

ENTERED August 30, 2024  
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Elizabeth McGrath  
Rail Energy Transportation Advisory Committee  
Surface Transportation Board

**Re: Nomination of Benjamin Nussdorf to the Rail Energy Transportation Advisory Committee (RETAC)**

**SUBMITTED VIA RETAC's E-FILING LINK**

Dear Ms. McGrath:

The National Propane Gas Association (NPGA) respectfully submits this nomination to the Rail Energy Transportation Advisory Committee (RETAC) Notice of Vacancies.<sup>1</sup> NPGA nominates Benjamin Nussdorf, Vice President, Regulatory & Industry Affairs, to fill the seat dedicated for a representative of the petroleum shipping industry.<sup>2</sup>

NPGA is the national trade association of the propane industry with a membership of about 2,300 companies, and 36 state and regional associations that represent members in all 50 states. Membership in NPGA includes retail marketers of propane gas who deliver the fuel to the end user, propane producers, transporters and wholesalers, and manufacturers and distributors of equipment, containers, and appliances. Propane gas fuels millions of installations nationwide for home and commercial heating and cooking, in agriculture, industrial processing, and as a clean air alternative engine fuel for both over-the-road vehicles and industrial lift trucks. Roughly 75% of NPGA's members have fewer than 100 employees, and are considered small businesses. NPGA members rely on rail transport to move propane and renewable propane, particularly in areas of the country that are pipeline constrained. As such, Mr. Nussdorf is in a unique position to represent local and regional petroleum rail transport interests to RETAC.

Regarding the notice,<sup>3</sup> Benjamin Nussdorf is the Vice President, Regulatory & Industry Affairs, as well as the General Counsel, of the National Propane Gas Association. His contact information is [bnussdorf@npga.org](mailto:bnussdorf@npga.org) and he can be reached at 202-355-1321. His business address is 1140 Connecticut Ave., Suite 1075, Washington, DC 20036. Mr. Nussdorf will represent the propane industry's interest and concern with respect to the shipment of propane by rail.

Mr. Nussdorf has served in his current capacity for almost two years. In that time, he has gained an in-depth understanding of the issues affecting petroleum transport by rail. He has handled issues as diverse as regional pricing disparity, embargoes, strikes, and complicated logistical matters affecting petroleum transport. He has engaged with Surface Transportation Board (STB) Commissioners and has worked with representatives of a variety of railroads to collaboratively and constructively solve mutual problems. Mr. Nussdorf has attended a number of RETAC meetings in the past and has strong professional relationships with multiple members in their individual capacities and multiple companies through his work. Prior to his current position, Mr. Nussdorf worked in the Federal Government for 14 years in petroleum-related positions, including serving as a staff liaison on a Federal Advisory Committee (the Royalty Policy Committee at the Department of the Interior). Mr. Nussdorf also served as a government lead on a multi-

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<sup>1</sup> Notice of Rail Energy Transportation Advisory Committee Vacancies, 89 Fed. Reg. 63245 (Aug. 2, 2024).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

year project for the National Petroleum Council, where he helped bridge divides between government, industry, and non-governmental organizations to propose potential solutions to persistent problems facing the Department of Energy. Finally, Mr. Nussdorf is an attorney in good standing, admitted to the Bar of the State of Maryland. Mr. Nussdorf's CV is attached in this submission.

Mr. Nussdorf is ready, willing, and able to serve as a member of RETAC and Mr. Nussdorf agrees to serve in a representative capacity.

Thank you for your consideration of this nomination. Please contact me if you have any questions or concerns.

Respectfully Submitted,



Benjamin Nussdorf  
Vice President, Regulatory & Industry Affairs  
National Propane Gas Association  
1140 Connecticut Ave., NW  
Suite 1075  
Washington, DC 20036  
[bnussdorf@npga.org](mailto:bnussdorf@npga.org)

# Benjamin Arthur Franco Nussdorf

5005 Belt Road NW Washington, DC 20016 [benjamin\\_nussdorf@yahoo.com](mailto:benjamin_nussdorf@yahoo.com) (202) 365-2638

## Selected Professional Experience

### **NATIONAL PROPANE GAS ASSOCIATION**

#### **General Counsel/Vice President – Regulatory & Industry Affairs, October 2022-Present**

Managed a team of four covering all legal and regulatory matters facing an association with 2400 members and 36 state and regional affiliates in all fifty states.

- Managed litigation and regulatory strategy with dedicated staff
- Supervised collateral revenue management efforts and regulatory compliance associated with the program
- Staff lead on Legal Action Committee, Constitution, Rules, and Procedures Committee, Supply & Logistics Committee, and Staff Advisor to Renewable Fuels Committee

### **FEDERAL ENERGY REGULATORY COMMISSION**

#### **Attorney Advisor, Office of the General Counsel, Division of Energy Markets, January 2021 – October 2022**

Legal and advisory portfolio focusing on oil pipeline rates and natural gas ratemaking.

- Drafted, edited, and processed petitions for declaratory orders on oil and gas pipelines

### **DEPARTMENT OF ENERGY**

#### **Senior Regulatory Advisor, Office of Oil and Natural Gas, May 2014 – January 2021**

Regulatory, policy, and compliance manager working with Department leadership on policy and applications to import and export natural gas and LNG.

- Represented the Office of Fossil Energy on the National Petroleum Council Study, “*Dynamic Delivery*”
- President’s Management Council Interagency Rotation Detail with the Office of the Administrative Law Judges at the Department of Housing and Urban Affairs
- Awarded twice (2017, 2020) for extraordinary deliverables benefitting the Office of Natural Gas Regulation

### **BUREAU OF LAND MANAGEMENT**

#### **Senior Policy Analyst, Minerals and Realty Management, June 2012 – May 2014**

Program manager for regulations in fossil energy development, as well as renewable energy and land management.

- Program Lead on BLM’s hydraulic fracturing regulation, managing team processing 1.35 million comments
- Awarded the BLM Stewardship Award in 2013 for improved deliverables to management and regulatory affairs

### **OFFICE OF NATURAL RESOURCES REVENUE**

#### **Presidential Management Fellow/Management and Program Analyst, September 2008-June 2012**

Awarded a Presidential Management Fellowship, and converted into career service. Wrote and managed significant and major regulations, managed multi-bureau, multi-year policy initiatives for the Royalty Policy Committee, drafted proposed decisions on Federal and Indian royalty appeals affecting oil, gas, and geothermal resources, both onshore and offshore.

- Detail to the Office of the Solicitor, Department of the Interior
- Detail to the Office of the General Counsel, Division of Energy Projects, Federal Energy Regulatory Commission

## Teaching Experience

### **WASHINGTON COLLEGE OF LAW**

#### **Adjunct Professor, August 2013 – Present**

Oil and gas law course examining the fundamental property, contract, and regulatory elements pertaining to leasing, developing, and compliance requirements incidental to oil and gas production. Supervised Externship Seminar advising students in professional appointments.

- Appointed to teach Oil and Gas Law in Fall 2013, Fall 2014, Fall 2015, Fall 2016, Fall 2017, Fall 2018, and Fall 2020, Fall 2022, Fall 2024
- Appointed to teach a Supervised Externship Seminar in Spring 2018, Spring 2019, Spring 2020, and Spring 2021
- Appointed to teach Renewable Energy Law, Spring 2022, Spring 2024
- Curriculum Advisor for the Energy and Environmental Law Program

### **GEORGE WASHINGTON UNIVERSITY LAW SCHOOL**

#### **Professorial Lecturer in Law, Oil & Gas Law, January 2014 – Present**

Oil and gas law course examining the fundamental property, contract, and regulatory elements pertaining to leasing, developing, and compliance requirements incidental to oil and gas production.

- Appointed to teach Oil and Gas Law in Spring 2014, Spring 2016-2025
- Advisor for various student publications including an SJD thesis on international oil and gas

**GEORGETOWN UNIVERSITY LAW CENTER**

**Adjunct Professor, Oil & Gas Law, August 2019 – Present**

Oil and gas law course examining the fundamental property, contract, and regulatory elements pertaining to leasing, developing, and compliance requirements incidental to oil and gas production.

- Appointed to teach Oil and Gas Law in Fall 2019-2024

**Education** **OLIN SCHOOL OF BUSINESS/THE BROOKSING INSTITUTION**  
**Certificate in Public Leadership, November 2023**

**GEORGE WASHINGTON UNIVERSITY**

**Master's Certificate in Project Management, May 2013**

**WASHINGTON COLLEGE OF LAW, AMERICAN UNIVERSITY**

**Juris Doctor, May 2008**

**UNIVERSITY OF PENNSYLVANIA**

**Bachelor of Arts with Honors, *Magna Cum Laude*, School of Arts and Sciences, May 2004**

**Publications**

- *Emulating Europe: Setting a Course for Offshore Renewable Energy*, 25 *Natural Resources & Environment* 4, 29 (Spring 2011).
- *The Regulation of Hydraulic Fracturing by States and the Federal Government*, 2014 *A.B.A. Sec. Env't, Energy, Res. Vol. 46 No. 1* (Sept./Oct. 2014).
- *A Match Made in Heaven: Co-Development on the Outer Continental Shelf off the Coast of New York*, 2014 *A.B.A. Sec. Env't, Energy, Res. Vol. 46 No. 2* (Nov./Dec. 2014).
- "Chapter 39: Offshore Natural Gas," *Regulation of the Natural Gas Industry* (William Mogel, ed., LexisNexis Matthew Bender 2015) (with R. Scott Nuzum).
- *Innovation Addresses U.S. Environmental Regulations*, *Oil and Gas Journal*, (Jul. 2015) (with Bennet Resnik).
- *Complications Combating the Climate Crisis in the Biden Administration*, 2021 *A.B.A. Sec. Env't, Energy, Res. Vol. 52 No. 6* (July/Aug 2021).
- Lowe, Anderson et al., *Cases and Materials on Oil and Gas Law*, West Academic, (8<sup>th</sup> Ed. 2022) (Contributing, Chapter 7).