Foreword and Acknowledgments

This volume is the result of the realization by several members of the Book Board of the ABA’s Section of Public Utility, Communications and Transportation Law (PUCAT) that the many interesting and informative articles that are published in *Infrastructure* each quarter should be preserved in a more permanent format and made available to a wider audience. The idea for this collection was the result of a discussion I had with my Robinson & Cole LLP partner, Dwight Merriam, former chair of the Section of State and Local Government, who has edited a number of collections of articles from his section’s publication, *The Urban Lawyer*. I thank Dwight for the inspiration, although it has not been as easy a task to assemble this volume as Dwight made it out to be.

We anticipate that this will be the first in a series of anthologies of articles from *Infrastructure*. This volume includes articles from mid-2008 through the first issue of 2012. Because of the time that has elapsed since the original publication of many of the articles in *Infrastructure*, we asked the author of each article to provide an update, addendum, or postscript. Each update is published immediately following the original article and, although some authors offered to revise their original articles, the articles are published here as they originally appeared in *Infrastructure*.

There are, as one might expect, a number of themes that emerge from a series of articles in a publication of the Section of Public Utility, Communications and Transportation Law, including energy, telecommunications, and transportation. I have organized the articles in five somewhat logical chapters. The sixth chapter, “Other Articles,” includes four articles that do not easily fit into any of the other categories.

I wish to acknowledge the efforts of many people in producing this volume. First and foremost are the authors of and contributors to the articles and updates. Biographical information about each is included in the section titled “About the Authors and Contributors” at the beginning of this volume. The editors of *Infrastructure* during the period covered by this volume, Linda Randell, Dynda Thomas, and The Honorable Richard D. Cudahy, deserve our thanks for inspiring the authors.

A special note of thanks to Judge Richard Cudahy, the present editor of *Infrastructure*. Judge Cudahy is a prolific writer for *Infrastructure* and has an introduction and a number of articles in this volume. Linda Randell, former editor of *Infrastructure*, former chair of the Section, and chair of the PUCAT Book Board, offered the following commentary on Judge Cudahy’s contributions to *Infrastructure*:

Judge Cudahy has written frequently for *Infrastructure* on a wide range of topics over the years, including the development of central station generation, supply of natural resources, water infrastructure in China, and the development of high-speed passenger rail service in the United States. His articles often have a historical bent but also look forward into the future. Judge Cudahy is a gifted writer, able to inform and entertain in equal quantity on almost any
subject. We are fortunate that the judge has chosen to submit articles to *Infrastructure* rather than to *The New Yorker*.

The recent chairs of the Section, including Rob Brubaker and Patty Dondanville, have been very supportive of the Section’s Book Board and the concept of this anthology. We have included Editor’s Notes and Chair’s Columns as appendices to this volume for historical reference.

Linda Randell, the first and current chair of the Book Board, has been supportive and encouraging. Rick Paszkiet, of ABA Publishing, has advised the Book Board since its founding in October 2011 and is responsible for the production of this volume. Wendy Smith, also of ABA Publishing and the driving force behind *Recent Developments in Public Utility, Communications and Transportation Industries* (formerly the *PUCAT Annual Report*) for the past seven years, has provided valuable counsel. My assistant, Brenda Vucci, has demonstrated a high degree of patience with my organizing and reorganizing, editing, and re-editing. Finally, I owe a huge debt of gratitude to Leticia Tavares, Class of 2014 at Roger Williams University Law School in Bristol, Rhode Island. Leticia was the National Grid–Robinson & Cole LLP Fellow during the Summer of 2012. She managed to corral most of the authors, persuade them to write updates, extract biographical information from them, and organize all of the submissions, with little input or guidance from me. I have included additional biographical information about Leticia in “About the Authors and Contributors.”

I trust that you will find the articles and updates that make up this anthology of the best of *Infrastructure* interesting and informative.

Peter V. Lacouture
September, 2012