

## **CURRICULUM VITAE**

**Dr. Jerry Ellig**

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The George Washington University  
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### **CURRENT RESEARCH INTERESTS**

Regulatory process and the role of regulatory impact analysis.

Regulation of electricity, electronic commerce, telecommunications, broadband, wireless, railroads, and other network industries.

Government performance management – outcome measurement, evaluation, and performance reporting.

### **UNIVERSITY EDUCATION**

Doctor of Philosophy, Economics, George Mason University, January 1988. Dissertation title: Law, Economics, and Organized Baseball: Analysis of a Cooperative Venture.

Master of Arts, Economics, George Mason University, May 1986.

Bachelor of Arts, Economics, Xavier University, May 1984, *magna cum laude*.

### **CURRENT POSITION**

Research Professor, The George Washington University Regulatory Studies Center, September 2018-present.

### **PREVIOUS EMPLOYMENT**

Chief Economist, Federal Communications Commission, July 2017-July 2018.

Senior Research Fellow, Mercatus Center at George Mason University, July 2004-July 2018.

Member of the graduate faculty, College of Humanities and Social Sciences, George Mason University, 2007-2018.

Adjunct Professor, George Mason University School of Law, 2005-2007.

Deputy Director, Office of Policy Planning, Federal Trade Commission, Aug. 2001-July 2003. Served as Acting Director, Feb.-May 2003.

Senior Research Fellow, Mercatus Center at George Mason University, July 1996-July 2001.

Senior Economist, U.S. Congress Joint Economic Committee, Sept. 1995-June 1996.

Assistant Professor of Economics, George Mason University, Aug. 1989-July 1996.  
*Program on Social & Organizational Learning, 1992-1996*  
*Department of Economics, 1989-1992*

Management Consultant, Koch Management Center, Feb. 1992-June 1993.

Associate Director, Center for Market Processes, Aug. 1989-July 1995.

Research Director, CSE Foundation, Washington, DC, Dec. 1987-Aug. 1989.

Research Economist, CSE Foundation, Aug. 1985-Dec. 1987.

Instructor, Department of Economics, George Mason University, June-Aug. 1985.

## **PUBLIC SERVICE**

Volunteer, Kershaw County, SC, 4H, 2015-17.

Member, Transportation Research Board Committee for Study of Freight Rail Transportation and Regulation, 2014-15.

Member, Virginia Attorney General's Government and Regulatory Reform Task Force, June 2008-09.

Member, Finance Advisory Committee, Corpus Christi School, Falls Church, VA, 2004-2012.

## SCHOLARLY PUBLICATIONS

### *Working papers*

“Regulatory Impact Analysis and Litigation Risk,” working paper, Regulatory Studies Center, November 2019, [https://regulatorystudies.columbian.gwu.edu/sites/g/files/zaxdzs1866/f/downloads/GW%20Reg%20Studies%20Regulatory%20Impact%20Analysis%20and%20Litigation%20Risk%20%20CCarrigan\\_JEJlig\\_ZXie.pdf](https://regulatorystudies.columbian.gwu.edu/sites/g/files/zaxdzs1866/f/downloads/GW%20Reg%20Studies%20Regulatory%20Impact%20Analysis%20and%20Litigation%20Risk%20%20CCarrigan_JEJlig_ZXie.pdf). (With Christopher Carrigan and Zhoudan Xie)

“The Organization of Economists in Regulatory Agencies: Does Structure Matter?,” White Paper, Federal Communications Commission Office of Economics and Analytics, April 5, 2019, <https://www.fcc.gov/document/office-economics-analytics-releases-first-working-paper>. (With Catherine Konieczny)

Other working papers are available at <http://ssrn.com/author=245970>.

### *Books*

*Government Performance and Results: An Assessment of GPRA's First Decade*. New York: CRC Press/Taylor & Francis, 2012. Volume published as part of the American Society for Public Administration Series in Public Administration and Public Policy. (With M. McTigue and H. Wray)

*Dynamic Competition and Public Policy: Technology, Innovation, and Antitrust Issues*, a book of essays edited with an introduction. New York: Cambridge University Press, 2001.

*New Horizons in Natural Gas Deregulation*, a book of essays edited with an introduction. Norwich, CT: Praeger, 1996. (Co-edited with J. Kalt)

*Municipal Entrepreneurship and Energy Policy: A Five-Nation Study of Politics, Innovation, and Social Change*. London: Gordon and Breach, 1994. (Co-authored with A. Woodward and T. Burns)

### *Law Journal Symposium*

Organized symposium on regulation of electronic commerce jointly sponsored by the George Mason University School of Law and the Mercatus Center, published in the *Journal of Law, Economics, and Policy* 3:2, Spring 2007.

### *Journal Articles and Book Chapters*

“Improvements in SEC Economic Analysis Since Business Roundtable: A Structured Assessment,” *Florida State University Business Review*, forthcoming.

“Restoring Internet Freedom as an Example of How to Regulate,” *Business, Entrepreneurship, & Tax Law Review*, forthcoming.

“Statutory Delegation, Agency Authority, and the Asymmetry of Impact Analysis,” *The Theory and Practice of Legislation*, forthcoming. (With Michael Horney)

“Coproduction of Regulations Under the Administrative Procedure Act: How Close is the US to a Classical Liberal Regulatory System?,” *Review of Austrian Economics*, forthcoming.

“Economics at the FCC, 2017-18: Internet Freedom, International Broadband Pricing Comparisons, and a New Office of Economics and Analytics,” *Review of Industrial Organization* 53: 4, December 2018. (With Paul LaFontaine, Wayne Leighton, Eric Ralph, and Sean Sullivan)

“Statutory Rulemaking Considerations and Judicial Review of Regulatory Impact Analysis,” *Administrative Law Review* 70:4, 2018. (With Reeve Bull)

Jerry Ellig. “Why and How Independent Agencies Should Conduct Regulatory Impact Analysis,” *Cornell Journal of Law & Public Policy* 28:1, 2018.

“Judicial Review of Regulatory Impact Analysis: Why Not the Best?,” *Administrative Law Review*, Winter 2017. (With Reeve Bull)

“Regulatory Process, Regulatory Reform, and the Quality of Regulatory Impact Analysis,” *Journal of Benefit-Cost Analysis* 7:3, Fall 2016. (With Rosemarie Fike)

“The Regulatory Determinants of Railroad Safety,” *Review of Industrial Organization* 49:2, Sept. 2016. (With Patrick McLaughlin)

“State Funeral Regulations: Inside the Black Box,” *Journal of Regulatory Economics* 48, 2015.

“Presidential Priorities, Congressional Control, and the Quality of Regulatory Analysis: An Application to Healthcare and Homeland Security,” *Public Choice* 161, Nov.-Dec. 2014. (With Christopher Conover)

“SEC Regulatory Analysis: A Long Way to Go and a Short Time to Get There,” *Brooklyn Journal of Corporate, Financial, & Commercial Law* 8:2, Spring 2014. (With Hester Peirce)

“Regulatory Reform in Florida: An Opportunity for Greater Competitiveness and Economic Efficiency,” *Florida State University Business Review* 13:1, Spring 2014. (With Patrick McLaughlin and Dima Yazji Shamoun)

“Price Effects and the Commerce Clause: The Case of State Wine Shipping Laws,” *Journal of Empirical Legal Studies* 10:2, June 2013. (With Alan Wiseman)

“Continuity, Change, and Priorities: The Quality and Use of Regulatory Analysis Across US Administrations,” *Regulation & Governance* 7, June 2013. (With Patrick McLaughlin and John Morrall III)

“The Quality and Use of Regulatory Analysis in 2008,” *Risk Analysis* 32:5, May 2012. (With Patrick McLaughlin)

“Does OIRA Review Improve the Quality of Regulatory Impact Analysis? Evidence from the Final Year of the Bush II Administration,” *Administrative Law Review* 63, 2011. (With Patrick McLaughlin)

“The Future of Regulation,” *Pepperdine Policy Review* 3:1, 2010.

“Talking the Talk, or Walking the Walk? Outcome-Based Regulation of Transnational Investment,” *New York University Journal of International Law and Politics*, 41:2, Winter 2009. (With Houman Shadab)

“Toward a More Perfect Union: Regulatory Analysis and Performance Management,” *Florida State University Business Review* 8:1, Spring/Summer 2009. (With Jerry Brito)

“Homeland Security and Regulatory Analysis: Are We Safe Yet?,” *Rutgers Law Journal* 40:1, Fall 2008. (With Jamie Belcore)

“A Tale of Two Commissions: Net Neutrality and Regulatory Analysis,” *CommLaw Conspectus: Journal of Communications Law and Policy* 16:1, 2007. (With Jerry Brito)

“Outcomes and Alternatives for Universal Telecommunications Service: A Case Study of Texas,” *Texas Review of Law & Politics*, Fall 2007. (With Joseph Rotondi)

“The Politics of Wine: Trade Barriers, Interest Groups, and the Commerce Clause,” *Journal of Politics* 69:3, August 2007. (With Alan Wiseman)

“The Economics of Direct Wine Shipping,” *Journal of Law, Economics, & Policy* 3:2, Spring 2007. (With Alan Wiseman)

“Video Killed the Franchise Star: The Consumer Cost of Cable Franchising and Proposed Policy Alternatives,” *Journal of Telecommunications and High Technology Law* 5, 2006. (With Jerry Brito)

“Regulatory Status of VoIP in the Post-Brand X World,” *Santa Clara Computer and High Technology Law Journal* 23, 2006. (With Alistair Walling)

- “The Irony of Transparency: Unintended Consequences of Wireless Truth-in-Billing,” *Loyola Consumer Law Review* 19, 2006. (With James N. Taylor)
- “Buried Online: State Laws that Limit E-Commerce in Caskets,” *The Elder Law Journal* 14:2, 2006. (With Asheesh Agarwal)
- “Costs and Consequences of Federal Telecommunications Regulations,” *Federal Communications Law Journal* 58:1, 2006.
- “Intercarrier Compensation and Consumer Welfare,” *University of Illinois Journal of Law, Technology, & Policy* 2005:1, 2005.
- “What Did the Unbundled Network Element Platform Cost?,” *CommLaw Conspectus: Journal of Communications Law and Policy* 14:1, 2005. (With James N. Taylor)
- “Market and Nonmarket Barriers to Internet Wine Sales: The Case of Virginia,” *Business and Politics* 6:2, 2004. (With Alan Wiseman)
- “Interstate Trade Barriers and Potential Regulatory Competition: The Case of Direct Wine Shipping,” *Journal of Private Enterprise*, Spring 2004. (With Alan Wiseman)
- “Competition and Quality in Deregulated Industries: Lessons for the Education Debate,” *Texas Review of Law & Politics* 6, Spring 2002. (With K. Kelly)
- “Telecommunications Mergers, Managerial Expectations, and Theories of the Firm,” in Peter Klein and Nikolai Foss (eds.), *Entrepreneurship and the Firm*. Aldershot, UK: Edward Elgar, 2002.
- “Railroad Deregulation and Consumer Welfare,” *Journal of Regulatory Economics* 21:2, 2002.
- “Internal Markets and the Theory of the Firm,” *Managerial and Decision Economics* 22:4-5, June-Aug. 2001.
- “Dynamic Competition and Monopoly Regulation,” in Michael Crew (ed.), *Expanding Competition in Regulated Industries*. Boston: Kluwer Academic Publishers, 2000. (With Daniel Lin)
- “Organizational Economics and the Market Based Management Framework: Toward a Common Research Agenda,” *Journal of Private Enterprise* 12:1, Fall 1996.
- “Subjectivism, Discovery, and Boundaryless Careers,” in Michael Arthur and Denise Rousseau (eds.), *Boundaryless Careers: Work, Mobility, and Learning in the New Organizational Era*, Oxford University Press, 1996. (With Tojo Joseph)

"Intrastate Pipeline Regulation: Lessons from the Texas Experience," in Jerry Ellig and Joseph Kalt (eds.), *New Horizons in Natural Gas Deregulation*. Westport, CT: Praeger, 1996.

"Market-Based Management at Koch Industries: Discovery, Dissemination, and Integration of Knowledge," *Competitive Intelligence Review* 6:4, Winter 1996. (With Tyler Cowen)

"From Austrian Economics to Market-Based Management," *Journal of Private Enterprise* 11:1, Fall 1995. Spanish translation published in *Libertas* 13, May 1996. Article reprinted in *Journal of Private Enterprise* Special Issue 1997, "The Best from the Journal, 1985-97."

"Governments, Firms, and the Impossibility of Central Planning," in Pal Foss (ed.), *Economic Approaches to Organizations and Institutions*. London: Dartmouth, 1995. (With Don Lavoie)

"The Economics of Regulatory Takings," *South Carolina Law Review* 46:6, Summer 1995.

"Why Do Regulators Regulate? The Case of the Southern California Gas Market," *Journal of Regulatory Economics*, May 1995.

"Industrial Organization," entry in Peter Boettke (ed.), *The Elgar Companion to Austrian Economics*. Aldershot, U.K.: Edward Elgar, 1994.

"An Economic View of the Effectiveness of Public and Private Schools," in Gary Bowman, Simon Hakim, and Paul Seidenstat (eds.), *Privatizing Education and Educational Choice*. Westport, CT: Praeger, 1994. (With David Beers)

"Airline Deregulation and Consumer Welfare," *Transportation Practitioners Journal*, Summer 1994. (With Wayne Winegarden)

"The Consumer Impact of Federal Natural Gas Regulation," *Transportation Practitioners Journal*, Spring 1993.

"Scale, Scope, and Regulation in the Texas Gas Transmission Industry," *Journal of Regulatory Economics*, March 1993. (With Michael Giberson)

"The Environmental Impact of Public Utility Regulation: Kern County and the Case of the Missing Gas Pipelines," in Michael Crew (ed.), *Economic Innovations in Public Utility Regulation*. Boston: Kluwer, 1992.

"Downzoning and Development in a Dynamic Economy: The Case of Fairfax County, Virginia," in Richard C. Collins (ed.), *Development, Expectations, and the Zoning*

*Power: The Concept of Vested Rights*. Charlottesville, Virginia: Institute for Environmental Negotiation, 1992.

"Untwisting the Strands of Chicago Antitrust," *Antitrust Bulletin*, Winter 1992.

"Beneficent Bias: The Case Against Regulating Computerized Reservation Systems," *Journal of Air Law and Commerce* 57, Spring 1992. (With Donald Boudreaux)

"Social Contracts and Pipe Dreams," *Contemporary Policy Issues* 10:1, Jan. 1992. (With Jack High)

"The Baseball Anomaly and Congressional Intent," in J. High (ed.), *Regulation: Economic Theory and History*. University of Michigan Press, 1991.

"Endogenous Change and the Economic Theory of Regulation," *Journal of Regulatory Economics* 3, Summer 1991. Reprinted in R. Ekelund, Jr., *The Foundations of Regulatory Economics*. Cheltenham, UK: Edward Elgar Publishing, 1999.

"Computer Reservation Systems, Creative Destruction, and Consumer Welfare," *Transportation Law Journal* 19:2, Summer 1991.

"The Private Supply of Education: Some Historical Evidence," in T. Cowen (ed.), *The Theory of Market Failure*. Fairfax: George Mason University Press, 1988. (With Jack High)

"Do We Walk With Walras?," *Atlantic Economic Journal* 14:2, July 1986.

### **Book Reviews**

Review of Paul Stephen Dempsey and Andrew Goetz, *Airline Deregulation and Laissez-Faire Mythology*, *Transportation Practitioners Journal*, Fall 1992.

Review of Robert Crandall, *After the Breakup: U.S. Telecommunications in a More Competitive Era*, *Reason*, May 1991.

"A Business Historian's History," review of Thomas McCraw (ed.), *The Essential Alfred Chandler*, *Market Process* 8, 1990.

Review of Israel Kirzner, *Discovery and the Capitalist Process*, *Market Process* 5:2, Fall 1987.

## SELECTED POLICY TESTIMONY, COMMENTS, AND PUBLICATIONS

“Public Interest Comment on the Federal Deposit Insurance Corporation’s Solicitation of Information on a Framework for Analyzing the Effects of FDIC Regulatory Actions,” January 28, 2020.

“Better Economic Analysis Can Reduce Regulators’ Litigation Risks,” Economic Studies Program, Brookings Institution, December 2019.

“Public Interest Comment on the Surface Transportation Board’s Proposed Rules, Market Dominance Streamlined Approach, and Final Offer Rate Review, and Solicitation of Information, Association of American Railroads -- Petition for Rulemaking,” November 6, 2019.

“Implications of Mozilla for Agency Economic Analysis,” *Yale Journal on Regulation Notice & Comment*, October 18, 2019, <https://www.yalejreg.com/nc/implications-of-mozilla-for-agency-economic-analysis-by-jerry-ellig/>.

“‘Big Bad Trusts’ Are a Progressive Myth,” *Wall Street Journal*, October 2, 2019. (With Phil Gramm)

“[Here's How Federal Agencies Can Write More Effective Regulations - And Win Regulatory Battles in Court](#),” *Washington Post*, June 17, 2019. (With Catherine Konieczny)

“Economic Analysis of Tax Regulations: An Assessment of the First Year,” *Tax Notes*, May 20, 2019, pp. 1569-1574, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3406860](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3406860).

“Selling Santee Cooper: Competition Should be Part of the Plan,” *The Post and Courier* (Charleston, SC), April 14, 2019, [https://www.postandcourier.com/opinion/commentary/selling-santee-cooper-competition-should-be-part-of-the-plan/article\\_fb9d24a0-5c96-11e9-b09d-0307a94ec914.html](https://www.postandcourier.com/opinion/commentary/selling-santee-cooper-competition-should-be-part-of-the-plan/article_fb9d24a0-5c96-11e9-b09d-0307a94ec914.html)

“Statutory Clarity and Judicial Review of Regulatory Impact Analysis,” *The Regulatory Review*, April 15, 2019, <https://www.theregreview.org/2019/04/15/bull-ellig-regulatory-impact-analysis/>. (With Reeve Bull)

“Improving Regulatory Impact Analysis: The Role of Congress and the Courts,” 3-part series posted on the *Yale Journal on Regulation Notice & Comment* blog, April 9-11, 2019. (With Reeve Bull)

“Ill-Considered Tax Regulation May Put the Squeeze on Charities, Taxpayers,” *Realclearpolicy*, April 5, 2019, <https://www.realclearpolicy.com/articles/2019/04/05/ill-considered-tax-credit-regulation-may-put-the-squeeze-on-charities-taxpayers-111150.html>.

“Building Capacity for Economic Analysis at Independent Agencies,” *The Regulatory Review*, Dec. 10, 2018,  
<https://www.theregreview.org/2018/12/10/ellig-economic-analysis-independent-agencies/>

“Airline Seat Regulation: The Gift That Keeps on Taking,” *Realclearpolicy*, Dec. 7, 2018,  
[https://www.realclearpolicy.com/articles/2018/12/07/airline\\_seat\\_regulation\\_the\\_gift\\_that\\_keeps\\_on\\_taking\\_110951.html](https://www.realclearpolicy.com/articles/2018/12/07/airline_seat_regulation_the_gift_that_keeps_on_taking_110951.html)

“Is Regulatory Impact Analysis of Financial Regulations Possible?,” in Hester Peirce and Benjamin Klutsey (eds.), *Reframing Financial Regulation*. Arlington, VA; Mercatus Center, 2016. (With V. Soliman)

“Auto Distribution: Current Issues and Future Trends,” written comments submitted for Federal Trade Commission workshop, January 12, 2016, available at  
<https://www.mercatus.org/publication/auto-distribution-current-issues-and-future-trends-federal-trade-commission-workshop>.

“Outcome-Based Regulatory Decisions Require Congressional Commitment,” testimony before the Senate Budget Committee, December 9, 2015. Available at  
<https://www.mercatus.org/publication/outcome-based-regulatory-decisions-require-congressional-commitment>.

“Dynamic Competition, Online Platforms, and Regulatory Policy,” written submission to the House of Lords Select Committee on the European Union, EU Internal Market Subcommittee, December 9, 2015. Available at  
<https://www.mercatus.org/publication/dynamic-competition-online-platforms-and-regulatory-policy>.

“Comprehensive Regulatory Impact Analysis: The Cornerstone of Regulatory Reform,” testimony before the Senate Committee on Homeland Security and Governmental Affairs, February 25, 2015. Available at <http://mercatus.org/publication/comprehensive-regulatory-impact-analysis-cornerstone-regulatory-reform>.

*A Guide to Writing Public Interest Comments Using Economic Analysis*. Arlington, VA: Mercatus Center at George Mason University, 2014.

“Improving Regulatory Impact Analysis through Process Reform,” testimony before the US Congress Joint Economic Committee, June 26, 2013. Available at  
<http://mercatus.org/publication/improving-regulatory-impact-analysis-through-process-reform>.

“High-Impact Decisions: Report Card Grades Regulators,” *The Public Manager* 40:3 (Fall 2011). Available at

[http://www.thepublicmanager.org/docs\\_articles/current/Vol40,2011/Vol40,Issue03/Vol40N3\\_HighImpactDecisions.pdf](http://www.thepublicmanager.org/docs_articles/current/Vol40,2011/Vol40,Issue03/Vol40N3_HighImpactDecisions.pdf).

“Public Interest Comment on the Connect America Fund,” submitted to the Federal Communications Commission, April 15, 2011. (With Jerry Brito) Available at <http://mercatus.org/sites/default/files/publication/2011%20PIC-Connect%20America%20Fund-4-18-11%20Final.pdf>.

“Look Before You Leap: Improving Pre-Proposal Regulatory Analysis,” testimony before the Committee on the Judiciary, Subcommittee on Courts, Commercial, and Administrative Law, US House of Representatives, March 29, 2011. Available at <http://mercatus.org/sites/default/files/publication/Ellig%20Written%20Testimony%20House%20Judiciary%20March%2029%202011.pdf>.

“Regulatory Analysis: Understanding Regulation’s Effects,” testimony before the Committee on Oversight and Government Reform, US House of Representatives, Feb. 10, 2011, available at <http://mercatus.org/sites/default/files/publication/Ellig%20Reg%20Exec%20Order%20Testimony%20Final%20Feb%208%202011%20PRINT.pdf>.

“Competition, Consumer Welfare and State Alcohol Regulation,” written testimony submitted to the Committee on the Judiciary, US House of Representatives, Sept. 29, 2010, available at <http://mercatus.org/sites/default/files/publication/Ellig%20Testimony%20on%20Competition%20and%20Consumer%20Welfare.pdf>.

“Public Interest Comment on Lead Clearance and Clearance Testing Requirements,” submitted to the Environmental Protection Agency, July 1, 2010.

“Public Interest Comment on the Connect America Fund,” submitted to the Federal Communications Commission, July 9, 2010.

“Agency Performance Impact from GPRA: A Look at Scorecards,” *Government ELearning* 2:1, Spring 2010.

“Effects on Wine Sales, Tax Revenues, and Consumer Welfare,” testimony before the State of Tennessee Joint Study Committee on Wine in Grocery Stores, Dec. 8, 2009.

“Mobile Wireless Competition Notice of Inquiry,” submitted to the Federal Communications Commission, Oct. 7, 2009. (With Jerry Brito)

“Federal Performance Reporting: What a Difference Ten Years Makes,” *The Public Manager* 38:2, Summer 2009.

“Public Interest Comment on the FCC’s National Broadband Plan Notice of Inquiry,” submitted to the Federal Communications Commission, June 9, 2009. (With Christina Forsberg)

“Recovery Act Oversight,” testimony before the House Committee on Science and Technology, Subcommittee on Investigations and Oversight, May 5, 2009.

“Performance Measures for the High Cost Universal Service Fund,” written testimony submitted to the U.S. House Committee on Energy and Commerce, Subcommittee on Communications, Technology, and the Internet, March 12, 2009.

*Performance Report Scorecard: Which Federal Agencies Best Inform the Public?* Arlington, VA: Mercatus Center at George Mason University, 2004, 2005, 2006, 2007, 2008, 2009. (With Maurice McTigue and Henry Wray)

“Public Interest Reply Comment on the FCC’s Comprehensive Review of the Universal Service Fund Management and Oversight,” submitted to the Federal Communications Commission, December 15, 2008. (With Maurice McTigue)

“Fantasy Awards for Federal Performance Reporting,” *Federal Times*, Aug. 4, 2008.

“Measuring Performance Reporting Quality,” *The Public Manager* 37:2, Summer 2008. (With Henry Wray)

“Public Interest Comment on the Department of Transportation’s Proposed Amendment to the Policy Regarding the Establishment of Airport Rates and Charges,” April 2, 2008. (With Mark Adams)

“Consumer Wireless Issues,” testimony before the Senate Committee on Commerce, Science, and Transportation, Oct. 17, 2007.

“The Contribution of the Social Sciences to the Energy Challenge,” testimony before the House Committee on Science and Technology, Subcommittee on Research and Science Education, Sept. 25, 2007.

“Scoring Government Performance Reports,” *The Public Manager* 36:2, Summer 2007.

“Measure by Measure: Why Federal Budgeting is a Faith-Based Initiative,” *Wall Street Journal Opinion Journal*, April 11, 2007.

“Virginia’s Electric Power Play,” *Washington Times*, April 9, 2007.

“It’s a Bad Time to Abandon Choice,” *Richmond Times-Dispatch*, April 2, 2007.

“Politicians Shake Down the Net,” *Los Angeles Times*, June 27, 2006.

“Pine Box Politics,” *TCS Daily*, May 1, 2006.

“Competition and Convergence in Communications,” testimony before the Senate Committee on Commerce, Science, and Transportation, March 30, 2006.

“A Dynamic Perspective on Government Broadband Initiatives,” Reason Public Policy Institute Policy Study 349, Nov. 2006.

“Knee-Jerk Responses to FEMA’s Problems Will Help No One,” *The Hill*, Sept. 27, 2005.

“Texas Telecommunications: Everything’s Dynamic Except the Pricing,” Texas Public Policy Foundation Research Report, Jan. 2005 (With Robert Crandall)

“Wine Wars: Uncorking E-Commerce?,” *Regulation*, Winter 2004-05 (With Asheesh Agarwal and Todd Zywicki)

Coauthor, *Possible Anticompetitive Barriers to E-Commerce: Wine*, Report from the Staff of the Federal Trade Commission, July 2003. (with lead author Asheesh Agarwal and significant contributions from a team of FTC staff.)

“Financial Markets as Information Monopolies?,” *Regulation* 23:3, 2000. (With Sharon Brown-Hruska)

“Issues Related to Market Fragmentation,” submitted to the Securities and Exchange Commission, May 10, 2000. (With Sharon Brown-Hruska)

“Regulation of Market Information, Fees and Revenues,” submitted to the Securities and Exchange Commission, March 31, 2000. (With Sharon Brown-Hruska)

*Performance Report Scorecard: Which Federal Agencies Inform the Public?* Arlington, VA: Mercatus Center at George Mason University, 2000 and 2001. (With Maurice McTigue and Steve Richardson)

*Learning from the Leaders: Results-Based Management at the Federal Emergency Management Agency*. Arlington, VA: Mercatus Center at George Mason University, March 2000.

“The Universal Tuition Tax Credit,” Virginia Institute for Public Policy, September 1999. (With Carlisle Moody)

“Regulation of Short-Term and Long-Term Gas Transportation,” submitted to the Federal Energy Regulatory Commission, April 1999.

“Electricity: Price Spikes by Design?,” *Regulation* 22:2, 1999, pp. 20-22. (With Robert Michaels)

“Price Spike Redux: A Market Emerged, Remarkably Rational,” *Public Utilities Fortnightly*, Feb. 1, 1999. (With Robert Michaels)

*Electricity Passes the Market Test: Price Spikes in the Summer of 1998*, Mercatus Center monograph, November 1998. (With Robert Michaels)

“Electricity Restructuring and Consumer Interests: Lessons from Other Industries,” *Electricity Journal*, Jan./Feb. 1998. (With Robert Crandall) Reprinted in *Public Utilities Reports* (1999).

*Economic Deregulation and Customer Choice: Lessons for the Electric Industry*, Center for Market Processes monograph, January 1997. (With Robert Crandall)

“The \$7.7 Billion Mistake: Federal Barriers to State and Local Privatization,” Joint Economic Committee Staff Report, February 1996.

"The Economics of Regulatory Takings," in Roger Clegg (ed.), *Regulatory Takings*. Washington, DC: National Legal Center for the Public Interest, 1994.

"Internal Pricing for Corporate Services," Center for the Study of Market Processes Working Paper, Sept. 13, 1993. Spanish translation published in *Libertas*, October 1996.

*Introduction to Market-Based Management*. Fairfax, VA: Center for Market Processes, 1993. (With Wayne Gable)

*Public Utilities and the Market Process: Regulation or Competition?* Houston: Institute for Energy Research, 1992. Reprinted 1993.

*Set Fair: A Proposal for Privatising Weather Forecasting*. London: Social Affairs Unit, 1989.

"Amtrak," in *Privatization: Toward More Effective Government*, Report of the President's Commission on Privatization. Washington: USGPO, March 1988. (With Charles Oliver and Dan Witt)

"Federal Asset Sales," in *Privatization: Toward More Effective Government*, Report of the President's Commission on Privatization. Washington: USGPO, March 1988. (With Charles Oliver and Dan Witt)

Numerous additional articles in newspapers and magazines nationwide, including the *Wall Street Journal*, *Barron's*, *New York Times*, *Washington Post*, *Los Angeles Times*, *Journal of Commerce*, *Reason*, *The Hill*, *U.S. News and World Report*, *Roll Call*, *RealClearPolicy*, *American Banker*, and *Investor's Business Daily*.

Additional comments to regulatory agencies and other publications I have authored at the Regulatory Studies Center at George Washington University are available at <https://regulatorystudies.columbian.gwu.edu/>.

## **CONSULTING STUDIES**

*Agency Economists*. Report prepared for the Administrative Conference of the United States, September 3, 2019.

*Study of Regulatory Responsibilities, Policies and Activities of the State Corporation Commission*. Fairfax, VA: School of Public Policy, George Mason University, Aug. 2001. (Author of section on gas and electricity.) Report prepared for the Virginia General Assembly Joint Subcommittee Studying the Regulatory Responsibilities of the State Corporation Commission.

*Testimony on Behalf of Southwestern Electric Power Company Regarding the Matter of a Progress Report to the General Assembly on the Development of Competition in Electric Markets and the Impact, if Any, on Retail Customers*, September 2000. Direct Testimony submitted to the Arkansas Public Service Commission, Docket No. 00-190-U.

*Economic Deregulation: The U.S. Experience*, Nov. 2000. Report prepared for Adam Fine Consulting. (With Kenneth Costello)

*Regulatory Reform in Electricity: Precedents from Other Industries*, Nov. 4, 1994. Report submitted in the Pennsylvania Public Utility Commission's electric restructuring proceeding.

## **TESTIMONY**

Testified before a variety of government bodies, including:

- U.S. Congress, Joint Economic Committee
- U.S. Senate, Committee on Commerce, Science, and Transportation
- U.S. Senate, Budget Committee
- U.S. Senate, Judiciary Committee, Subcommittee on the Constitution
- U.S. Senate, Committee on Homeland Security and Governmental Affairs
- U.S. Senate, Energy and Natural Resources Committee, Subcommittee on Energy Regulation and Conservation
- U.S. House, Commerce Committee, Subcommittee on Energy and Power
- U.S. House, Commerce Committee, Subcommittee on Telecommunications and Consumer Protection
- U.S. House, Judiciary Committee, Subcommittee on the Courts, Commercial and Administrative Law
- U.S. House, Committee on Science and Technology, Subcommittee on Investigations and Oversight
- U.S. House, Committee on Science and Technology, Subcommittee on Research and

Science Education  
 U.S. House, Committee on Financial Services  
 U.S. House, Government Operations Committee, Subcommittee on Transportation and  
 Government Activities  
 U.S. House, Committee on Oversight and Investigations  
 U.S. House, Committee on Transportation and Infrastructure, Subcommittee on Water  
 Resources and Environment  
 U.S. International Trade Commission  
 Connecticut Board of Examiners for Opticians  
 Hawaii State Legislature, joint hearing of 6 House and Senate committees  
 New York State Senate Advisory Commission on Privatization  
 North Carolina State Bar  
 Tennessee Joint Study Committee on Wine in Grocery Stores  
 Oregon House, Electric Power Deregulation Committee  
 Oregon Senate, Committee on Business and Consumer Affairs  
 Virginia General Assembly, Senate Committee on Finance

## **TEACHING EXPERIENCE**

### *Undergraduate courses*

Microeconomic Principles (class size: 80-200)  
 Economics of Industrial Organization (class size: 15-45)  
 Economics of Transportation (class size: 40-85)

### *Graduate economics courses*

Regulation and the Market Process (Regulatory Analysis)  
 Economics of Telecommunications Regulation  
 Industrial Organization and Public Policy  
 Managerial Economics  
 Austrian Theory of the Market Process  
 Workshop in Business History, Entrepreneurship, and the Market Process

### *Law courses*

Clinic on writing public interest comments on federal regulations.

**HONORS/AWARDS**

Association for Private Enterprise Education award for best paper published in the *Journal of Private Enterprise* in 1995.

William Snavely Award for outstanding graduate student in economics, GMU, 1988.

H.B. Earhart Fellowship, 1986-87.

Claude R. Lambe Research Assistantship, 1985-86 and 1984-85.

Craig Menderson Memorial Economics Award, Xavier University, 1984.

**PROFESSIONAL AFFILIATIONS**

Member, Society for Benefit-Cost Analysis, Society for the Development of Austrian Economics.

Peer reviewer, *Journal of Law & Economics*, *Economic Inquiry*, *Regulation & Governance*, *Telecommunications Policy*, *Journal of Regulatory Economics*, *Journal of Benefit-Cost Analysis*, *Public Productivity and Management Review*, *Journal of Comparative Economics*, *Administration & Society*, *Review of Austrian Economics*, Hong Kong Centre for Economic Research.