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5<sup>th</sup> ANNUAL

# GAS & POWER INSTITUTE

Earn up to 10.00 Hours of Credit Including 2.00 Hours of Ethics Credit

Specialization Requested for Oil, Gas & Mineral Law and Administrative Law



September 28-29, 2006  
Doubletree Hotel Houston Downtown  
Houston, Texas

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5TH ANNUAL  
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THURSDAY MORNING—SEPT. 28, 2006

8:00 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. Welcoming Remarks

8:45 a.m. .50 hr

**Regulatory, Part I: Federal Legislative and Regulatory Update—Gas and Electric Power**

Discussion of recent federal legislative actions and regulatory initiatives impacting the natural gas and electric power businesses.

Jeffrey D. "Dan" Watkiss, Washington, D.C.

9:15 a.m. 1.00 hr

**Regulatory, Part II: Electric Power, Part I: FERC Market Initiatives**

**Market-Based Rate Standards for Wholesale Sellers of Electric Power**

Discussion of principles underlying FERC regulation of market-based rates; proposed FERC rulemaking in Docket No. RM04-7-000 on current and proposed standards for granting market-based rates; market power analysis; impact on wholesale electric power business.

David T. Doot, Hartford, CT

**Preventing Market Manipulation**

Discussion of FERC Order 670 and market behavior rules; CFTC anti-market manipulation rules; how to comply; reporting; monitoring; penalties.

C. Baird Brown, Philadelphia, PA  
Patrick R. Gillard, Philadelphia, PA

10:15 a.m. Break

10:30 a.m. .50 hr

**Regulatory, Part III: Electric Power, Part II: Legislative and Regulatory Developments in Electric Power Markets in Texas**

Discussion of ERCOT wholesale market design; market power, resource adequacy and data disclosure; the Independent Market Monitor; new rules for the Provider of Last Resort; Competitive Renewable Energy Zones; integration of Entergy Texas into ERCOT.

Marianne Carroll, Austin, TX

11:00 a.m. .50 hr

**Electric Power, Part III: Deregulated Energy Markets, Part I: Wholesale Electric Power Transactions in Restructured ERCOT**

Discussion of changes in products, other effects of ERCOT restructuring on wholesale electric power transactions.

Diana M. Liebmann, San Antonio, TX

11:30 a.m. .50 hr ethics

**Ethics, Part I: Ethical Considerations for Lawyers in Connection with Sworn Filings with Regulatory Agencies**

Discussion of due diligence and other responsibilities of in-house and outside counsel in connection with sworn regulatory filings, including ethical considerations.

Drew J. Fossum, Houston, TX

THURSDAY AFTERNOON

LUNCHEON PRESENTATION

12:00 p.m. Pick Up Box Lunch

Included in conference registration fee.

12:15 p.m. .50 hr

**Toward an Energy Ethic**

Americans consume energy conspicuously, but many oppose energy development passionately, often without full appreciation of how consumption choices inexorably demand more development. This presentation proposes principles that might undergird an "energy ethic" in the U.S. that could achieve a balance of the needs for energy development, environmental protection, and preservation of the wilderness for the years ahead.

L. Poe Leggette, Washington, D.C.

1:30 p.m. .75 hr ethics

**Ethics, Part II: Communications Among Lawyers and Accountants—Maintaining the Privilege**

Discussion of current issues affecting communications among lawyers and auditors, including effect of Sarbanes-Oxley Act on lawyer letters regarding loss contingencies and other auditor requests for information, attorney client privilege waiver issues, third party confirmations, and stock option grants.

Byron F. Egan, Dallas, TX

2:15 p.m. 1.00 hr

**Lessons Learned from the Hurricanes: A Panel Discussion**

**Force Majeure in Physical and Financial Transactions**

William D. Wood, Houston, TX

**Alternative or "Fall Back" Pricing Issues**

Kelly Funderburk, Houston, TX

**Insurance Coverage and Contractual Indemnities**

Vincent E. Morgan, Houston, TX

3:15 p.m. Break

3:30 p.m. .50 hr

**Litigation: Planning and Responding to the Next Disaster—A Litigator's Perspective**

Successfully responding to disasters presents unique and formidable challenges. Actions taken without consideration of possible litigation implications can result in the loss of key evidence or, worse yet, generate powerful ammunition that can inflame the situation, increase litigation risks, and enhance the potential for substantial damage awards. The presentation will address what to do when you get the call, including avoiding litigation "hot button" issues, media strategy, preservation of physical evidence, government investigations, responding to damage claims, and anticipation of possible criminal issues.

Morgan L. Copeland, Jr., Houston, TX

4:00 p.m. .50 hr

**Natural Gas, Part I: Gas Storage—A Primer**

Discussion of why and how gas is stored; uses of gas storage; regulatory structure and permitting process in Texas; principle provisions of gas storage agreements.

James E. Mann, Austin, TX

4:30 p.m. .50 hr

**Natural Gas, Part II: Gas Quality and Interchangeability**

Discussion of FERC activities regarding hydrocarbon dewpoint; interchangeability of gas from LNG with domestically produced gas; other common quality issues and common contractual solutions.

Michael L. Pate, Tulsa, OK

5:00 p.m. Adjourn

8:45 a.m. 1.00 hr

**Bankruptcy Update: A Panel Discussion****Recent Amendments to Bankruptcy Code**

Bruce J. Ruzinsky, Houston, TX

**In-House Bankruptcy Case Management**

Marty Jo Rogers, Houston, TX

**Recent Significant Bankruptcy Cases**

Patti Prewitt, Houston, TX

9:45 a.m. Break

10:00 a.m. .75 hr ethics

**Ethics, Part III: The Ethics of Negotiation**

Discussion of ethical dilemmas lawyers face when advocating positions on behalf of clients. When does "bluffing" become an act susceptible to professional censure? Are there ethical differences between telling a lie and withholding the truth? Who between the client and the lawyer controls the content or the means of advocacy?

Lawrence L. Foust, San Francisco, CA

10:45 a.m. .50 hr

**Renewable Energy, Part I: An Overview of Renewable Energy Alternatives**

Discussion of various types of renewable energy, commercial viability, and status of development.

Val R. Jensen, San Francisco, CA

11:15 a.m. .50 hr

**Renewable Energy, Part II: Deregulated Energy Markets, Part II: Trading Renewable Energy Certificates—A Developing Market**

Discussion of evolving market for renewable energy certificates, or "green tags", and efforts at developing standard contracts and trading practices.

Jeremy D. Weinstein, Walnut Creek, CA

11:45 a.m. .50 hr

**Deregulated Energy Markets, Part III: Recent Developments in Commodity Trading Documentation**

Discussion of changes to NAESB form of gas sales agreement; use of ISDA gas, power, and coal annexes.

Lauren Teigland-Hunt, New York, NY

12:15 p.m. Adjourn

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The University of Texas School of Law, Attn. GP06

P.O. Box 7759, Austin, TX 78713-7759

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Invoices, confirmations and receipts are emailed to these addresses.

**REGISTRATION****Includes Course Binder and Thursday Box Lunch Presentation**☐ Early Registration Fee due by Wed., Sept. 20, 2006..... \$350.00☐ Registration Fee after Wed., Sept. 20, 2006 ..... \$400.00**CONFERENCE PUBLICATIONS AND MEDIA****Allow 2-4 weeks from conference date for delivery.**☐ Course Binder ..... \$200.00

Note: Conference registration includes Course Binder.

☐ Audio CD Set ..... \$175.00☐ eBinder on CD (PDF format) ..... \$200.00/\$50.00

(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD)

**In-House CLE: Bring the conference in-house and learn at your convenience.****Allow 2-4 weeks from conference date for delivery.**☐ In-House CLE for 2—including Audio CD Set and Course Binder ..... \$750.00

\_\_\_\_\_ Add participants (includes Course Binder) for \$200 each ..... \$ \_\_\_\_\_

TOTAL ENCLOSED ..... \$ \_\_\_\_\_

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Authorized Signature

  /  

Exp. Date (mm/yy)

## HOUSTON

September 28-29, 2006

### CONFERENCE LOCATION



#### Doubletree Hotel Houston Downtown

400 Dallas Street  
Houston, TX 77002  
713-759-0202

#### Special Rate \$149

(subject to availability)  
good through August 28, 2006

Thursday \$10 self-parking  
Friday \$5 self-parking

#### KEY DATES

##### Registration & Cancellation

Sept. 20, 2006-5 p.m.

*last day for early registration*  
add \$50 for registrations  
received after this time

Sept. 22, 2006-5 p.m.

*last day for full refund*

Sept. 25, 2006-5 p.m.

*last day for partial refunds*  
\$50 processing fee applied

Sept. 28, 2006-8:45 a.m.

*conference begins*

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 10.00 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit.

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