potential wind energy integration costs, Montana-Dakota Utilities, Docket EL04-016; January 2005. Retained by MDU.

Before the Maharashtra State Electricity Regulatory Commission (MERC; India), provided testimony on an appropriate method of allocating costs of Reliance Energy standby charges; April 2004. Retained by Reliance Energy.

Before the U.S. Federal Energy Regulatory Commission, a detailed analysis of Death Star and other Enron trading strategies and the impact of these Enron trading strategies on power markets, *Enron Power Marketing, Inc.*, Docket EL02-114, February 2003. Retained by Enron.

Before the U.S. Federal Energy Regulatory Commission, detailed analysis of Death Star and other Enron trading strategies and the impact of these Enron trading strategies on power markets, *Enron Power Marketing, Inc.*, Docket EL02-113, February 2003. Retained by Enron.

Before the U.S. Federal Energy Regulatory Commission, on the likely effect of the Enron trading strategies on electricity market prices and long-term PPAs signed in the western region in 2000 and 2001, *Nevada Power Company v. Duke Energy Trading & Marketing*, Docket EL02-28, August 2002. Retained by Enron.

Before the U.S. District Court, Northern District of California, San Francisco, filed an expert report on the impact of FERC market price mitigation measures on California Power Exchange published prices, *Idaho Power Company v. Boston Properties*, Case No. C-01-1293, January 2002. Retained by Boston Properties.

Before the Supreme Court of New South Wales Commercial Division, Sydney, Australia; expert report and testimony at trial on issues related to Power Purchase and Hedge Agreement implementation and required security, *National Power Australia v. EnergyAustralia*; July 1998. Retained by EnergyAustralia.

Before the Economic and Finance Committee of the South Australian Parliament, on electricity industry reform, privatization, and the use of vesting contracts as a transition mechanism, July 1998. Retained by South Australian Treasury.

Before the U.S. District Court, Western District of Washington; expert report and testimony on PURPA implementation issues, project compliance with FERC QF requirements, power purchase agreement implementation, and damages; *March Point Cogeneration Company v. Puget Sound Energy*, Case No. C95-1833R; October 1997. Retained by Puget Sound Energy.

Before the Superior Court of the State of California, County of Imperial, on damages, geothermal power plant development and operational issues, and transmission agreement terms, *Red Hill Geothermal Company v. Irby Construction Company*, Case No. 74359, October 1996. Retained by Irby, Hyundai Heavy Industries, and other defendants.

Before the Court of Common Pleas of Lehigh County, Pennsylvania, Civil Division, on whether irreparable harm to the seller of power would result if PP&L exercised certain rights under a power purchase agreement, *Pennsylvania Power & Light Company (PP&L) v. Schuylkill Energy Resources and Reading Anthracite Company*, File No. 95-C-2810; April 1996. Retained by PP&L.

Before the United States District Court for the Northern District of Alabama, Southern Division; filed an affidavit on the role of power marketing companies in the electric utility industry and on related contractual arrangements between the Tennessee Valley Authority and LG&E Power

Marketing, *Alabama Power Company v. Tennessee Valley Authority*, Civil Action No. CV-96-PT-0097-S, April 1996. Retained by Alabama Power Company.

Before the Pennsylvania Public Utility Commission, on the pricing provisions in disputed power purchase agreements following a court decision that struck the use of coal proxy plant avoided costs and remanded the issue to the Pennsylvania Public Utility Commission, Dockets P-870235, C-913318, P-910515, & C-913764, September 1995. Retained by Pennsylvania Electric Company.

Before the Pennsylvania Public Utility Commission, on power purchase agreement terms related to the Harrisburg Steam Works rate case and the impact of changes to these terms; Dockets P-00950915 & R-00953346, September 1995. Retained by PP&L.

Before the New York Public Service Commission, on the Sithe/Independence power plant's fixed and variable costs and whether retail sales by that plant constituted economic bypass, case No. 94-E-0136, July 1994. Retained by Niagara Mohawk Power Corporation.

Before the United States District Court, Southern District of New York, retained to testify on non-utility generation project development and project feasibility in a dispute related to a power purchase agreement, *State Line Power Associates Limited Partnership v. Orange and Rockland Utilities*, 92 Civ. 5755, 1994. Retained by Orange and Rockland Utilities.

Before the State of California, San Francisco Superior Court, on behalf of Pacific Gas & Electric Company on issues of non-utility project feasibility and extent of lost profit damages resulting from allegedly breached power purchase agreements; *Power Producers Dispute Cases* (Judicial Council Coordination Proceeding No. 2654; Contra Costa Superior Court No. C90-05398; San Francisco Superior Court No. 929-870), May 1994. Retained by PG&E.

Before the State of Rhode Island, Division of Public Utilities and Carriers, on the extent to which payment obligations under an unconditional take-or-pay power purchase agreement with a nuclear power plant were the financial equivalent of debt obligations; Pascoag Fire District, Docket No. D-91-10, May 1992. Retained by Pascoag Fire District (a Rhode Island municipal utility).

Before the State of California, Public Utilities Commission, on the use of regulatory-out, market-out, and termination provisions in the California Final Standard Offer 4 power purchase agreements; Final Standard Offer Number 4, Docket No. I.89-07-004, May 1992. Retained by PG&E.

Before the State of Michigan, Circuit Court, Iron County, on the level of damages resulting from Indeck's alleged breach of a contract to develop an industrial cogeneration project, *AGA Corporation v. Indeck*, Case No. I-88-3985-CK, December 1990. Retained by Indeck Energy.

Books

[“*Market Failure - Market-Based Electricity is Killing Nuclear Power*”](#) - How market-based electricity harms the nuclear power industry and some actions to resolve this; published Jan 2021; Kindle ISBN 978-1732364424, Paperback ISBN 978-1732364417. [Japanese translation by JAIF](#) published in Jan 2022.

Training Courses

Briefing on nuclear power economics and related topics for Nuclear4Climate delegates to COP28; 14 October 2023.

IAEA Inter-Regional Training Course on Nuclear Power Plant Financing and Risk Allocation; Argonne National Laboratory Argonne, Illinois; taught courses on Nuclear Power Business Models, Nuclear Fuel, and How Nuclear Power Projects Fail; 2-6 October 2023.

IAEA Inter-Regional Training Course on Nuclear Power Plant Financing and Risk Allocation; Argonne National Laboratory Argonne, Illinois; taught courses on Nuclear Power Business Models, Nuclear Fuel, and How Nuclear Power Projects Fail; 2-7 October 2022.

Wake Forest University; Nuclear Power and Market Failure; presentation to Physics Colloquium; 7 April 2022.

Wake Forest University; guest lecturer on introduction to nuclear power; Econophysics class (Professors Jed Macosko and Allin Cottrell); 7 April 2022.

Wake Forest University; guest lecturer on nuclear power economics and how nuclear power can help with climate change; PHY 120 - Physics & Chemistry of Environment; 13 April 2021.

IAEA Inter-Regional Training Course on Nuclear Power Plant Financing and Risk Allocation; Argonne National Laboratory Argonne, Illinois; taught a course on Nuclear Power Plant Development Process - Key Costs and Revenues; 17-19 November 2020.

IAEA Inter-Regional Training Course on Advanced Approaches in Financing NPP Projects, Argonne National Laboratory, Argonne, Illinois, taught courses on Power Purchase Agreements and Nuclear Power Project Success / Failure; 15-19 July 2019.

IAEA Inter-Regional Training Course on Financing NPPs; Argonne National Laboratory; Argonne, Illinois; taught a course on Nuclear Fuel Supply Contracts; by video from Tokyo; 12-16 November 2018.

ANS Roundtable on nuclear power PPAs (power purchase agreements) for House and Senate energy staff, Russell Senate Office Building, 12 October 2018.

IAEA Mission to Turkey; training for Turkish state-owned Electricity Generation Company (Elektrik Üretim A.Ş. or EÜAŞ); taught courses covering commercial and contracting issues related to Nuclear PPAs, Nuclear O&M, Nuclear Fuel, and Spent Nuclear Fuel; and a course on Nuclear Project Success and Failure; 6-8 February 2018.

IAEA Nuclear Financing Course; Argonne National Laboratory; Argonne, Illinois; taught courses covering Nuclear Power and the Electricity Industry; Nuclear Power Purchase Agreements; and How Nuclear Projects Fail; 6-10 November 2017.

Nuclear Innovation Bootcamp; a mentor for Bootcamp teams; sponsored by Nuclear Innovation Alliance and the University of California at Berkeley; August 2017.

INL MeV (Modeling, Experimentation, Validation) Summer School, Idaho Falls, ID; taught a course on Nuclear Plant Closure – Why U.S. nuclear power plants are retiring early and what can be done about it; 26 July 2017.

Calpine Corporation - retained by this U.S. non-utility power company to provide a board briefing on U.S. nuclear power plant economics, including issues related to early retirements of nuclear power plants; November 2016.

Nuclear Innovation Bootcamp; a mentor for Bootcamp teams; sponsored by Nuclear Innovation Alliance and the University of California at Berkeley; August 2016.

Iowa State University - was a guest lecturer on nuclear power economics and the U.S. electricity industry; Nuclear Engineering 430 (Nuclear Energy in Society); 19 April 2016.

IAEA Nuclear Financing Course; Argonne National Laboratory; Argonne, Illinois; taught courses covering Nuclear Power and the Electricity Industry; Nuclear Power Purchase Agreements; and How Nuclear Projects Fail; 5-9 October 2015.

IAEA Interregional Nuclear Energy Information Workshop; Argonne National Laboratory; Argonne, Illinois; taught courses covering Comparative cost structure of nuclear energy; and Impact of alternative electricity industry structures on nuclear power; 3-6 August 2015.

IAEA Nuclear Financing Course; Argonne National Laboratory; Argonne, Illinois; taught courses covering Nuclear Power and the Electricity Industry; Nuclear Power Purchase Agreements; How Nuclear Projects Fail; 6-10 October 2014.

Commentaries

NECG Commentaries are on the [website](#) with Japanese translations at <http://www.jaif.or.jp/necg-commentary-series/>

Commentary #32 – “[Market Failure – the Book](#)” 7 December 2020

Commentary #31 – “[Time to rethink renewable subsidies](#)” (James Boucher) 11 September 2020

- Commentary #30 – [“UK RAB Model”](#) 14 October 2019
- Commentary #29 – [“Another Win for Dirty Electricity”](#) 31 May 2019
- Commentary #28 – [“Roadblocks for U.S. Nuclear Exports”](#) 25 March 2019
- Commentary #27 – [“U.S. Nuclear Still Threatened”](#) 12 March 2019 (18 March 2019 update)
- Commentary #26 – [“Japan – Nuclear Power and Electricity Reform”](#) 20 February 2019
- Commentary #25 – [“Hitachi suspends UK nuclear”](#) (Tom O’Sullivan) 23 January 2019
- Commentary #24 – [“Government Support”](#) 17 December 2018
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"Nuclear power's role in 21st Century economy;" was a panelist; Powering our Economy – The Energy Grid; Fredericksburg Regional Chamber of Commerce, 29 May 2019, Fredericksburg, VA

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“Improving the economics of nuclear power;” delivered a presentation on the magnitude of the gap between market revenue and operating costs for U.S. nuclear power plants; Global America Business Institute (GABI); Washington, DC; 6 October 2016.

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“Carbon pricing not enough to help nuclear power;” *World Nuclear News Viewpoint*; 8 June 2016.

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Debate on the economic basis of proposed Saudi nuclear power program; Nonproliferation Policy Education Center (NPEC); Washington DC, 5 May 2016.

“World experience with nuclear power and electricity reform;” 49th Annual Japan Atomic Industrial Forum Conference, Tokyo, 12 April 2016.

“Views from the Financial Community;” was a panelist in the CINTAC – Global Nuclear Energy Financing Workshop; Washington, DC; 11 March 2016.

“The U.S. Energy Sector: Structure, Policy, and Recent Developments;” co-author (with Paul Murphy of Gowlings and Lindsay Hall of Milbank Tweed) of this chapter in a forthcoming book titled “*Energy Law and Energy Infrastructure Development for a Low-Carbon World*,” Cambridge University Press; 2016.

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“The economic consequences of new models;” Mr. Kee was a panelist in this session at the Utilities in a Time of Change conference sponsored by the *Public Utilities Fortnightly*; Scottsdale, AZ, 18 November 2015.

“Nuclear Energy: The Federal and State Approach to Compliance with the Clean Power Plan (CPP);” Mr. Kee participated as a panelist in the General Chair’s Special Session, American Nuclear Society 2015 Winter Meeting, Washington, DC 10 November 2015.

“Merchant Nuclear Power;” NECG Knowledge Partner Paper; the Middle East Nuclear Power Briefing 2015; Abu Dhabi; 13-14 October 2015.

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“Disrupting the Nuclear Power Industry;” Mr. Kee participated in the Harvard Business School 2015 Energy Symposium; Boston, MA, 17 October 2015.

“Nuclear Revenue Certainty;” delivered a presentation at the Middle East Nuclear Power Briefing 2015; Abu Dhabi, 13-14 October 2015.

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“Rescuing U.S. Merchant Nuclear Power;” Panelist at American Nuclear Society Utility Working Conference 2014 on Amelia Island, Florida, 11 August 2014.

“Nuclear Energy Around the Globe: Strengths, Weaknesses, Opportunities, Threats;” Panelist on nuclear power business models; Panel Discussion at the Nuclear Energy Assembly (NEI Annual Conference); Scottsdale, Arizona; 21 May 2014.

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“Financing Issues Associated with the Development of an Embarking Nuclear Power Program;” Economics and electricity market expert panelist; IFNEC Finance, Regulatory, Energy Planning Authority Workshop, Abu Dhabi, UAE; 22 October 2013.

“Global perspective on nuclear energy and the implications for Europe;” delivered a presentation at 2nd European Nuclear Power Briefing 2013, Budapest, Hungary; 22-25 September 2013.

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“Emerging Nuclear Power Programs,” Panel Chairman, Mega-Session IV, Nuclear Power International, Orlando, FL, 11 December 2012.

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“International SMR Programs and Markets,” presentation at the Small Modular Reactors and International Markets Executive Forum 2012; Washington, DC; 17 July 2012.

“Economic implications of a major event on global nuclear power industry;” Utilities Service Alliance (USA) Executive Summit 2012; Colorado Springs; 13 June 2012.

“A View of Nuclear Growth at Home and Abroad,” speaker in this session at the U.S. Nuclear Energy Institute - Nuclear Energy Assembly 2012; Charlotte, North Carolina; 21-23 May 2012.

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“Fukushima and Nuclear Power: Can we live without it?” panelist in an online seminar sponsored by the Energy Collective, 29 June 2011.

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“Nuclear: Fukushima - the Aftermath;” Thought Leader at 2011 Bloomberg New Energy Finance Summit; participated in an opening panel discussing Fukushima's impact on the nuclear power markets; New York, 4 April 2011.

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“Global nuclear power developments – Asia leads the way,” presented at Nuclear Energy Asia conference, Hong Kong; 7 December 2010.

“Global Demand for Nuclear Energy and Risk Management Issues;” led a seminar on global nuclear power markets, strategic issues for the nuclear power industry; the role of government in the nuclear power industry; and small reactor market assessment; JOI and JBIC Seminar, Tokyo; 24 November 2010.

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“The Dynamics of the Wholesale Electricity Market,” IBC South Australia Power Briefing Conference, Adelaide, South Australia, 27-28 April 2000.

“Infrastructure Risk Management,” South Australian Power & Gas Conference, Adelaide, South Australia, 3-4 April 2000.

“South Australian Perspective on Interconnectors,” IBC Interconnect 2000 Conference, Sydney, New South Wales, 27 March 2000.

“International Experience in Nodal Pricing: Focus on Market Power,” given at the IBC Nodal Pricing One-Day Update; Sydney, New South Wales; 14 March 2000.

“Integrating Energy Markets and Network Services,” Conference Chairman, presentation at National Power Forum Conference, Melbourne, Victoria, 21 February 2000.

“Review of the First Year of the Electricity Market,” South Australian Employers’ Chamber of Commerce and Industry, Adelaide, South Australia, 18 February 2000.

“Integrating Energy Markets and Network Services,” presented to the Victorian government, South Australian government, Queensland government, National Generator Forum, Australian Cogeneration Association, and Electricity Retailers Association; Australia; December 1999.

“The US Experience with Nodal Pricing,” and “The NZ Experience with Nodal Pricing,” National Electricity Code Administrator Forum on the on the Scope for Integrating the Energy Market and Network Services, Sydney, New South Wales, 22 November 1999.

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“Integrating Energy Markets and Network Services (with Nodal Pricing Examples),” National Electricity Code Administrator Forum on Transmission Pricing, Melbourne, Victoria, 24 September 1999.

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“National Electricity Market Update,” South Australia Power Lease Briefing Conference, Adelaide, South Australia, 30 August 1999.

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