

Charles Harak

National Consumer Law Center
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Professional Experience

National Consumer Law Center

Boston, Mass.

Staff Attorney (March 2001 – Present)

- Specializes in energy, utilities, and telecommunications issues affecting low-income consumers. Writes for NCLC manuals and publications. Provides legal and technical support to low-income advocates, legal services lawyers, and government officials; represents consumers before regulatory agencies, legislative bodies, and other policy forums. Leads workshops and training sessions for lawyers and advocates.
- Key litigation: co-counsel in *NRDC v. Bodman* (2006) – consent decree entered, requiring defendant DOE to adhere to fixed schedule for updating energy efficiency standards for 22 residential and commercial appliances and products; co-counsel in *NRDC v. Abraham*, 355 F.3d 179 (2nd Cir. 2004) – Court of Appeals overturns defendant DOE's decision to roll back an increase in energy efficiency standard for air conditioners.
- Notable projects/advocacy: "Project Stay Connected," which has trained thousands of front-line Massachusetts human services staff in the basic rights of utility customers; led advocacy effort that resulted in over 60,000 low-income households being added to discount electric and gas rates (MA DTE 01-106); key advocate in passage of Ch. 139 of Acts of 2005 (MA), adopting appliance efficiency standards for several products; drafted portions of Ch. 140 of the Acts of 2005 (MA) which added \$20 million to state's fuel assistance program and required utilities to adopt arrearage management programs.

Bernstein, Cushner & Kimmell, P.C.

Boston, Mass.

Senior Attorney (1998 – 2001)

- General practice of law with concentration in energy/utilities and contracts/business law. Practice included broad range of individual, non-profit, municipal and business clients.

Office of the Massachusetts Attorney General

Boston, Mass.

Senior Attorney (1995 – 1998)

- Enforcement, primarily through litigation, of insurance and consumer protection laws on behalf of the public, in the areas of health, automobile, property and life insurance; intervention in administrative rate-setting and related hearings affecting gas, telephone, and auto insurance companies; mediation of consumer complaints; supervision of volunteer lawyers and law student interns.

Massachusetts Law Reform Institute

Boston, Mass.

Staff Attorney (1979 – 1995)

- Litigation, administrative advocacy, and policy analysis for low income clients and non-profit organizations, in the areas of housing, energy, and utilities law. Responsibilities included: litigation; administrative hearings; office management (financial planning, budget analysis); training of lawyers and paralegals; legislative drafting and lobbying; writing and editing of legal treatises and newsletters; advice/support to attorneys, paralegals, agencies and individuals; counsel to association of public housing tenants.
- Sample Litigation: *Barrert v. Allison*, #80-1389-MA (Fed. D. Ct. Mass. 1980)(awarding \$3 million in unspent fuel assistance funds to low-income households); *Walker v. Georgetown Housing Authority* #92-CV-226 (Northeast Ho. Ct. 1994)(upholding plaintiffs' First Amendment challenge to ban on door-to-door campaigning).
- Sample Appellate Work: *Skinner v. Boston Housing Authority*, #88-2027 (1st Cir. 1989)(successful appeal on attorneys' fees claim); *Felicetti v. Secretary of EOCD*, 386 Mass. 868 (1982)(affirming that release of fuel assistance funds was illegally delayed); *Lezberg v. Rogers*, 27 Mass. App. Ct. 1158 (1989)(affirming that landlord illegally failed to pay for utilities).

Massachusetts Public Interest Research Group

Boston, Mass.

Staff Attorney (1977 – 1979)

- Represented MassPIRG in hearings on utility power plant construction program.

Boston College School of Law

Boston, Mass.

Instructor of Law (1976 – 1977)

Professional Affiliations

Commissioner, Melrose Housing Authority (current)

Member, Massachusetts Energy Efficiency Advisory Council (current)

Member, Massachusetts Low-income Home Energy Assistance Program Advisory Committee (current)

Member, Melrose Fair Housing Advisory Committee (1989 – 1994)

Publications

The Right to Light and Heat Handbook (1984) – consumer book on regulated utilities

Legal editor of *Legal Tactics*, 4th Ed. (1987) – treatise on landlord/tenant law

Contributing author of *Legal Tactics*, 5th Ed. (1994); to *Pro Bono Desk Reference* (1992); and to *Little Max* (1988 Ed.) – guide to state and federal benefits programs

Utilities Advocacy for Low-income Households in Massachusetts, 4th Ed. (2019)

Access to Utility Service, 6th Ed. (2018)

Honors and Awards

Tri City Community Action Program, Patricia Kelly Community Service Award (1997)

Massachusetts Community Action Program Directors' Association, Self-Sufficiency President's Award (2005)

Bar Admissions

Massachusetts Supreme Judicial Court (1977)

U.S. District Court, Massachusetts (1980)

U.S. Court of Appeals for the First Circuit (1988)

U.S. Court of Appeals for the Second Circuit (2008)

U.S. Court of Appeals for the Fourth Circuit (2017)

U.S. Court of Appeals for the District of Columbia Circuit (2012)

Education

1976 Northeastern University School of Law, J.D.

1972 Cornell University, B.A.