In 2017 I was chairing of the Renewable, Alternative, and Distributed Energy Resources Committee (affectionately nicknamed RADER) of the American Bar Association’s Section of Environment, Energy, and Resources when Margrethe Kearney contacted me on behalf of the Section’s Book Publishing Board suggesting that the time was ripe for a book on the law of distributed generation. Not realizing how daunting a task this would be, I said “yes” on behalf of the committee, thinking that it should be easy to round up some volunteers from the committee to write up the chapters and get it out in a year. Of course, I found out that it took much more work than that, and after some false starts, wrong turns, and other learning experiences, we were able, almost three years later, to deliver this book to you.

The transformation of the electric grid from the traditional central station model to a more dynamic and interconnected system of distributed generation and distribution is a huge change in our lives, and yet one that is barely noticeable in day-to-day life unless you actually are looking for it. If you are looking, though, the rate of change is breathtaking. I know this firsthand because in the roughly three years we have been working on this book the landscape already has evolved dramatically. In this time, topics we thought were interesting, such as battery storage, became drivers to the discussion while other topics faded in relevance. Indeed, one of the challenges of writing this book is our effort to assemble information that would remain interesting and useful to readers even as the technology and the law
advanced. With the help of all of the authors and other contributors to this project, I think we have achieved this.

There are many people I need to thank for helping us reach this goal: the authors whose work appears in the chapters that follow; Roger Feldman, a recurring leader on the RADER committee and a mentor and cheerleader of many, including me; Margrethe Kearney, who kept prodding me to keep me on task and the project on target; Schiff Hardin LLP, which supported my efforts and enabled me to devote the time needed to this project; and our volunteers, namely, Margaret Czepiel, Robin Happel, Amanda Hemmerich, Tanner Long, Meredith Mitnick, Erin Palmer, and Steven Wazny, whose assistance with editing and research was critical to getting this whole project over the finish line. I also must thank Florence (Flossie) Davis, who I cajoled into helping me lead the project even though she was already busy on so many other things.

Even as I type this final paragraph of an introduction to the book, I am keenly aware how rapidly and incessantly our electric system is changing—changes propelled by technology, the environment, economics, consumer choice, and COVID-19, and that accordingly, this is not only an introduction of a book, but of the future we are trying to understand. In other words, this book doesn’t represent the end of a project, but really part of the beginning of a bigger project to understand and record the changes around us and hopefully to help move us into a fair and sustainable future.

Sarah A. W. Fitts
March 2020