

9th Annual Gas and Power Institute
September 23-24, 2010 • Hyatt Regency • Houston, TX

Thursday Morning, Sep. 23, 2010

Presiding Officer:

Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX

8:00 am	Registration Opens Includes continental breakfast.
8:30 am	Welcoming Remarks Diana M. Liebmann, Haynes and Boone, LLP, San Antonio, TX
8:45 am 0.75 hr	DOE and FERC: Recent Developments and Trends in Energy, Power and Gas This session reviews significant developments in power, natural gas and oil pipeline regulation at FERC, including FERC's activities in the relatively nascent areas of Smart Grid interoperability standards and electric reliability, and recent developments in DOE's Loan Guarantee Program. Kenneth G. Hurwitz, Haynes and Boone, LLP - Washington, DC
9:30 am 0.75 hr	State Regulatory Update A summary of regulatory developments affecting Texas' wholesale and retail electric markets during 2010. Marianne Carroll, Brown McCarroll, L.L.P. - Austin, TX
10:15 am	Break
10:30 am 1.00 hr ethics	Ethics in a Changing Legal Environment The legal profession is becoming global. Lawyers are migrating. The rules are changing. And the ABA's Commission on Ethics 20/20 is studying the implications. Learn what impact these changes have on you, your practice and the ethical rules, and what the courts are saying about which ethical rules apply to your practice. Ophelia F. Camiña, Susman Godfrey, L.L.P. - Dallas, TX
11:30 am 0.75 hr	Financing: Financial Tools for Energy Companies A brief overview of gas, coal and power market fundamentals leading into a discussion of financing tools available to the gas and power industries. Keith Barnett, Bank of America Merrill Lynch - Houston, TX

Thursday Afternoon, Sep. 23, 2010

Presiding Officer:

Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX

12:15 pm	Pick up Box Lunch Included in conference registration.
12:30 pm 0.75 hr	Expanding Pipeline Infrastructure in Newly-Developed Gas Fields: An Examination of the Marcellus Shale A discussion of the state and federal pipeline regulatory and environmental requirements applicable to new pipelines constructed in the Marcellus Shale areas of West Virginia and Pennsylvania, including FERC/Natural Gas Act issues related to interconnecting new pipelines into the existing interstate pipeline grid, applicable state pipeline regulatory regimes, the availability of negotiated rates vs. cost-of-service rates, environmental permitting issues, and pipeline safety issues. The session includes analysis of existing regulatory regimes as barriers to market entry. Moderator: Michael P. Pearson, Jackson Walker L.L.P. - Houston, TX Panelists: Thomas J. Sniscak, Hawke McKeon & Sniscak LLP - Harrisburg, PA Panelists: Kenneth E. Tawney, Jackson Kelly PLLC - Charleston, WV
1:15 pm	Break
1:30 pm 0.50 hr	Shale Play Environmental Issues The perfection of hydraulic fracturing techniques to unlock gas from shale formations may be one of the greatest developments in hydrocarbon production since Howard Hughes invented the rotary drilling bit, but it has created a host of new environmental concerns. This presentation addresses legal issues relating to water supply for fracturing operations, management and reuse of flow-back water, public concerns regarding chemicals used in the fracturing process, discharge or disposal of flow-back water that cannot be reused, allegations of groundwater contamination from fracturing operations, benzene emissions associated with shale gas production, and nuisance issues associated with the conduct of fracturing operations in close proximity to residential areas. Larry W. Nettles, Vinson & Elkins LLP - Houston, TX
2:00 pm 0.75 hr	CFTC and Trading under the Obama Administration Rules Discussion of new trading rules and the impact on gas and power transactions including ICE, CME/NYMEX and proprietary market trading. Craig Pirrong, C.T. Bauer College of Business, University of Houston - Houston, TX
2:45 pm	Break
3:00 pm 0.50 hr	Hot Topics involving Nuclear Power: DOE Loan Guarantee Program and Its Possible Expansion A presentation on the current issues of significance affecting the nuclear industry, including DOE Loan Guarantees, NRC licensing issues, the Yucca Mountain Project and the Blue Ribbon Commission on America's Nuclear Future. Michael F. McBride, Van Ness Feldman, PC - Washington, DC

3:30 pm 0.50 hr	<p>Natural Gas Demand and Wind Generation</p> <p>A discussion of natural gas demand outlook with a focus on electric power demand. Renewable generation policy issues and potential to impact generation landscape, including the impact on natural gas-fired generation market share are examined. Lessons learned and implications from the Texas case study are explored.</p> <p>Brandon Blossman, Tudor, Pickering, Holt & Co. Securities, Inc. - Houston, TX</p>
4:00 pm 0.50 hr	<p>Primer on Pipeline Imbalances</p> <p>Practical problems resulting from pipeline imbalances, and available tools to mitigate such problems.</p> <p>James E. Goddard, Locke Lord Bissell & Liddell LLP - Dallas, TX</p>
4:30 pm 0.50 hr	<p>Legislative Issues: Is the Sun Setting on the State's Major Energy Regulatory Agencies?</p> <p>The 2010-2011 Sunset review cycle could have major implications for the energy industry in Texas. There is no shortage of political and regulatory issues to consider as the Sunset Advisory Commission reviews every major energy regulatory agency in Texas, including the Public Utility Commission of Texas, the Electric Reliability Council of Texas, the Railroad Commission of Texas and the Texas Commission on Environmental Quality.</p> <p>Tab R. Urbantke, Vinson & Elkins LLP - Dallas, TX</p>
5:00 pm	<p>Adjourn</p>

Friday Morning, Sep. 24, 2010

Presiding Officer:

Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX

8:00 am	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
8:30 am 0.50 hr	<p>NERC and TexasRE Update: What You Need to Know</p> <p>An overview of current North American Electric Reliability Council (NERC) standards compliance and enforcement trends and update regarding the change in the regional entity to Texas Reliability Entity, Inc.</p> <p>Susan Denise Vincent, Texas Reliability Entity, Inc. - Austin, TX</p>
9:00 am 0.75 hr	<p>FERC Enforcement Policy</p> <p>Former FERC Chairman Kelliher reviews the origins of FERC enforcement authority granted by Congress in 2005, explains how FERC implemented its new authority and discusses current enforcement policy issues.</p> <p>Hon. Joseph T. Kelliher, NextEra Energy, Inc. - Washington, DC</p>

9:45 am 1.00 hr ethics	<p>To Talk or Not to Talk: Ethics Opinion 587 and the Elusive Ex Parte Rule</p> <p>Practitioners have commonly believed that the restrictions of the ex parte rule begin only with the institution of formal contested case proceedings. Ethics Opinion 587 holds that certain pre-litigation discussions violate the ethical obligation to refrain from ex parte discussions. Is this so? Does this make routine exchanges between agency and industry representatives unethical? The presenters engage the audience in a general discussion about the legal, ethical and practical implications of the ex parte rule and Ethics Opinion 587.</p> <p>Ron Beal, Baylor Law School - Waco, TX Lou Bright, Attorney at Law - Austin, TX</p>
10:45 am	Break
11:00 am 0.50 hr	<p>The Continuing Evolution of the ERCOT Market Design: Nodal and Beyond</p> <p>Although there is a temporary freeze on most proposed market design changes in the near term, a flurry of new market rules can be expected in the future as ERCOT adapts to the Nodal market conversion and wrestles with the economic impacts of renewable resources and other emerging technologies. Market realities are forcing stakeholders to rethink entire market definitions and configurations—from the kinds and volumes of ancillary services ERCOT procures to the long-term sustainability of the energy-only market design.</p> <p>Mark Bruce, Stratus Energy Group - Austin, TX</p>
11:30 am 0.50 hr	<p>PPAs in a Nodal Market</p> <p>This session examines issues with power purchases and sales arising from the transition to a Nodal market, including managing issues under existing PPAs as well as structuring new PPAs. The discussion includes a review of relevant experiences from other markets' transitions to Nodal and how they may apply to ERCOT, including "Seller's Choice" issues, pricing mechanisms and force majeure and change in law clauses. The presentation also highlights issues specific to PPAs with respect to wind and other renewable resources.</p> <p>Thomas H. Warren, Sutherland - Atlanta, GA</p>
12:00 pm 0.50 hr	<p>New Clean Carbon Technology in the Production of Fuels, Chemicals and Power</p> <p>A review of emerging "clean carbon" technologies being commercialized in the conversion of natural gas, petroleum coke, biomass and coal into fuels, chemicals and electric power. State and federal incentives including the comprehensive Texas incentive package that has been developed over the past four years and the \$563 million (and growing) in Department of Energy investment in Texas clean carbon projects are also discussed.</p> <p>Michael J. Nasi, Jackson Walker L.L.P. - Austin, TX</p>
12:30 pm	Adjourn