

# 2006 Gas and Power Institute

## September 28-29, 2006 • Doubletree Hotel Houston Downtown • Houston, TX

### Thursday Morning, Sep. 28, 2006

#### Presiding Officers:

**Jay G. Martin**, Baker Hughes Incorporated - Houston, TX

**Michael P. Pearson**, Jackson & Walker, LLP - Houston, TX

8:45 am 0.50 hr	<p><b>Regulatory, Part I: Federal Legislative and Regulatory Update—Gas and Electric Power</b></p> <p>Discussion of recent federal legislative actions and regulatory initiatives impacting the natural gas and electric power businesses.</p> <p>Jeffrey D. (Dan) Watkiss, Bracewell &amp; Giuliani, LLP - Washington, DC</p>
9:15 am 1.00 hr	<p><b>Regulatory, Part II: Electric Power, Part I: FERC Market Initiatives</b></p> <p>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. Preventing Market Manipulation Discussion of FERC Order 670 and market behavior rules; CFTC anti-market manipulation rules; how to comply; reporting; monitoring; penalties.</p> <p>C. Baird Brown, Ballard Spahr Andrews &amp; Ingersoll - Philadelphia, PA David T. Doot, Day, Berry &amp; Howard LLP - Hartford, CT Patrick R. Gillard, Ballard Spahr Andrews &amp; Ingersoll, LLP - Philadelphia, PA</p>
10:30 am 0.50 hr	<p><b>Regulatory, Part III: Electric Power, Part II: Legislative and Regulatory Developments in Electric Power Markets in Texas</b></p> <p>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.</p> <p>Marianne Carroll, Brown McCarroll, L.L.P. - Austin, TX</p>
11:00 am 0.50 hr	<p><b>Electric Power, Part III: Deregulated Energy Markets, Part I: Wholesale Electric Power Transactions in Restructured ERCOT</b></p> <p>Discussion of changes in products, other effects of ERCOT restructuring on wholesale electric power transactions.</p> <p>Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX</p>
11:30 am 0.00 hr 0.50 hr ethics	<p><b>Ethics, Part I: Ethical Considerations for Lawyers in Connection with Sworn Filings with Regulatory Agencies</b></p> <p>Discussion of due diligence and other responsibilities of in-house and outside counsel in connection with sworn regulatory filings, including ethical considerations.</p> <p>Drew J. Fossum, Enron Transportation Services Co. - Houston, TX</p>

## Thursday Afternoon, Sep. 28, 2006

### Presiding Officers:

**Jay G. Martin**, Baker Hughes Incorporated - Houston, TX

**Michael P. Pearson**, Jackson & Walker, LLP - Houston, TX

12:15 pm 0.50 hr	<p><b>Luncheon Presentation: Toward an Energy Ethic</b></p> <p>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.</p> <p>L Poe Leggette, Fulbright &amp; Jaworski L.L.P. - Washington, DC</p>
1:45 pm 0.75 hr ethics	<p><b>Ethics, Part II: Communications Among Lawyers and Accountants— Maintaining the Privilege</b></p> <p>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.</p> <p>Byron F. Egan, Jackson Walker L.L.P. - Dallas, TX</p>
2:30 pm 1.00 hr	<p><b>Lessons Learned from the Hurricanes: A Panel Discussion</b></p> <p>Force Majeure in Physical and Financial Transactions Alternative or “Fall Back” Pricing Issues Insurance Coverage and Contractual Indemnities</p> <p>Kelly Ann Leslie, Merrill Lynch Commodities, Inc. - Houston, TX Vincent E. Morgan, Pillsbury Winthrop Shaw Pittman LLP - Houston, TX William D. Wood, Fulbright &amp; Jaworski LLP - Houston, TX</p>
3:45 pm 0.50 hr	<p><b>Litigation: Planning and Responding to the Next Disaster—A Litigator’s Perspective</b></p> <p>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.</p> <p>Morgan L. Copeland Jr., Vinson &amp; Elkins LLP - Houston, TX</p>
4:15 pm 0.50 hr	<p><b>Natural Gas, Part I: Gas Storage—A Primer</b></p> <p>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.</p> <p>James E. Mann, Clark Thomas &amp; Winters - Austin, TX</p>
4:45 pm 0.50 hr	<p><b>Natural Gas, Part II: Gas Quality and Interchangeability</b></p> <p>Discussion of FERC activities regarding hydrocarbon dewpoint; interchangeability of gas from LNG with domestically produced gas; other common quality issues and common contractual solutions.</p> <p>Michael L. Pate, Oneok Inc. - Tulsa, OK</p>

## Friday Morning, Sep. 29, 2006

### Presiding Officers:

**Jay G. Martin**, Baker Hughes Incorporated - Houston, TX

**Michael P. Pearson**, Jackson & Walker, LLP - Houston, TX

8:45 am 1.00 hr	<b>Bankruptcy Update: A Panel Discussion</b>  Recent Amendments to Bankruptcy Code In-House Bankruptcy Case Management Recent Significant Bankruptcy Cases  Patricia Williams Prewitt, Law Office of Patricia Williams Prewitt - Navasota, TX Marty Jo Rogers, NextEra Energy Resources, LLC - Houston, TX Bruce J. Ruzinsky, Jackson Walker L.L.P. - Houston, TX
10:00 am 0.75 hr ethics	<b>Ethics, Part III: The Ethics of Negotiation</b>  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, Los Angeles, CA
10:45 am 0.50 hr	<b>Renewable Energy, Part I: An Overview of Renewable Energy Alternatives</b>  Discussion of various types of renewable energy, commercial viability, and status of development.  Val R. Jensen, ICF International - San Francisco, CA
11:15 am 0.50 hr	<b>Renewable Energy, Part II: Deregulated Energy Markets, Part II: Trading Renewable Energy Certificates—A Developing Market</b>  Discussion of evolving market for renewable energy certificates, or “green tags”, and efforts at developing standard contracts and trading practices.  Jeremy D. Weinstein, Law Offices of Jeremy D. Weinstein, PC - Walnut Creek, CA
11:45 am 0.50 hr	<b>Deregulated Energy Markets, Part III: Recent Developments in Commodity Trading Documentation</b>  Discussion of changes to NAESB form of gas sales agreement; use of ISDA gas, power, and coal annexes.  Lauren Teigland-Hunt, Teigland-Hunt & Associates - New York, NY