

PRESENTED BY THE UNIVERSITY OF TEXAS SCHOOL OF LAW  
THE OIL, GAS AND ENERGY RESOURCES LAW SECTION OF THE STATE BAR OF TEXAS  
AND THE ENERGY BAR ASSOCIATION

7<sup>th</sup> ANNUAL  
**GAS & POWER INSTITUTE**

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September 4 - 5, 2008  
Day 1: The Four Seasons  
Day 2: The Downtown Club  
Houston, Texas

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7<sup>TH</sup> ANNUAL  
GAS & POWER INSTITUTE

September 4-5, 2008 • Four Seasons Hotel • Houston, Texas

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THURSDAY MORNING, SEPTEMBER 4, 2008

**Presiding Officer:**

**Michael P. Pearson, Jackson Walker L.L.P.,  
Houston, TX**

**8:00 a.m. Registration Opens**

Includes continental breakfast.

**8:30 a.m. Welcoming Remarks**

**8:45 a.m. .75 hr**

**Regulatory, Part I: Recent Federal  
Legislative, Regulatory and Judicial  
Developments Affecting Gas and  
Electric Power Industries**

Discussion of recent federal legislative actions and regulatory initiatives impacting the natural gas and electric power industries, including recent rules, rulemakings, and rulings; pending NOPRs and NOIs; enforcement actions.

Jeffrey D. (Dan) Watkiss, Washington, DC

**9:30 a.m. .50 hr**

**Electric Power, Part I: Implementation of  
Nodal Market Design in ERCOT Region of  
Texas**

Discussion of status of transition to wholesale nodal market design in Texas; delays in implementation schedule; managing contract risk prior to and during transition.

Marianne Carroll, Austin, TX

**10:00 a.m. Break**

**10:15 a.m. .75 hr**

**Electric Power, Part II: Issues Affecting  
Electric Transmission Infrastructure  
Development**

Discussion of jurisdictional issues among FERC, PUC; role of ERCOT, other ISOs/RTOs; competitive transmission process for renewable generation areas, including PUC's CREZ designation order.

Diana M. Liebmann, San Antonio, TX

**11:00 a.m. .50 hr**

**Electric Power, Part III: Credit Issues in  
Organized Markets**

Discussion of obligations and responsibilities of ISOs/RTOs in monitoring and managing credit issues of market participants; the PJM experience; ERCOT's response.

Matthew Tate, Vienna, VA

**11:30 a.m. .50 hr**

**Regulatory, Part II: The Continuing  
Jurisdictional Conflict Between FERC  
and CFTC**

Discussion of developments in the continuing conflict between the FERC and CFTC regarding primary jurisdiction over market monitoring and regulation of market manipulation.

Erik J.A. Swenson, Washington, DC

THURSDAY AFTERNOON

**Presiding Officer:**

**Michael P. Pearson, Houston, TX**

LUNCHEON PRESENTATION

**12:00 p.m. Pick Up Box Lunch**

Included in conference registration fee.

**12:15 p.m. .75 hr**

**Energy Markets, Part I: Commodity Prices—  
Where Will They Go? Where Will It End?**

Discussion of reasons underlying dramatic price increases in energy commodities; likelihood of separation of oil and gas prices; possible legislative and regulatory responses.

Edward M. (Ed) Kelly, Houston, TX

**1:00 p.m. Break**

**1:30 p.m. .75 hr ethics**

**Ethics, Part I: Attorney Ethics and  
Technology**

Discussion of production of electronic information in response to discovery requests, including preservation of electronic documents and inadvertent production of privileged documents; intersection with Texas Disciplinary Rules of Professional Conduct.

Jason Boulette, Austin, TX

**2:15 p.m. .50 hr**

**Natural Gas, Part I, Focus on Midstream:  
Transporting Commodities Other Than Gas**

Discussion of selected issues related to transportation of crude oil, natural gas liquids, ethanol, and biodiesel.

Charles F. Caldwell, Houston, TX

**2:45 p.m. .50 hr**

**Regulatory, Part III: Natural Gas, Part II, Focus  
on Midstream: The FERC's NOPRs Regarding  
Capacity Release and Market Transparency**

Discussion of status of FERC action in Docket Nos. RM08-1-000 and RM07-10; enhanced enforcement; impact on pipeline and storage asset management agreements, prepaid gas sales, gas exchanges; transaction reporting requirements for market participants.

Charles H. Shoneman, Washington, DC

**3:15 p.m. Break**

**3:30 p.m. .75 hr**

**Energy Markets, Part II: Managing "Gap  
Risk" between Standard Form Trading  
Agreements**

Discussion of differences in performance and credit risks and remedies under different master form commodity sale and purchase agreements, including EEL, NAESB, and ISDA Gas, Power, and Coal Annexes.

Craig R. Enochs, Houston, TX

**4:15 p.m. .50 hr**

**Energy Markets, Part III: Developments in  
the Changing Credit Landscape: Alternative  
Credit Support Mechanisms**

The presentation will describe the current difficulties facing energy companies in the credit markets, as well as discuss alternative credit support mechanisms being used to address the state of the credit market.

Paul B. Turner, Houston, TX

**4:45 p.m. Adjourn**

FRIDAY MORNING, SEPTEMBER 5, 2008

**Presiding Officer:**

**Michael P. Pearson, Houston, TX**

**8:00 a.m. Conference Room Opens**

Includes continental breakfast

8:30 a.m. .50 hr

**Natural Gas, Part III: Focus on LNG: U.S. LNG Markets—Current Status and Future Prospects**

Discussion of factors promoting and inhibiting growth of LNG markets in the United States: lessons learned from the recent LNG developer experiences.

Lee Van Atta, Arlington, VA

9:00 a.m. .75 hr

**Green Energy, Part I: Unintended Consequences—Collateral Effects and Costs of Reducing Emissions**

Gregory W. Hopper, Houston, TX

9:45 a.m. .50 hr

**Green Energy, Part II: Carbon Dioxide Sequestration—Transportation, Storage, and Other Infrastructure Issues**

An overview of legal issues to be considered in connection with carbon capture, transportation and sequestration projects, including a discussion of regulatory uncertainty, early-mover opportunities, CO2 offset credits and allowances, enhanced oil recovery projects, and related considerations.

Larry W. Nettles, Houston, TX

10:15 a.m. Break

10:30 a.m. .50 hr ethics

**Ethics, Part II: Metadata: Evolving Ethical Duties**

Discussion of metadata, the data about data, embedded in electronically produced and distributed documents; attorney-client privileged communications, work product, and other secrets that may be revealed by metadata; a lawyer's duties related to prevention of disclosure of metadata and the utilization of metadata discovered in others' documents.

Steven L. Lee, Austin, TX  
Co-author: Susan Brotman, New York, NY

11:00 a.m. .50 hr

**Green Energy, Part III: The Role of Coal in a Greener Energy Environment**

Discussion of factors favoring and inhibiting the use of Clean Coal technology in the United States.

Eva Fromm O'Brien, Houston, TX

11:30 a.m. .50 hr

**Green Energy, Part IV: Renewable Credits 101**

A basic discussion of what RECs are and a legal discussion of the use of various renewable energy contracts and annexes in the energy commodity environment.

F. Mitchell Dutton, Juno Beach, FL  
Nathan Hanson, Juno Beach, FL

12:00 p.m. Adjourn

**Online Courses from UT Law**  
**www.utcle.org**

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**Mail this registration form to:**

The University of Texas School of Law, Attn. GP08  
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**  
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**Includes Course Binder and Thursday Box Lunch Presentation**

☐ Early Registration Fee due by Wed., August 27, 2008..... \$375.00

☐ Registration Fee after Wed., August 27, 2008 ..... \$425.00

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## HOUSTON

September 4-5, 2008  
CONFERENCE LOCATION



### Four Seasons Hotel

1300 Lamar St  
Houston, TX 77010  
713-650-1300

**Special Room Rate \$230**  
good through August 13, 2008  
(subject to availability)

**Parking:** Valet Only, Daily \$13  
Overnight \$27 (subject to change)

### KEY DATES

#### Registration & Cancellation

Aug. 27, 2008–5 p.m.  
*last day for early registration*  
add \$50 for registrations  
received after this time

Aug. 29, 2008–5 p.m.  
*last day for full refund*

Sept. 2, 2008–5 p.m.  
*last day for partial refunds*  
\$50 processing fee applied

Sept. 4, 2008–8:30 a.m.  
*conference begins*

### MCLE

This course has been approved for MCLE credit by the State Bar of Texas Committee on MCLE in the amount of 10.00 hrs, of which 1.25 credit hrs will apply to legal ethics/professional responsibility. The UT School of Law is a State Bar of CA approved MCLE provider (#1944).

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