

## County Council of Howard County, Maryland

2023 Legislative Session

Legislative day #

8

### RESOLUTION NO. 109 - 2023

Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of H. Russell Frisby, Jr. to the Equal Business Opportunity Commission.

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Introduced and read first time on July 5, 2023.

By order

Michelle Harrod  
Michelle Harrod, Administrator to the County Council

Read for a second time and a public hearing held on July 17, 2023.

By order

Michelle Harrod  
Michelle Harrod, Administrator to the County Council

This Resolution was read the third time and was Adopted ☒, Adopted with amendments \_\_, Failed \_\_, Withdrawn \_\_ by the County Council on July 31, 2023.

Certified by

Michelle Harrod  
Michelle Harrod, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

**WHEREAS**, Section 404 of the Howard County Charter and Section 6.300 of the Howard County Code provide for the County Executive to appoint and for the County Council to confirm nominees to Howard County Boards and Commissions created by law; and

**WHEREAS**, Sections 6.337, 4.600 and 4.601 of the Howard County Code provide for an Equal Business Opportunity Commission in Howard County; and

**WHEREAS**, the County Executive has proposed the appointment of H. Russell Frisby, Jr. as a member of the Equal Business Opportunity Commission; and

**WHEREAS**, the County Council ratifies the County Executive's special trust and confidence in the abilities of the nominee.

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County, Maryland this 31 day of July, 2023 that the following person is appointed as a member of the Equal Business Opportunity Commission to serve from the passage of this Resolution to July 31, 2026 or until a successor is appointed and confirmed:

H. Russell Frisby, Jr.  
Columbia, Maryland

## **H. Russell Frisby, Jr.**

### **PROFESSIONAL EXPERIENCE:**

President, The HRF Group. LLC (2022-Present)

The HRF Group, LLC is a consulting firm providing strategic advice on regulatory and corporate matters.

Member, Advisory Board, Intelis Capital

Intelis is a venture capital firm that partners with early-stage entrepreneurs accelerating proliferation of wind, solar and storage, electrification of transport, clean energy procurement, empowering frontline industrial workforces, deployment of infrastructure, and improved grid resiliency.

Member, Advisory Board, Geosite

Geosite's platform sources, visualizes, and analyzes the relevant geospatial data for its clients. Collected from satellites, drones, aerial, and IoT, it democratizes data in a comprehensive, intuitive, and turn-key platform. With Geosite, clients integrate geospatial data to make day-to-day operations and management processes more efficient.

Member, Advisory Board, HData

HData provides streamlined compliance and business intelligence to the U.S. energy industry. Its mission is to digitize the interface between the public and private sectors. It automates manual processes to enable entities to comply with regulations, enforce regulations, and use regulatory data.

Partner, Stinson LLP (2009-2021)

Responsibilities: Partner, Co-Leader of the firm's Telecommunications Group and State Utilities Practice Group. Practice focused on regulatory and corporate matters affecting entities in the energy, telecommunications, water, transportation and technology areas. Represents clients in administrative proceedings, litigation and advocacy efforts, and also provided these clients with strategic and corporate advice. Represented clients in matters before the Administration, Congress, the Federal Communications Commission (FCC), the Department of Energy (DOE), the Federal Trade Commission (FTC), state utility commissions, state legislatures, and federal courts. Was involved in a number of complex regulatory and public affairs matters including Offshore Wind, Uber's entry into Maryland, Smart Grid deployment, electric industry restructuring, national energy policy, mergers and acquisitions and telecommunications deregulation. Counseled clients on state related policy issues

before NARUC and state utility commissions. Frequently spoke on issues related regulatory reform and technological convergence in telecommunications and energy industries. Served as Senior Energy Advisor to the National Urban League (assisted in drafting three white papers on energy industry developments, electrification and the Grid of the Future).

PHI Holdings, Inc. (Pepco) (2012-2016)

Responsibilities: Pepco is a regional gas and electric utility serving Washington D.C., portions of Maryland, the state of Delaware and portions of New Jersey. Served on the Finance and Compensation/Human Resources Committees and was responsible for reviewing the Company's public affairs and regulatory strategies on behalf of the Board. Was instrumental in advising the Board on a successful public affairs strategy designed to address opposition to its acquisition by Exelon.

PAETEC Holdings, Inc (2007-2011)

Responsibilities: Before its acquisition by Windstream PAETEC was a Fortune 1000 competitive telecommunications company ("CLEC") providing telecommunications and cloud services to large and medium-sized companies and residential consumers throughout the United States. Served on the Compensation Committee. Also reviewed that Company's regulatory and public affairs strategies on behalf of the Board.

Partner, Fleischman and Harding LLP (2006-2010)

Responsibilities: Partner in the firm's Telecommunications, Energy and Corporate groups. Head of Telecommunications and Energy Group. Practice focused on regulatory and corporate matters affecting public utilities and companies in the communications, energy and technology areas. Represented clients in a wide variety of proceedings, including litigation matters, before the FCC, state utility commissions and federal courts, as well as in sophisticated transactions. Practiced extensively before the FCC, the Maryland Public Service Commission, and a number of other state commissions. In addition, counseled clients on state related policy issues before NARUC and state utility commissions. Was very involved in representing utilities and other entities on electric transmission, energy reliability and climate change issues. Also, has counseled clients in international bio-fuels transactions.

Partner, Kirkpatrick & Lockhart Nicholson Graham (2005-2006)

Responsibilities: Partner, Communications, Energy and Corporate Practices. Represented clients before the FCC and in the states, particularly on merger, certification and E 911 issues. Advised on a variety of telecommunications and energy issues. Represent clients in financial transactions.

President, CEO/Acting Chief Legal Officer: Competitive Telecommunications Association (CompTel) (1998 — 2005).

Responsibilities: CompTel [INCOMPAS] was the leading national association representing 350 U.S. and international competitive communications companies and their suppliers. The association's members included global firms, regional carriers and small local competitive companies that offer a variety of local, long distance, Internet and wireless services. Primary spokesperson: active before the Administration, Capitol Hill, and the FCC as well as the press. Responsible for overall management of Association policy planning, strategic direction, legal, advocacy and lobbying efforts including activities before the FCC, state PUCs, various courts, the Congress and the Administration. Also responsible for the management of CompTel's trade shows, personnel, organizational structure, programs, and budget. Manage a staff of 13 and a budget of \$5 Million. Oversaw three mergers.

Chairman: Maryland Public Service Commission (1995-1998)

Responsibilities: Executive, administrative and policy leadership of independent agency exercising jurisdiction over all gas, electric, telecommunications, and water companies operating within the state. During tenure, the Commission was renowned for its pro-competitive policies in telecommunications, gas and electricity matters. Mr. Frisby participated in a number of key decisions, including the Telecommunications Act arbitration proceedings, various rate cases, adoption of gas deregulation and the electric industry restructuring. Managed a staff of 137 and a budget of \$8 Million.

Partner: Venable, Baetjer and Howard, LLP (1989-1995)

Responsibilities: Diversified telecommunications, corporate and private and public finance practice. Represented clients before the FCC and various public service commissions, and in municipal commercial and bond transactions. Special Telecommunications Counsel to the cities of Baltimore and New Orleans. General Counsel to The MAXIMA Corporation, Minority Business Enterprise Legal Defense and Education Fund, Inc.; Baltimore Afro-American Newspapers. Special Counsel to the City of Detroit.

Principal: Melnicove, Kaufman, Weiner & Smouse (1986-1989)

Responsibilities: Diversified corporate, litigation and telecommunications practice. Special Telecommunications Counsel to the City of Baltimore. Successfully defended the City's South African divestment laws.

Senior Attorney: Weil, Gotshal and Manges, Washington, D. C. (1983-1986)

Responsibilities: Diversified telecommunications, broadcast, corporate and administrative law practice. Represented clients in applications and proceedings before the FCC and various state utility commissions, and in the U. S. Supreme Court. Clients included District of Columbia Government, several major telephone companies, telephone industry trade associations, and various broadcasters.

Legal Assistant to Commissioner Joseph R. Fogarty, Federal Communications Commission (1980-1983)

Responsibilities: Legal advisor to the Commissioner with particular responsibility for matters in the domestic and international common carrier area. Additional duties included: draft opinions on Commission actions; prepare speeches and testimony for various industry groups and Congressional committees; advise the

Commissioner on the status and progress of all Commission regulatory work; advise the Commissioner in conferences with industry and public interest representatives, FCC staff; as well as representatives of the Congress, other agencies, and departments of the government and of foreign governments and administrations.

Attorney-Advisor, Federal Communications Commission: Policy and Program Planning Division, Common Carrier Bureau (1979-1980)

Responsibilities: Development of Bureau and Commission policies, opinions and orders pertaining to the proper utilization of the national telecommunications resource. An author of the FCC's Final Decision in the Second Computer Inquiry and designated Bureau contact person for issues related to the privacy and security of the telecommunications network. Staff director, FCC Conference on Enterprise Opportunities for Minorities in Telecommunications. Additional duties included drafting memorandum opinions and orders for Commission approval.

Assistant Attorney General of Maryland (1977-1979)

Responsibilities: General Counsel, Maryland Health Planning and Development Agency (MHPDA). Duties included rendering general legal advice to MHPDA and state health systems agencies; issuing opinion letters; drafting legislation; representing MHPDA before the Maryland General Assembly; and representing MHPDA before the Health Department Review Board, State Circuit Courts, U. S. District Court and Maryland Court of Appeals. Additional duties included: general representation of the Maryland Department of Health and Mental Hygiene.

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Associate: Cable, McDaniels, Bowie and Bond, Baltimore, Maryland (1975-1977)

Responsibilities: Diversified general corporate, oil and gas, antitrust and litigation practice with major trial responsibility. Additional duties included serving as a registered lobbyist, Maryland General Assembly.

#### EDUCATION:

Yale Law School, J.D., June 1975

Swarthmore College, B.A., Political Science-International Relations, June 1972

Baltimore City College, H.S., June, 1968

#### BAR MEMBERSHIPS:

Admitted to Practice by the Maryland Court of Appeals - December 18, 1975;

Admitted to Practice by United States Court for the District of Maryland - December 1975,

Admitted to Practice by the United States Supreme Court - March 31, 1980

Admitted to Practice by the Court of Appeals of the District of Columbia - February 20, 1980

Admitted to practice by the United States Court of Appeals for the District of Columbia Circuit - April 19, 1984

#### PROFESSIONAL SOCIETIES:

National Association of Regulatory Utilities Commissioners (1995-1998)

Vice Chair, Telecommunications Committee; Former Chair, Consumer Issues Policy Group

American Bar Association (1972-Present):

Board of Governors, Past Chair Governance Committee (2018-2021) [led modernization of Board rules and procedures], Chair, Section of Administrative Law and Regulatory Practice (2008-2009), Past Council Member, Past Budget Officer, Co-Chair, Regulatory Policy Committee, Past Chair Communications Committee, Chair 2004 Spring Meeting; Member, Presidential Advisory committee on Diversity in the Profession; Past Secretary, ABA Conference of Minority Partners; Past Chairman, Federal Regulation Subcommittee,

Telecommunications Committee, Section of Corporation, Banking and Business Law  
Life Fellow of the American Bar Foundation (1992-Present)

Senior Fellow Administrative Conference of the United States, former Chair Committee  
on Regulation (2010-Present)

Maryland State Bar Association (1975-Present):

Member, Section Council, Section on Legal Education and Admissions to the Bar  
(1980-1987)

Life Fellow of the Maryland Bar Foundation (1992-Present)

District of Columbia Bar Association (1980-Present)

Federal Communications Bar Association (1983-Present)

National Bar Association

#### HONORS AND AWARDS:

2022 Lawyer of the Year in Administrative and Regulatory Law in Washington, DC  
(Best Lawyer Magazine)

State Regulatory Practitioner Award for innovation and superior advocacy (2019  
Energy Bar Association

Washington Super Lawyer

Distinguished *Pro Bono* Service Award (Multicultural Media, Telecom and Internet  
Council 2019)

Charles Hamilton Houston Award (Minority Business Enterprise Legal Defense and  
Education Fund, Inc.), 1989

Baltimore City College Hall of Fame, 1989

Distinguished Alumnus Award, Fund for Educational Excellence, 1991

#### OF NOTE

Throughout his career, Russell has been active in public affairs and civil rights. He served as counsel to the Minority Business Enterprise Legal Defense and Education Fund, and represented it before the U.S. Supreme Court in the Croson case. He also served as counsel of record for the Congressional Black Caucus before the Supreme Court in the



Adarand case. In 1989, Russell received the fund's Charles Hamilton Houston Award for his outstanding skill, dedication and commitment through legal representation on behalf of the national minority business community.

## **PUBLICATIONS AND PRESENTATIONS**

### Articles

- "The Smart Grid: The Complexities and Importance of Data Privacy and Security," 2011 Journal of Communications Law and Policy, Vol. 19, No. 2
- "PATH, A Sensible, High-Tech Solution Critical to Region," Frederick News Post, May 31, 2009
- "Facing a Dim Future?" Baltimore Sun, August 13, 2008
- "Energy Crisis," Cumberland Times-News, July 7, 2008
- "Energy Identity Theft: We're Way Beyond Plugging in the Meter Upside Down," Smart Grid News, April 9, 2008
- "The First Great Telecom Debate of The 21st Century," 2007 Journal of Communications Law and Policy, Vol 15, No. 1

## **BOARDS AND COMMISSIONS AND COMMUNITY ACTIVITIES:**

Member, Board of Directors, Resources for the Future (2021-Present)  
Commissioner, Maryland Commission of African American History and Culture (2014-Present)  
Member, Board of Directors, Reginald F. Lewis Museum (2018-Present)  
Black Corporate Directors Conference (2013-2018)  
Member, Board of Directors, Pepco Holdings, Inc. (2012-2016)  
Member, Board of Directors, PAETEC Holding Corp. (2007-2011)  
Sigma Pi Phi, Inc. (1994-Present), Member Blacks on Corporate Boards Committee  
Chair, Baltimore City Chamber of Commerce, Inc. (1992-1994)  
The Leadership, Greater Baltimore Committee (1988); Member, Board of Directors (1990-1994)  
Member, Board of Directors and General Counsel, Afro-American Newspapers (1986-1995)  
Member, Board of Directors, United Way of Central Maryland (1989-Present); Chairman, Government Relations Committee (1989-1994)  
Member, Board of Directors, Baltimore Museum of Art (1988-1995); Vice President (1993-1995)  
Member, Board of Directors and Secretary, B & O Railroad Museum (1989-1995)  
Member, Board of Directors, the Baltimore Urban League (1992-1995); Vice President (1994-1995)

Member, Baltimore City College Board of Visitors (1988-1993); President (1990-1992)  
Member, Board of Directors, The Columbia Festival (1991-1994)  
Member, Baltimore City Charter Review Commission (1992-1994)  
Member, Board of Directors, Sandtown-Winchester Community Development Corporation (1992-Present)  
Member, Board of Directors, Keswick (1991-1999)  
Member, Board of Directors, Parents Anonymous of Maryland, Inc. (1988-1990)  
Chairman, Urban Asthma and Allergy Institute (1986-1988)  
Member, Panel, Attorney Grievance Commission of Maryland (1977-1980)  
Member, Baltimore City Bail Bond Licensing Board (1977-1979)  
Member, Board of Directors, Lafayette Square Multi-Purpose Center, Baltimore, Maryland (September 1975-1979; Chairman, Nominating Committee (1978-1979)  
Elder Grace United Presbyterian Church, Baltimore, Maryland (1976-1979)  
Member, Task Force for the Baltimore City College (1977)  
Member, Legal Aid Task Force, Synod of the Piedmont, Presbyterian Church in the United States (1977-1992)  
Member, Board of Trustees, Provident Hospital, Baltimore, Maryland; Chairman Fundraising Committee (1977-1978)  
Member, Board of Trustees, Community Chest of Baltimore (1977-1979)  
General Counsel, Baltimore Alumni Chapter, Kappa Alpha Psi Fraternity, Inc. (1979-1980)