

## JOSHUA C. MACEY

Associate Professor, Yale Law School

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### TEACHING EXPERIENCE

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Yale Law School

*Associate Professor of Law*, July 2024-present

The University of Chicago Law School

*Assistant Professor of Law*, 2020-2024

Cornell Law School

*Visiting Assistant Professor of Law*, 2019-2020

*Post-Doctoral Associate*, 2018-2019

### BOOK

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ENERGY, ECONOMICS, AND THE ENVIRONMENT, 6<sup>th</sup> Ed. (West) (with Joel B. Eisen, Emily Hammond, Jim Rossi, David B. Spence, and Hannah J. Wiseman)

### SCHOLARSHIP

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Outsourcing Electricity Market Design, 91 University of Chicago Law Review (forthcoming 2024)

[Bankruptcy by Another Name](#), 133 Yale Law Journal Online (2024) (with Tony Casey)

[Grid Reliability in the Electric Era](#), 41 Yale Journal on Regulation 164 (2024) (with Hannah Wiseman and Shelley Welton)

[Hidden Value Transfers in Public Utilities](#), 171 University of Pennsylvania Law Review 2129 (2023) (with Aneil Kovvali)

[In Defense of Chapter 11 in Mass Torts Cases](#), 90 University of Chicago Law Review (2023) (with Tony Casey)

[The Corporate Governance of Public Utilities](#), 40 Yale Journal on Regulation 569 (2023) (with Aneil Kovvali)

[Against Political Theory in Constitutional Interpretation](#), 76 Vanderbilt Law Review 899 (2023) (with Chris Havasy and Brian Richardson)

[Open Access, Interoperability, and DTCC's Path to Monopoly](#), 132 Yale Law Journal 96 (2023) (with Dan Awrey)

[What Are Networks, Platforms, and Utilities, and What Should We Do with Them?](#), Yale Journal On Regulation Notice & Comment (2023) (with Genevieve Lakier)

[The Bankruptcy Tribunal](#), 96 American Bankruptcy Law Journal 749 (2022) (with Tony Casey)

[Checks, Not Balances](#), 101 Texas Law Review 89 (2022) (with Brian Richardson)

[The Promise and Perils of Open Finance](#), 40 Yale Journal on Regulation 1 (with Dan Awrey) (2022)

[Clean Energy Through Grid Reliability](#), 74 Stanford Law Review 969 (2022) (with Alexandra Klass, Shelley Welton, and Hannah Wiseman) (2022)

- Winner of the 2022 Morrison Prize for most impactful environmental law article of the year
- Featured in the 2022 Environmental Law and Policy Annual Review as one of the twenty best environmental law articles of the previous year

[Private Risk and Social Resilience in Liberalized Electricity Markets](#), 5 Joule 369 (2022) (with Jacob Mays, Michael Craig, L. Lynne Kiesling, Blake Shaffer, and Han Shu)

[Bankruptcy Shopping: Domestic Venue Races and Global Forum Wars](#), 37 Emory Bankruptcy Developments Journal 462 (2021) (invited) (with Tony Casey)

[Claim Durability and Bankruptcy's Tort Problem](#), 38 Yale Journal on Regulation 766 (2021) (with Vince Buccola)

[Long Live the Federal Power Act's Bright Line](#), 134 Harvard Law Review 1360 (2021) (with Matthew Christiansen)

- Winner of the 2021 Morrison Prize for most impactful environmental law article of the year
- Featured in the 2021 Environmental Law and Policy Annual Review as one of the twenty best environmental law articles of the previous year

[MOPR Madness](#), 42 Energy Law Journal 67 (2021) (with Robert Ward)

[Utility Mergers and the Modern \(and Future\) Power Grid](#), 42 Energy Law Journal 237 (2021) (Review)

[Rate Regulation Redux](#), 168 University of Pennsylvania Law Review 1181 (2020) (with Jackson Salovaara)

[Zombie Energy Laws](#), 73 Vanderbilt Law Review 1077 (2020)

- Winner of the 2020 Morrison Prize for most impactful environmental law article of the year
- Selected for inclusion in the 2020 Environmental Law and Policy Annual Review as one of the top four environmental law articles of the previous year

[The Hertz Maneuver \(and the Limits of Bankruptcy Law\)](#), The University Of Chicago Law Review Online (2020) (with Tony Casey)

[Bankruptcy as Bailout: Coal Company Insolvency and the Erosion of Federal Law](#), 71 Stanford Law Review 879 (2019) (with Jackson Salovaara)

- Selected for inclusion in the 2020 Environmental Law and Policy Annual Review as one of the top twenty environmental law articles of the previous year

[What Corporate Veil?](#), 117 Michigan Law Review 1195 (2019) (Review)

[Dodd-Frank is a Pigouvian Regulation](#), 126 Yale Law Journal 1336 (2018) (with Aaron Levine) (Note)

[The Costs of Administrative Aggregation](#), 70 Stanford Law Review Online (2018) (with Shannon Grammel)

[Playing Nicely: How Judges Can Improve Dodd-Frank and Foster Interagency Collaboration](#), 126 Yale Law Journal 806 (2017) (Note)

## EDUCATION

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**Yale Law School**, J.D., 2017

*The Yale Law Journal*, Editor

Coker Fellow (Teaching Assistant, Constitutional Law), Professor Paul Kahn

**The London School of Economics and Political Science**, M.Sc in Political Theory, 2013

**Yale University**, B.A. in English Literature, 2012

## CLERKSHIP

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Hon. J. Harvie Wilkinson III, U.S. Court of Appeals for the Fourth

Circuit *Law Clerk*, 2017-2018

## SELECTED PRESENTATIONS

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**2023**

- Queens University Climate Institutions Conference, “Outsourcing Energy Market Design”
- American Law and Economics Association Annual Meeting, “Outsourcing Energy Market Design”
- University of Texas Advanced Civil Procedure Seminar, “In Defense of Chapter 11 for Mass Torts”
- American Law and Economics Association Annual Meeting, “Does ESG Crowd Out Government Support for Regulation” (presented by Kristen Underhill)
- Berkeley Law, Economics, and Administration Workshop, “Private Risk and Public Business”
- Notre Dame Faculty Workshop Series, “The Public Law of Public Utilities”
- Notre Dame Law and Economics Workshop Series, “Private Risk and Public Business”
- National Conference of Constitutional Law Scholars, “The Public Law of Public Utilities”
- Duke Law and Economics Workshop, “The Corporate Law of Public Utilities”
- Duke Faculty Workshop, “The Public Law of Public Utilities”
- Vanderbilt Networks, Platforms, and Utilities Conference, “The Corporate Law of Public Utilities”
- Environmental Law and Economics Annual Conference, “Outsourcing Energy Market Design”
- Berkeley / Penn Energy Law Conference, “Outsourcing Energy Market Design”

## 2022

- FERC Technical Conference on Transmission Planning and Cost Management, Panel on Local and Regional Reliability Transmission Planning Criteria and Cost Management
- National Association of Regulatory Utility Commissioners Annual Conference, Committee on Electricity, “It’s All About the Connection (Transmission)”
- Berkeley POWER Conference, “Private Risk and Social Resilience in Liberalized Electricity Markets”
- Morrison Prize Keynote Lecture, “Long Live the Federal Power Act’s Bright Line”
- University of Virginia Law School Faculty Workshop, “The Regulatory Compact”
- University of Texas Law School Faculty Workshop, “Incomplete Energy Markets”
- Yale Law, Economics, and Organization Faculty Workshop, “Incomplete Energy Markets”
- Columbia Law School Faculty Workshop, “Incomplete Energy Markets”
- American Law and Economics Association Annual Meeting, “The Payments Trilemma”
- American Law and Economics Association Annual Meeting, “The Promise and Perils of Open Finance” (presented by Dan Awrey)
- Yale Law Journal Workshop Series, “Open Access, Interoperability, and DTCC’s Path to Monopoly”
- Environmental Law and Economics Annual Conference, “Private Risk and Social Resilience in Liberalized Electricity Markets”
- Junior Administrative Law Scholars Conference, “Checks, Not Balances” (presented by Brian Richardson)

## 2021

- American Law and Economics Association Annual Meeting, “MOPR Madness,
- American Law and Economics Association Annual Meeting, “Too Small To Succeed” (presented by Dan Awrey)
- Wharton Financial Regulation Workshop, “Too Small To Succeed”
- Vanderbilt Financial Regulation Workshop, “Too Small To Succeed”
- Morrison Prize Keynote Lecture, “Zombie Energy Laws”
- Environmental Law and Policy Review Annual Meeting, “Zombie Energy Laws”

## 2020

- Vanderbilt Business Law Workshop, “Claim Durability and Bankruptcy’s Tort Problem”
- University of Texas Austin Electricity Conference, “Capacity Markets”
- BYU New Deals Conference, “The Regulatory Compact”
- AALS New Voices in Administrative Law and Legislation, “The Regulatory Compact”

- Yale Seminar on Private Law, “The Regulatory Compact”

## 2019

- Northern Plains Resource Council Annual Meeting, “Bankruptcy as Bailout: Coal Company Insolvency and the Erosion of Federal Law”
- Energy Law and Policy in the Rockies, “Bankruptcy as Bailout: Coal Company Insolvency and the Erosion of Federal Law”
- Emerging Energy Law Scholars Conference, “Rate Regulation Redux”
- National Business Law Scholars Conference (NBLSC), “The Lost History of the National Securities Clearing Corporation”
- Richmond Junior Faculty Forum, “Rate Regulation Redux”
- American Law and Economics Association Annual Conference (ALEA), Annual Meeting, “Rate Regulation Redux”
- BYU New Deals Conference, “The Lost History of the National Securities Clearing Corporation”

## 2018

- Young Bankruptcy Law Scholars Conference, “It’s Not Moral Hazard, It’s the Market: Natural Monopoly and the Misregulation of Financial Market Utilities”
- Canadian Law and Economics Annual Conference (CLEA), “Bankruptcy as Bailout: Coal Company Insolvency and the Erosion of Federal Law”
- Midwestern Law and Economics Association Annual Conference (MLEA), “It’s Not Moral Hazard, It’s the Market: Natural Monopoly and the Misregulation of Financial Market Utilities”

## TEACHING EXPERIENCE

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*The University of Chicago Law School:* Bankruptcy; Climate Change Law; Legislation; Energy Law

*Cornell Law School:* Administrative Law (Fall 2019), Energy Law (Fall 2018, Spring 2020), Environmental Law (Spring 2019)

*Yale Law School:* Constitutional Law, Coker Fellow (teaching assistant, Fall 2016)

## **SERVICE**

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University of Chicago Law School: Faculty Appointments Committee, 2022-2023; Journal Committee, 2021-present; Faculty Advisory, The University of Chicago Business Law Review, 2021-present

Cornell Law School: Clerkship Committee, 2019-2020; PhD Committee for student in Natural Resources Department