



JAMES W. GARDNER

Of Counsel
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EDUCATION

Georgetown College, B.A. (1974)
Summa Cum Laude
University of Kentucky, J.D. (1978)
Order of the Coif
Kentucky Law Journal

SERVICE AREAS

Utilities
Clean Energy
Bankruptcy

ACCOLADES

AV Preeminent® Peer Review Rated by
Martindale-Hubbell®
Leadership Kentucky (2017)
United Way Helping Hands Award
(Volunteer of the Year)
NARUC Mary Kilmarx Award (2016)

COMMUNITY OUTREACH

Maxwell Street Presbyterian Church
Fayette County School Board (1993-
1997), Chairman (1995-1997)
Lexington-Fayette Urban County
Council (1982-1986)
Bluegrass International Trade
Association, President
Kentucky World Trade Center, Counsel

Jim brings to Sturgill Turner more than two decades of utility law experience in both private practice and the public sector. Jim spent 8 years on the Kentucky Public Service Commission, serving as Chairman from 2015-2016 and Vice-Chairman from 2008-2015. During his time with the PSC, Jim chaired hearings and public meetings involving such matters as rate increases, fuel adjustment cases, environmental plans and certificates of public convenience and necessity. He has developed a keen interest in energy efficiency and clean energy sources, such as biomass, clean coal technologies, solar, landfill gas generation and low cost wind.

Jim also practices in the area of bankruptcy law, having represented debtors (including a municipal utility in Chapter 9 proceedings), secured and unsecured creditors, and creditors' committees in Chapter 7, Chapter 11, and Chapter 13 proceedings.

UTILITIES EXPERIENCE

Kentucky Public Service Commission Chairman (2015-2016)
Kentucky Public Service Commission Vice-Chairman (2008-2015)

Served as the Kentucky Public Service Commission's Chief Executive Officer and acting Executive Director responsible for supervising 85 employees and a \$17 Million budget.

Led Kentucky Public Service Commission's efforts to prepare a blueprint for the distribution co-op's cybersecurity planning, which became a model for small utilities nationwide.

Chaired approximately 50 hearings and public meetings involving such matters as rate increases, fuel adjustment cases, environmental plans and certificates of public convenience and necessity.

Led the Kentucky Public Service Commission's efforts to respond to the Clean Power Plan.

Spearheaded the Kentucky Public Service Commission's effort to require that jurisdictional utilities adopt cleaner energy sources such as approving the state's first biomass facility, the first utility scale solar, landfill gas generation and urging the adoption of low cost wind.

Required the dramatic increase in utility sponsored energy

efficiency and demand-side management programs including industrial programs.

BANKRUPTCY EXPERIENCE

Served as a Chapter 7 Trustee for over a decade.

Obtained confirmation of Chapter 11 debtors' plans of reorganization.

Successful representation of parties in Bankruptcy appeals to its U.S. District Court for the Eastern District of Kentucky and the Sixth Circuit Court of Appeals.

Representation of debtors, secured and unsecured creditors, creditors' committee in Chapter 7, Chapter 11 and Chapter 13.

Member on two occasions of Sixth Circuit Merit Selection Panels for the current Eastern District of Kentucky Bankruptcy Judges.

Representation of debtor in Chapter 9 proceeding of Municipality.

Court appointed Receiver in state court proceeding.

Representation of various parties in preferential and fraudulent conveyance litigation.

AFFILIATIONS

Kentucky Bar Association

Kentucky Chamber of Commerce, Energy & Environmental Public Policy Council

National Association of Regulatory Utility Commissioners (NARUC): Energy Resources and Environment Committee, Chairman; Executive Committee; Board of Directors; Investment Committee; Utilities of the Future, Conference Co-Chair

National Regulatory Research Institute - Advisory Board; Audit Committee

Electric Power Research Institute - Advisory Board; Energy Efficiency Smart Grid Public Advisory Group

Gas Technology Institute - Public Interest Advisory Committee, Chairman

Financial Research Institute Advisory Board, Chairman

Organization of MISO States, Kentucky Representative

RECENT PRESENTATIONS

Kentucky Bar Association Environment, Energy & Natural Resources Law Section 2018 Environmental Law CLE | The Martin County Water Crisis & PSC Authority (April 27, 2018)

Renewable Cities Global Learning Forum, Vancouver, BC, Canada | Opening a Dialogue on Renewable Thermal Energy: How Might the Future Look? - Speaker (May 18, 2017)

National Governors Association Kentucky Retreat on Power Sector Modernization, Frankfort, KY | Considerations for Shaping Voluntary Alternative Energy Options Without Shifting Costs to Other Customers - Speaker (May 11, 2017)

Bluegrass Forever Green Summit, Lexington, KY | Conversation with the Region on Energy Innovation - Luncheon Keynote Speaker (May 16, 2017)

**Full list of presentations available upon request.*