



## Michael A. Albert

Of Counsel

### Charleston Office

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**Michael A. Albert is Of Counsel practicing in the Business Law practice group, focusing primarily on public utilities, economic development, and public policy. He practices in the Firm's office in Charleston, West Virginia.**

Mike rejoins Jackson Kelly after serving as Chairman of the Public Service Commission of West Virginia ("PSC") from July 1, 2007, until June 30, 2019. He was appointed by Governor Joe Manchin and reappointed by Governor Earl Ray Tomblin then continued as Chairman under Governor Jim Justice. As Chairman, Mike oversaw the day to day operations of the PSC. Mike also presided over the PSC's response to electricity rate issues addressing economic development and industrial load and business retention, and expansion in the state; the continued oversight of rate base and O&M matters in expedited ratemaking approaches; quality of service issues related to landline phone service; and finalizing the impacts of the 2017 Tax Act's impact on retail utility rates. Under his direction, the PSC also sought a greater role in Federal proceedings at FERC and the FCC, greater oversight of transmission upgrade projects, and involvement in the electric generation capacity market changes under consideration. Mike also dealt with transportation safety, which falls under the PSC's regulatory purview.

Mike began his career at Jackson Kelly in 1972 and served as Managing Member of the Firm's Business Law Practice and on the Firm's Executive Committee. Over his career his practice areas included Administrative Law, Corporate and Securities Law, Banking, Insurance Regulation, Business and Commercial Law, and Public Utilities. After 35 years with the Firm, he retired to accept an appointment to the PSC.

Mike supports local non-profits and charities in Charleston with his time and expertise, focusing on public education and youth empowerment. He volunteered as board member, committee member, and ultimately Chairman of the Boards of Junior Achievement, The Education Alliance, the National Institute for Chemical Studies, and the Kanawha County Public Library. Mike also served on the West Virginia State Bar Board of Governors and the Charleston Regional Chamber of Commerce.

## Awards

- Rated AV Preeminent by Martindale-Hubbell
- Fellow of the West Virginia Bar Foundation
- West Virginia Fellow of the American Bar Foundation
- Named in *The Best Lawyers in America*® for Public Utilities Law and Corporate Law (1991-2007)
- Named in *Chambers USA, America's Leading Business Lawyers*

## Work History

- Jackson Kelly PLLC (2019-Present)

- West Virginia Public Service Commission, Chairman (2007-2019)
- Jackson Kelly PLLC (1972-2007)

## Practices

- Business Law
- Economic Development

## Industries

- Utilities
- Financial Services

## Education

- West Virginia University College of Law (J.D., 1972)
  - Order of the Coif
  - *West Virginia Law Review*, Editor-in-Chief
  - Arthur Ritz Kingdon, Jr., Memorial Law Prize
  - Kay, Casto & Chaney Law Scholarship
  - Patrick Duffy Koontz Scholarship
- West Virginia University (B.S. in Business Administration, 1965)
  - Board of Governors Scholarship
  - Sophomore Men's Academic Honorary (Helvetia)
  - Senior Men's Academic Honorary (Sphinx)
  - Men's All-Campus Honorary (Mountain)
  - Kappa Sigma Social Fraternity, President

## Admissions

- West Virginia (1972)
- Supreme Court of the United States (1978)
- U.S. Court of Appeals, Fourth Circuit (1977)
- U.S. District Court, Southern District of West Virginia (1972)
- West Virginia Supreme Court of Appeals (1972)

## Professional Organizations

- Education Alliance (formerly West Virginia Education Fund) - Chairman of the Board, Board of Directors and Executive Committee
- Chairman, Partnerships in Education Advisory Committee; Finance Committee
- National Institute for Chemical Studies - Chairman of the Board; Member, Board of Directors and Executive Committee; Chairman, Development Committee
- Charleston Regional Chamber of Commerce, Board of Directors; Chairman of Education Committee; Member of Executive Committee
- Governors Committee on Educational Quality and Equity, 1997
- West Virginia Law Institute, Advisory Committee for New Business Corporations Act for West Virginia
- District Character Committee, District No. 8, Member (Kanawha County)
- Chairman of the WVU Law School Visiting Committee, 2000
- West Virginia Fellow of the American Bar Foundation
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- American Bar Association
  - Section on Business
  - Forum Committee on Health Law
- West Virginia Bar Association
- West Virginia State Bar
  - Board of Governors, Member (1996-1999)
  - Chairman, Planning Committee
- West Virginia University Alumni Association
- Kanawha County Bar Association

## Speaking Engagements & Publications

### Speaking Engagements

- Various presentations regarding Public Utility Rates and Ratemaking Approaches
- Annual one-day Energy Law Seminars at West Virginia University College of Law
- "The Timing, Development and Evolution of Regional Water Supply Projects," presented to West Virginia-American Water Company Management Seminar, Oct. 5, 1999
- "Electric Industry Restructuring," Jackson & Kelly Seminar, 1997
- "Trends in Recent Litigation and Outcomes for Boards," presented to West Virginia Association of Community Bankers, Nov. 8, 1996
- "Detecting Officer, Director and Shareholder Fraud in Insurance Insolvencies," presented to Workshop of Rehabilitators and Liquidators at National Association of Insurance Commissioners and Society of Insurance Receivers, Feb. 19, 1993
- "Criminal Liability: Accountability & Then Some!," presented to American Water System's Annual Management Seminar
- CLE, West Virginia State Bar 1990 Annual Convention, "Commercial Law," April 28, 1990
- CLE, West Virginia State Bar 1988 Annual Convention, "Recent Developments in Corporate, Banking, and Business Law," April 28, 1988
- "Antitrust Laws and Trade Associations," presented to West Virginia Soft Drink Association, April 19, 1988
- CLE, First through Fifth and Seventh through Tenth Annual Commercial Law Institute, "Recent Developments in Corporate, Banking and Business Law," Feb. 21, 1986, Nov.13, 1987, Oct. 6, 1989, Oct. 12, 1990, Oct. 12, 1991, Oct. 1, 1993, Nov. 1995
- "Preparing and Presenting the Hospital Rate Case," presented to HealthCare Financial Management Association
- CLE, Securities Law, "Due Diligence and Malpractice," Jan. 14, 1985

### Writings and Publications

- Contributing Analysis, Model Business Corporation Act, Annot. (1977 Supp.) (2d ed.)
- Co-Author, West Virginia Corporation Law, Chapter 23, *West Virginia Practice Handbook*
- Editor-in-Chief, Volume 74, *West Virginia Law Review*, 1971-1972
- Comment, "Due Process of Law - Welfare Recipient's Right to Pre-Termination Hearing," 73 *W. Va. L. Rev.* 80 (1971)

## Military Experience

- United States Navy, including a tour of duty in Vietnam (1965-1968)