

2023

# GAS AND POWER INSTITUTE



October 27, 2023

The Whitehall Hotel ■ Houston, Texas

 Live Webcast October 27

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*Times listed are in Central Time*

## FRIDAY MORNING, OCT. 27, 2023

### Presiding Officer:

Julia Pabon, Targa Resources, Houston, TX

### 7:50 a.m. Registration Opens

Includes continental breakfast.

### 8:50 a.m. Welcoming Remarks

### 9:00 a.m. .50 hr

#### State Regulatory and Legislative Update

A discussion of recent legislation passed during the 88<sup>th</sup> Texas Legislature's regular session related to the PUCT, ERCOT and the RRC, as well as recent regulations and rule additions at the PUCT and the RRC and their affect on the energy market going forward.

R. Dakota Parish, Husch Blackwell LLP, Austin, TX

### 9:30 a.m. .75 hr

#### Legislative Review Panel

Highlights of the 88<sup>th</sup> Legislative Session and recent judicial and administrative decisions affecting the Texas gas and electric industries.

##### Moderator:

Chris Reeder, Husch Blackwell LLP, Austin, TX

##### Panelists:

John K. Arnold, Locke Lord LLP, Houston, TX  
Phillip G. Oldham, O'Melveny & Myers LLP, Austin, TX  
Michele Richmond, Texas Competitive Power Advocates, Austin, TX

### 10:15 a.m. 15-Minute Break

### 10:30 a.m. .50 hr

#### Force Majeure and NAESB

Force majeure continues to bedevil gas contracts and parties interpretation of their obligations when things go wrong. Discuss recent force majeure cases relating to the NAESB and some NAESB special provisions that appear in some NAESBs addressing perceived risks in the standard NAESB force majeure provisions.

Craig R. Enochs, Reed Smith LLP, Houston, TX

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

#### EPA's Latest Grid-Impacting Regulations

An overview of the suite of the pending EPA regulations most likely to impact the grid, including a discussion of the new regulation of carbon dioxide emissions from new and existing power plants.

Michael J. Nasi, Jackson Walker LLP, Austin, TX

### 11:30 a.m. .75 hr

#### Practical and Policy Implications of ERCOT's New Large Load Interconnection Process

In March 2022, ERCOT instituted a new large load interconnection process that impacts both crypto-miners and traditional large loads. Hear an overview of the updated regulatory requirements and policy implications of the new processes, as well as an overview of ERCOT market matters impacting large flexible loads.

##### Moderator:

Meghan Elaine Griffiths, Jackson Walker LLP, Austin, TX

##### Panelists:

Clayton Greer, Cholla Energy, LLC, Dallas, TX  
Brian Lloyd, Oncor Electric Delivery Company LLC, Dallas, TX  
Agee Springer, Electric Reliability Council of Texas, Inc., Austin, TX

### 12:15 p.m. Pick up Lunch

Included in registration.

## FRIDAY AFTERNOON, OCT. 27, 2023

### Presiding Officer:

Monica Hwang, O'Melveny & Myers LLP, Houston, TX

## LUNCHEON PRESENTATION

### 12:35 p.m. .50 hr

#### Keynote Presentation

Presented By: Commissioner Jimmy Glotfelty, Public Utility Commission of Texas

### 1:05 p.m. 15-Minute Break

### 1:20 p.m. .50 hr

#### Case Law Updates in the Energy Industry

Texas courts are issuing decisions on a wide variety of pressing issues in the gas and power space. Hear about a few of the most hotly discussed cases and analyze the impacts those cases may have on energy transactions.

Caileen "Kat" Gamache, Norton Rose Fulbright, Houston, TX

Megan Savage, Norton Rose Fulbright, Houston, TX

### 1:50 p.m. .75 hr

#### Post-Production Cost Deductions from Royalty and Why it Matters to the Midstream Sector

For decades, upstream operators and royalty owners have been locked in a legal arms race over deductibility of post-production costs. Hear a discussion of new Texas case law and how the terms and negotiation of production marketing agreements can affect the deductibility question.

Brandon Durrett, Jackson Walker LLP, San Antonio, TX

### 2:35 p.m. .50 hr

#### Investing in Gas and Power: Perspective from Wall Street

ESG is now in the headlines daily. Learn about investors' viewpoint as they evaluate potential investments in the gas and power sectors.

Julien Dumoulin-Smith, Bank of America Securities, New York City, NY

### 3:05 p.m. .50 hr

#### How the SPP RTO Exceeded State Renewable Goals and What is Next on the Horizon

Over the past dozen years, the SPP region's generating mix has changed significantly with wind replacing coal as the top generating resource. Learn about the collaborative process between SPP members, state regulators and SPP staff in creating policies to effectuate this transition.

Paul Suskie, Southwest Power Pool, Little Rock, AR

### 3:35 p.m. 10-Minute Break

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.25 hours, of which 1.00 credit hour 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 (#169).

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3:45 p.m. .75 hr

**Commercial Issues Emerging in Midstream**

Midstream contracts are evolving as upstream and midstream companies are searching for competitive deals and looking for more alignment given the current and future regulatory schemes and the impacts of inflation on capital expenditures. Explore these evolutions and provide some practical guidance on how midstream and upstream companies can meet in the middle in their negotiations.

Jason A. Schumacher, O'Melveny & Meyers, Dallas, TX

4:30 p.m. 1.00 hr ethics

**ChatGPT Ethics**

Topic description generated by ChatGPT: Using ChatGPT for legal purposes promises efficient information processing, yet raises ethical concerns including client confidentiality and the risk of providing inaccurate advice. It is paramount that attorneys ensure adequate supervision, maintain professional discretion, and stay vigilant about the tool's limitations to uphold their ethical obligations.

Henson Adams, Haynes Boone, LLP, San Antonio, TX  
Adam Sencenbaugh, Haynes Boone, LLP, Austin, TX

5:30 p.m. Adjourn

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*Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.*

- Live, In-Person Event Registration . . . . . \$425 | \$525 after October 11
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- In-House Counsel Registration . . . . . \$325 | \$425 after October 11
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**Printed and Shipped Binder with Registration (Shipping Included)** – Available for order through Friday, October 27, 2023

*Please note that the printed binder will arrive 2-3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.*

Printed and Shipped Course Binder . . . . . \$81.19 (\$75\*)

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**October 27, 2023**

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**The Whitehall Hotel**

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713.739.8800 (reservations)

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**KEY DATES**

**October 11, 2023**

*Last day for early registration rates*

**October 20, 2023**

*Last day for full refund cancellation*

**October 23, 2023**

*Last day for partial refund cancellation*

\$50 processing fee applied

**October 27, 2023 8:50 a.m., CT**

*Conference begins*

**October 27, 2023**

*Last day to order a printed and shipped course binder  
with in-person or webcast conference registration.*

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