

**Northwest Hydroelectric Association – 2006 Annual Conference, February 6-9**  
Panel Section 2: How to Facilitate and Negotiate New License and Settlement  
Agreement Commitments – Patti Kroen, Principal, KROEN Consulting

**Eleven Little Rules**

*“The day of settlement signing is the best day the settlement participants will ever have.” Settlement participant who prefers to remain anonymous*

1. Do your homework, know your project, come to meetings prepared
2. Never win – find solutions everyone can live with
3. Subordinate authority to encourage discussion
4. Beware of hidden agendas
5. Be willing to change your mind
6. Own the groundrules
7. Never push an issue to the point where you can't have lunch together
8. All participants must accept some risk
9. Things will always cost more and take longer
10. More data does not necessarily make it easier to make a decision
11. Face-to-face interaction is critical

**Ten Biggest Pitfalls**

*“The biological definition of a committee is an organism with more than six legs and no head”. R. Heinlein*

1. “Lets make this work” attitude during settlement development does not easily carry over into implementation
2. Adaptive management
3. Optimistic predictions related to your ability to accomplish things
4. Partners (participants) that change in the middle of the dance
5. Personal agendas
6. Optimistic meeting agendas
7. Unprofessional conduct
8. Uncool use of dispute resolution process to work side deals outside the larger settlement group
9. Use of distance (conference call-in) as a buffer against criticism for rude behavior
10. The need for unanimous agreement

**The Dream Team – who do you need at the table**

*“Who is involved may be more important than how your agreement is structured.”*

*P.Kroen*

- Trusted communicators/educators
- Bridge-builders – problem solvers, peacemakers
- Class clown
- Interest-based bargaining tool users
- Validators
- Project geeks
- Those with the thickest skin and highest boiling point

Remember – nice people are very valuable

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