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2010

CARBON AND CLIMATE CHANGE



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WEDNESDAY MORNING, FEB. 17, 2010

Presiding Officer:
Melinda E. Taylor, The University of Texas
School of Law, Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:45 a.m. Welcoming Remarks

Overview, Economics, and Trigger Points

9:00 a.m. .50 hr

Conference Overview and International Perspectives

A preview of issues including domestic and international perspectives.

David E. Adelman, The University of Texas School of Law, Austin, TX

9:30 a.m. .75 hr

Emerging U.S. Climate Policy and Regulation

An analysis of key provisions of recent EPA regulations and pending cap and trade legislation.

Kenneth Berlin, Skadden, Arps, Slate, Meagher & Flom LLP, Washington, DC

10:15 a.m. Break

“Excellent list of topics and speakers/presenters. Good mix of introductory information and specific details.”

“Great mix of technology and legal topics!”

“Well-thought out program designed to present several points of view.”

“Excellent program overall.”

10:30 a.m. .83 hr

Understanding the Economics and Key Design Issues of Cap and Trade

This session examines key elements that are necessary for an effective cap and trade program, discusses the assumptions underpinning cap and trade, and compares it with other measures, including carbon taxes, performance standards, and more.

William M. Bumpers, Baker Botts L.L.P.,
Washington, DC

Kenneth B. Medlock III, Rice University,
James A. Baker III Institute for Public Policy,
Houston, TX

11:20 a.m. .33 hr

Technology and Trigger Points, Part I: Technology of Carbon Capture

An update and review of current technologies for carbon capture—what’s being deployed and what are the key technical aspects which impact cost and performance.

Stu Dalton, Director, Generation, Electric Power
Research Institute (EPRI), Palo Alto, CA
Nancy Mohn, Director, Marketing Strategy, Alstom
Power, Inc., Windsor, CT

11:40 a.m. .92 hr

Technology and Trigger Points, Part II: Economics and Incentives of Carbon Capture and Mitigation

At what combinations of energy prices, costs of carbon, special incentives, and financing costs do various technologies and mitigation efforts make sense? This session may also touch on federal incentives and grants impacting trigger points.

Moderator:

Nancy Mohn, Director, Marketing Strategy, Alstom
Power, Inc., Windsor, CT

Panelists:

Stu Dalton, Director, Generation, Electric Power
Research Institute (EPRI), Palo Alto, CA
Carey W. King, The University of Texas at Austin
Jackson School of Geosciences, Austin, TX
Ben Yamagata, Executive Director, Coal Utilization
Research Council, Washington, DC

WEDNESDAY AFTERNOON

Presiding Officer:
Robert W. Gee, Gee Strategies Group, LLC,
Falls Church, VA

KEYNOTE LUNCHEON PRESENTATION SPONSORED BY

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12:35 p.m. Pick up Box Lunch

Included in conference registration fee.

12:55 p.m.

Introduction of Luncheon Keynote Speaker

Raymond L. Orbach, Director, The Energy Institute,
The University of Texas at Austin, Austin, TX

1:00 p.m. .75 hr

View from the Department of Energy

An increasingly complex energy economy with growing energy demand and a need to reduce greenhouse gas emissions needs a balanced perspective that considers all three dimensions: supply, economics, and environment—concurrently. Assured, affordable, and sustainable energy supplies will depend on a broad portfolio of proven, new, renewable, and alternative sources coupled with enhanced recovery technologies, greater fuel flexibility, and increased efficiency.

Carl O. Bauer, Director, National Energy Technology
Laboratory, Morgantown, WV

1:45 p.m. .50 hr

View from The University of Texas: Innovative Business Opportunities and Technologies for Carbon Mitigation

The future of fossil fuels in a carbon-constrained environment.

Raymond L. Orbach, Director, The Energy Institute,
The University of Texas at Austin, Austin, TX

2:15 p.m. Break

Follow the Money: Risks and Opportunities

2:30 p.m. 1.00 hr

Monetizing Carbon, I: Carbon Credit Projects and Carbon Financing

How they work, how they're financed, and a short note on carbon trading.

Scott D. Deatherage, Thompson & Knight LLP, Dallas, TX
William Townsend, Chief Executive Officer, Blue Source,
Holladay, UT

Federal Landscape: EPA, Cap and Trade, and Carbon Transport

3:30 p.m. .50 hr

EPA and Texas State Regulation of Carbon Injections

An overview of the statutory authorities that convey jurisdiction to federal and Texas regulatory agencies to regulate carbon injection, and associated regulatory program developments.

Patricia Finn Braddock, Fulbright & Jaworski LLP,
Austin, TX

4:00 p.m. Break

4:15 p.m. .50 hr

The Future of the Refining Sector under Cap and Trade

The impact of cap and trade on the refining sector.

Moderator:

Debbie M. Hastings, Vice President for Environmental
Affairs, Texas Oil & Gas Association, Austin, TX

Panelists:

Kimberly S. Bowers, Executive Vice President and
General Counsel, Valero Energy Corporation,
San Antonio, TX
Robert W. Johnson, Chief Attorney - Environmental,
Exxon Mobil Corporation, Houston, TX

4:45 p.m. .92 hr

Monetizing Carbon, II: Corporate Strategies and Opportunities from Sustainability and Green Branding

This panel addresses opportunities related to the growing emphasis on sustainability among consumers, employees, investors, and other stakeholders. It focuses on supply chain and product sustainability, led by Wal-Mart's announcement of the Sustainability Index, and Dell's recent leading-edge strategies and achievements related to climate change and sustainability.

Moderator:

Michael Berg, Berg & Associates, Austin, TX

Panelists:

Jon Johnson, University of Arkansas Sam M. Walton
College of Business, Fayetteville, AR
Mark D. Newton, Senior Manager for Environmental
Sustainability, Dell, Inc., Round Rock, TX

5:40 p.m. Adjourn to Reception

THURSDAY MORNING, FEB. 18, 2010

Presiding Officer:

Michael J. Nasi, Jackson Walker L.L.P.,
Austin, TX

7:45 a.m. Conference Room Opens

Includes continental breakfast.

The Texas Edge: Geology, Legislative and Policy Initiatives

8:20 a.m. .17 hr

The Texas Edge: Overview and Hypotheticals

This opening session sets forth some key issues to be addressed in the following panels including two hypotheticals involving carbon capture and sequestration (CCS). The first involves the post-combustion retrofit of an existing East Texas power plant and the second involves a greenfield gasification project in West Texas. Both projects involve short- and long-term carbon storage/EOR opportunities within Texas.

Michael J. Nasi, Jackson Walker L.L.P., Austin, TX

8:30 a.m. .50 hr

The Texas Edge, Part I: Geology and Enhanced Oil Recovery (EOR)

A look at the major unique geologic setting in Texas for CCS in both EOR operations and brine aquifers; and storage opportunities that might exist on- and offshore Texas with reference to the hypothetical CCS cases discussed above.

Scott W. Tinker, Director, Bureau of Economic Geology,
The University of Texas Jackson School of Geosciences,
Austin, TX

9:00 a.m. 1.00 hr

The Texas Edge, Part II: Legislative and Policy Initiatives

A discussion of the relevant financial and regulatory incentives provided in the past two Texas legislative sessions including HB 469, HB 1796, HB 3676, HB 3896, HB 3732, HB 1967, and SB 1387 and how they affect or benefit the proposed hypothetical developments outlined in the opening session. This session concludes with updates on the Railroad Commission's pending regulation to implement key components of SB 1387.

Moderator:

Michael J. Nasi, Jackson Walker L.L.P., Austin, TX

Panelists:

Darrick W. Eugene, The Congress Avenue Lobby
Group, Austin, TX
Aileen M. Hooks, Baker Botts L.L.P., Austin, TX
Leslie L. Savage, Railroad Commission of Texas,
Austin, TX

10:00 a.m. Break

10:15 a.m. 1.00 hr

The Texas Edge, Part III: Experience with and Demand for CO₂

This panel builds on the information and discussion from the prior sessions and focuses on how each project will secure permanent storage for the CO₂ captured at each site. Issues to be addressed include: 1) locating the best candidate sites for EOR, 2) securing a long-term option for deep brine aquifer storage for each site, and 3) transportation/pipeline issues related to both options.

Moderator:

Michael J. Nasi, Jackson Walker L.L.P., Austin, TX

Panelists:

David L. Coleman, DNV Energy North America,
Houston, TX
Michael J. Hirl, Director, Business Development,
Kinder Morgan CO₂ Company, L.P., Houston, TX
Steve Melzer, Melzer Consulting, Midland, TX

11:15 a.m. 1.00 hr

The Texas Edge, Part IV: Public Participation in the Development of Carbon-Related Projects, from Inception, through Transport, to Injection

This panel provides a high-level overview of the process and substantive requirements in Texas for obtaining cradle-to-grave authorizations for projects that generate and capture, transmit, and inject carbon. The presentation focuses on opportunities for public input and on strategies for raising and addressing public concerns.

Molly Cagle, Vinson & Elkins LLP, Austin, TX
Jeff Civins, Haynes and Boone, LLP, Austin, TX
David O'Brien Frederick, Lowerre, Frederick, Perales,
Allmon & Rockwell, Austin, TX

THURSDAY AFTERNOON

Presiding Officer:

John Moore, Consultant to Power Industry,
Austin, TX

LUNCHEON PRESENTATION

12:15 p.m. Pick up Box Lunch

Included in conference registration fee.

12:40 p.m. .75 hr

The Economics and Future of Gas for Power Generation

Richard G. Smead, Director, Navigant Consulting, Inc.,
Houston, TX

1:25 p.m. Break

1:40 p.m. .33 hr

View from the Commission

Preparing the Texas electric market for federal climate change legislation.

Barry T. Smitherman, Chairman, Public Utility
Commission of Texas, Austin, TX

ABOUT THE COVER



Study of Circles 3, 20" x 28", oil on canvas,
is by David Kucko. For more information,
email dkart@sbcglobal.net.

2:00 p.m. 1.00 hr

Power Generators Panel

Join top-level executives from leading Texas power companies for a discussion of the key issues, choices and opportunities confronting power generators in a world where CO₂ emissions are expected to become more costly. How will the mix of power generation change? To what extent will the deployment of renewable energy play to reduce carbon emissions? What are expected ranges of increases to the price of power in Texas and across the country under carbon legislative actions currently being discussed? How will consumers and investors respond? What is the future of coal? What regulatory regimes and state and federal incentives make sense to facilitate a transition to reduced carbon levels?

Moderator:

Barry T. Smitherman, Chairman, Public Utility
Commission of Texas, Austin, TX

Panelists:

Andrew Gilbert, Vice President of Business Development,
International Power America, Inc., New York, NY
Daniel G. Kuehn, Executive Manager for Wholesale
Power Services, Lower Colorado River Authority,
Austin, TX
Matthew Schafer, Vice President, Business Management,
NEXTERA Energy Resources, Juno Beach, FL
Luminant Representative TBA

3:00 p.m. 1.00 hr

Smart Grids: Key Developments, Economics, and Legal Issues

With the need to curb greenhouse gases, utilities will need to incorporate more renewable energy sources at the transmission, distribution, and end-use level. Distributed energy resources require a networked Smart Grid to maintain grid reliability and availability. Many technological, economic, and legal issues need to be worked out to make the Smart Grid commercially viable. This panel discusses such issues, highlights the progress that the industry has made already, and identifies the gaps that need to be filled.

Moderator:

Erfan Ibrahim, Technical Executive, Power Delivery &
Utilization, Electric Power Research Institute (EPRI),
Palo Alto, CA

Panelists:

Karl R. Rábago, Vice President, Distributed Energy Services,
Austin Energy, Austin, TX
Hannah Jacobs Wiseman, The University of Texas
School of Law, Austin, TX

4:00 p.m. Adjourn

The University of Texas School of Law Establishes New Energy Center and LLM Program

THE WORLD TODAY faces an energy challenge of unprecedented proportions. Developed and rapidly developing nations are competing to secure sources of oil and natural gas to fuel their economies while countries with significant petroleum reserves are asserting the sovereign rights of nations to self-determine the extraction of their natural resources. Companies seeking to develop energy resources internationally face increasing and significant political and commercial risks.

To address these challenges, the University of Texas School of Law has created The Center for Global Energy, International Arbitration and Environmental Law ("The Center") for the interdisciplinary study of energy, including international energy transactions, dispute resolution, science, and policy. Beginning in 2010, The Center will offer a one-year graduate LLM program in Energy, for both foreign and domestic students, and new energy courses



available to regular JD students. See www.utexas.edu/law/academics/centers/energy/

The Center will work closely with leaders in the domestic and international energy sectors to recruit new faculty and lecturers—including practitioners in-residence—to substantially grow the number of energy courses offered at The Law School, and to assist in the design and delivery of course content, workshops, and research projects of highest relevance to students and the academic, practitioner, and

corporate constituencies of The Center. The Center is also working to offer workshops, short-courses and presentations in Houston. Jim Hackett, Chairman, President and CEO, of Anadarko Petroleum Company, will give the first Houston talk on "Energy, Climate Change and Copenhagen" in January 2010.

The goal of The Center is to become the world's leading research and teaching organization in the areas of energy, international energy, dispute resolution, and environmental law, drawing heavily on the legal, financial, engineering and business expertise available from the world's energy capital – Houston, Texas – and the world-class academic resources of the University of Texas Schools of Engineering, Business, Geology, Law, and Public Policy.

For additional information contact Melinda Taylor, Executive Director of The Center: mtaylor@law.utexas.edu; (512) 232-3641

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☐ Early Registration Fee due by Monday, February 8, 2010.....\$525.00

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The **CO₂ Flooding Conference**, held each December, brings together leaders in the emerging carbon capture and storage industry with oil industry players who are actively conducting CO₂ processing, compression, injection and reservoir surveillance. The portion of the week in Midland (home to 2/3rds of the world's active CO₂ floods) is designed to identify and make more broadly available the experience and best practices of the CO₂ enhanced oil recovery industry. www.co2conference.net



The **Texas Carbon Capture and Storage Association (TxCCSA)** is a non-profit industry association advocating for policies that support the development of a commercial CCS industry in Texas and promoting energy security through increasing environmentally responsible fuel production in Texas. We seek the growth and commercialization of the CCS industry through market-based policies and incentives that support private sector investment. www.txccsa.org

GOLD SPONSOR



Blue Source is North America's leading portfolio of greenhouse gas emission reductions. Blue Source and its management team are leaders in the development of carbon capture and storage projects having developed, owned or operated all five such systems built in North America in the last 20 years. Blue Source partnerships have created a pool of investment capital up to \$1 billion for developing greenhouse gas emission reduction projects. www.ghgworks.com

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February 17 – 18, 2010

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On Martin Luther King Jr. Blvd between Lavaca St. and Colorado St.



AUSTIN

February 17 – 18, 2010

AT&T Conference Center

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(subject to availability)

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KEY DATES

February 8, 2010, 5 p.m.

last day for early registration

add \$50 for registrations received after this time

February 10, 2010, 5 p.m.

last day for full refund

February 12, 2010, 5 p.m.

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February 17, 2010, 9 a.m.

Conference begins

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Contact Hollis Levy
hlevy@law.utexas.edu
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