

17TH ANNUAL
GAS AND POWER INSTITUTE

The Latest Developments in Natural Gas, Power,
and Liquids Transportation Markets



September 20–21, 2018 ■ The Whitehall Hotel ■ Houston, Texas

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THURSDAY MORNING, SEP. 20, 2018

Presiding Officer:
Chris Reeder, Husch Blackwell LLP,
Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .50 hr

Federal Energy Policy and Regulation Update

FERC operated without a quorum for more than six months, and September will mark a full year with a restored quorum and nearly a year with a new chairman. Explore the topics identified for FERC action for the remainder of 2018 and what will likely top the Commission's agenda for early 2019.

Regina Speed-Bost, Reed Smith LLP,
Washington, DC

9:00 a.m. .50 hr

Texas Legislative and Regulatory Update

Providing an update on recent judicial and administrative decisions affecting the Texas gas and electric industries along with a look ahead at what may be topics of change for the 86th Legislative Session.

Jennifer Littlefield, Haynes and Boone, LLP,
Austin, TX
Jessica L. Morgan, Husch Blackwell LLP, Austin, TX

9:30 a.m. 1.00 hr

What is on the Horizon for Energy in the 86th Legislature?

Where does the competitive electric market go from here? Will ERCOT continue to be an attraction to non-ERCOT portions of Texas? What is the appetite to implement new cybersecurity measures, and are additional customer protections necessary? Will imminent domain and condemnation rights come under examination, again? Is horizontal drilling still a darling or does it create new sets of regulatory challenges? Will crude and natural gas exports from Texas continue to grow? Will the energy reforms in Mexico remain a factor in Texas, or will they be stifled? So many questions await in 2019.

Moderator:
Nelson H. Nease, Nelson H. Nease, P.C., Austin, TX

Panelists:
Walt Baum, Texas Public Power Association (TPPA),
Austin, TX
James E. Mann, Duggins Wren Mann & Romero, LLP,
Austin, TX
Thomas A. Zabel, Zabel Freeman, LLP, Houston, TX

10:30 a.m. Break

10:45 a.m. .50 hr

Waters of the United States: The Future Regulation of Potholes and Other Issues

Review the recent action of EPA and the Department of the Army in resetting the effective date of the 2015 Rule from August 2015 to February 2020. Also discuss the likelihood for changes to the 2015 Rule, and the emerging trend of ground water being considered as regulated under the federal Clean Water Act.

John A. Riley, Holland & Knight LLP, Austin, TX

11:15 a.m. .50 hr

LIBOR and Letters of Intent

Market trends and issues regarding the replacement of LIBOR in transactional documentation and 'dos' and 'don'ts' or 'best practices' for the drafting of the document that typically is the precursor to any significant transaction – the letter of intent.

Ellen P. Pesch, Sidley Austin LLP, New York, NY
Robert G. Stephens, Sidley Austin LLP, Houston, TX

11:45 a.m. .50 hr

Current State of Power M&A in Texas

A review of the past year's M&A activities in Texas.

Eric Conrad Otness, Skadden, Arps, Slate, Meagher & Flom LLP, Houston, TX

12:15 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:
Craig R. Enochs, Reed Smith LLP,
Houston, TX

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LUNCHEON PRESENTATION

12:35 p.m. .50 hr

Policymaking in the Context of ERCOT Forecasts and Trends

Kelly G. Hancock, Texas State Senate, District 9,
North Richland Hills, TX

1:05 p.m. Break

1:20 p.m. .50 hr

LNG Commercial Models and Challenges Update

Hear an overview of various LNG commercial models offered by first and second wave U.S. LNG export projects. Cover how the choice of project structure may affect the commercial model and marketing efforts.

Monica Hwang, King & Spalding, Houston, TX

1:50 p.m. .50 hr

Blockchain 101

A primer on understanding how blockchains, distributed ledger technology, and smart contracts work and the potential application of these digital technologies in the energy industry.

Jesse S. Lotay, Jackson Walker LLP, San Antonio, TX

Co-Author:
Michael L. Laussade, Jackson Walker LLP, Dallas, TX

**M
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E**

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.00 hours, of which 2.25 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#179).

2:20 p.m. 1.00 hr | .50 hr ethics

The Digital Fin-Tech Revolution Continues

Discuss how gas and power companies, and their lenders, compete and comply with cyber-security concerns. Review concerns including blockchain applications, smart contracts, virtual currency, new data privacy standards (e.g., EU's GDPR), and fin-tech architects collaborating with regulators to provide "regulatory nodes" to give the government windows of real-time transparency into smart contracts, blockchains and commodity trading. "Isn't that like inviting a vampire into your house?"

Dickson C. Chin, Jones Day, New York, NY
Phil Lookadoo, Haynes and Boone LLP,
Washington, DC
Timothy J. Nagle, US Bank, Washington, DC

3:20 p.m. Break

3:30 p.m. .75 hr

Emerging Technologies in the Retail and Wholesale Electric Power Markets

How does the growth in wind and solar in Texas impact energy storage investment versus traditional generation investment. How do the Texas market dynamics impact short versus long-duration energy storage?

Moderator:
Meghan Elaine Griffiths, Jackson Walker LLP,
Austin, TX

Panelists:
Jack L. Farley, Apex Compressed Air Energy Storage,
LLC, Houston, TX
Wayne Morrison, Reliant Energy Inc, Houston, TX

4:15 p.m. .75 hr | .25 hr ethics

Midstream M&A Update and Discussion

One of the top investment bankers in the midstream industry will provide an update on M&A deal trends in the midstream sector, coupled with insights from a leading midstream M&A attorney on what is "market" in midstream M&A transactions.

James P. Baker, Simmons & Company International,
Houston, TX
Bill Swanstrom, Locke Lord LLP, Houston, TX

5:00 p.m. .50 hr

Issues in Texas Liquids Pipeline Regulation: Shipper Complaints as a Tool to Regulate the Texas Market

John K. Arnold, Locke Lord LLP, Houston, TX

5:30 p.m. Adjourn to Reception

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FRIDAY MORNING, SEP. 21, 2018

Presiding Officer:

Elizabeth B. Hawkins, Targa Resources,
Houston, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .50 hr

Report from the IMM

Hear a review of ERCOT market outcomes for Summer 2018 with preliminary thoughts about the need for any market changes.

Beth Garza, Potomac Economics, Austin, TX

9:00 a.m. 1.00 hr

ERCOT Reserve Margins

Analyze price formation in the ERCOT energy-only market during this period of low system capacity reserve margins. Also, review the implications of Summer 2018 and related market design elements with respect to sustaining existing capacity and the development of new capacity in the ERCOT market from a variety of market perspectives.

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

Panelists:
John C. Bonnin, CPS Energy, San Antonio, TX
Katherine L. Coleman, Thompson & Knight LLP,
Austin, TX
Amanda J. Frazier, Vistra Energy, Austin, TX
Mark Walker, Clark Hill Strasburger, Austin, TX

10:00 a.m. Break

10:15 a.m. .75 hr

Resiliency/Curtailment Priorities between Gas Utilities and Electric Utilities

Coordination challenges between natural gas transportation services and electric generation are far from new. Addressing harmonization of these industries service priorities continues to grow more critical as natural gas increasingly supplies electric generation. Using recent efforts to coordinate these diverse industries and examining conflicting regulations, we can better understand the current activity underway at the federal and state level.

Ronald Mucci, ONEOK, Inc., Tulsa, OK

11:00 a.m. .75 hr

Mexico Update

Mexico has finalized the key legal framework for the energy sector, which derived from the 2013 Constitutional reform and has attracted substantial foreign investment in upstream, midstream, downstream, power and renewable energies. The implementation of the Energy reform under the TPP, NAFTA 2.0, EITI and ICSID plus a new administration will face new challenges and opportunities in 2018 and beyond.

Nicolas Borda, Haynes and Boone, LLP, Mexico City,
Mexico

11:45 a.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:

Elizabeth B. Hawkins, Targa Resources,
Houston, TX

LUNCHEON PRESENTATION

12:05 p.m. .50 hr

Luncheon Keynote: Report from the Battlefield

Get an update on energy market activities in Texas and across the US.

Pat Wood III, Wood3 Resources, Houston, TX

12:35 p.m. Break

12:50 p.m. .50 hr ethics

Everyday Strategies for Avoiding Professional Misconduct

Explore easy, common sense techniques that you can employ in your law practice to steer clear of legal malpractice, breaches of fiduciary duty, and findings of professional misconduct. A timely and important ethics tune-up that you won't want to miss.

Scott Rothenberg, Law Offices of Scott Rothenberg,
Houston, TX

1:20 p.m. 1.00 hr ethics

The Ethics of Oil and Gas Negotiations: Are There Any?

Sure, we all negotiate every day and we never intentionally mislead the other side — well, maybe we puff a bit, but that's OK, isn't it? That's how the game is played, correct? And certainly there's nothing inherently unethical about the negotiation process, right? Wait — are you sure that the answers to those questions are as clear cut as they seem? Nationally-renowned speaker Mike Rubin, with his unique blend of scholarship and humor, and with one of the most unusual multi-media presentations you'll ever see, will challenge your thinking, raise issues to ponder, and give you something to smile about.

Michael H. Rubin, McGlinchey Stafford PLLC,
Baton Rouge, LA

2:20 p.m. Adjourn

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Select Registration Type

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HOUSTON

September 20–21, 2018

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 713.739.8800

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 (subject to availability)
 713.739.8800 (reservations)

Parking:
 Daily or Overnight Valet Parking: \$10
 (subject to change)

KEY DATES

- September 12, 2018**
Last day for early registration
 add \$50 for registrations
 received after this time
- September 14, 2018**
Last day for full refund cancellation
- September 17, 2018**
Last day for partial refund cancellation
 \$50 processing fee applied
- September 20, 2018 8:20 a.m.**
Institute begins

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The **17th Annual Gas and Power Institute** features timely topics relevant to the gas and power industry in light of the changing landscape of rules, regulation, legislation, and environmental requirements. The Institute also provides essential information and resources on the latest industry and market climate. 2018 Institute highlights:

- *Federal Energy Policy and Regulation Update* explores topics identified for FERC action in 2018 and what will likely top the Commission’s agenda for early 2019.
- *Texas Legislative and Regulatory Update* provides an update on recent judicial and administrative decisions affecting the Texas gas and electric industries.
- Hear a forecast of hot topics for the upcoming legislative session and what impact there might be on the electric and gas industry.
- Learn the latest on how gas and power companies compete and comply with a host of cybersecurity concerns including blockchain applications, smart contracts, virtual currency, new data privacy standards, and more!
- Hear updates on M&A deals in the midstream sector and insights on what is “market” in midstream M&A transactions.
- Learn about *Emerging Technologies in the Retail and Wholesale Electric Power Markets*.
- A panel of industry experts provide insight on such topics as the ERCOT reserve margins, price formation and scarcity, the next steps for the PUC, and much more.
- The *Mexico Update*, provides insight on how the implementation of energy reform under TPP, NAFTA 2.0, ETI and ICSID will create new challenges and opportunities in 2018 and beyond.
- Earn up to 2.25 hours of ethics credit.

At the conclusion of the Institute, attendees will receive a bonus eCourse containing an additional 2.00 hrs. credit including .75 hr. of ethics to ensure attendees can earn their required 15.0/3.0 MCLE hours for the year.