

2008 Wind Energy Institute
February 19-20, 2008 • Austin Convention Center • Austin, TX

Tuesday Morning, Feb. 19, 2008

Presiding Officer:

Patrick Woodson, E.ON Climate & Renewables - Austin, TX

7:30 am	Registration Opens Includes continental breakfast.
8:10 am 0.67 hr	Optional: Breakfast and A Movie Texas Wind Farms: A Tour From Turbines to Market This short documentary - produced specifically for the 2007 Wind Energy Conference - takes you onto working wind farms in the Sweetwater, TX region from ground operations to the top of the turbines, to explain construction, generation, operation, and interconnection.
8:50 am	Welcoming Remarks
9:00 am 0.75 hr	Wind In Texas, 2008: The State of the Industry This session previews many of the issues to be covered in more detail throughout the program, starting with a big-picture look at the key metrics and characteristics of wind power in Texas—past, present and future—as well as the current and projected geographical concentration of development within Texas. The session will also touch on the main economic drivers of wind development: meteorology, leasing, construction, turbines, and siting, power sales, and transmission; as well as common misconceptions about wind development. Commentator: Mike Sloan, Virtus Energy Research Associates Inc. - Austin, TX Andrew Swift, Texas Tech University - Lubbock, TX
9:45 am 0.75 hr	Land: Survey and Title Issues A discussion of real estate survey and title issues typically encountered in wind energy project development. Practical suggestions to common problems, sample survey certification language, and due diligence checklists will be provided. Kimberlee Smith Centera, AES Wind Generation - San Diego, CA Brent G. Stahl, Stahl, Bernal & Davies, LLP - Austin, TX
10:30 am	Break
10:45 am 0.50 hr	Power Markets and Nodal Pricing: How Will the New Rules Change the Economics and Location of Wind Developments This session provides a snapshot of common methods by which power is currently bought and sold in Texas, and continues with non-technical highlights of the new nodal pricing system, using illustrative and practical examples of how the switch in 2009 to nodal pricing will change the economics and location of wind developments and the manner in which transmission congestion is managed. Ross Baldick, University of Texas, Department of Electrical and Computer Engineering - Austin, TX

11:15 am 0.50 hr	<p>CREZ: What Was Decided by the Interim CREZ Order, and What Is Left to Do?</p> <p>This session will set the framework for the afternoon CREZ discussions by reviewing how and why the Texas Public Utility Commission chose the first set of CREZs, what work remains to be done in the CREZ docket, and how the CREZ docket fits together with the parallel competitive-transmission and dispatch-priority rulemakings.</p> <p>Michael G. Grable, The Electric Reliability Council of Texas - Austin, TX</p>
11:45 am	<p>Pick up Box Lunch</p> <p>Included in conference registration fee.</p>
11:55 am 0.75 hr	<p>New Storage Technologies: Are They Finally Here?</p> <p>A look at new storage technologies and options for Wind Energy: do current technologies and financial conditions finally make storage ready for primetime?</p> <p>Michael Nakhamkin, Energy Storage Power LLC - Basking Ridge, NJ Brad Roberts, S&C Electric Company - Franklin, WI Mark Wilby, Shell WindEnergy Inc. - Houston, TX</p>

Tuesday Afternoon, Feb. 19, 2008

Presiding Officer:

Steven Baron, Consulting and Legal Services - Austin, TX

12:45 pm	Break
1:00 pm 0.50 hr	<p>CREZ and More: Where and How Will Transmission Be Constructed to Integrate Wind Into the Grid?</p> <p>ERCOT commissioned a wind energy ancillary services study and has undertaken a CREZ Transmission "Optimization" Study. These studies will assist the Texas Public Utility Commission in determining the major transmission improvements necessary to deliver renewable energy from the CREZs in a manner that is most beneficial and cost effective to customers. This session will report on the progress and results of these studies.</p> <p>Dan Woodfin, The Electric Reliability Council of Texas (ERCOT) - Taylor, TX</p>
1:30 pm 0.50 hr	<p>CREZ and More: Who Will Build the Transmission, and When?</p> <p>The Texas Public Utility Commission has been conducting a rulemaking proceeding to establish the process and criteria for selecting transmission service providers to construct transmission facilities that will deliver renewable energy from the CREZs to customers. This session will report on the progress and results of that rulemaking, and will provide a look ahead at what remains to be done to achieve the transmission build-out.</p> <p>Barry T. Smitherman, Public Utility Commission of Texas - Austin, TX</p>

2:00 pm 0.75 hr	<p>CREZ and More: Who Will Have Access to the Transmission, and On What Terms?</p> <p>Texas is first in the nation in wind energy production, and the CREZ proceeding elicited unprecedented interest and commitment to additional wind energy development. Will the transmission build-out be sufficient to accommodate the expected generation? If not, will transmission access be addressed by a dispatch priority mechanism or the assignment of financial transmission rights? How will such action mesh with Texas Nodal, and how will it affect wind energy development in the state? The Texas Public Utility Commission has been examining these issues in a proceeding to establish a policy on CREZ transmission access. This session will report on the progress and results of the Texas Commission's efforts.</p> <p>Mark Bruce, MJB Energy Consulting - Round Rock, TX Kenan Ogelman, CPS Energy - Austin, TX Walter J. Reid, Austin, TX</p>
2:45 pm	<p>Break</p> <p>Tuesday Afternoon</p> <p>Sting, Environmental and Leasing Issues Presiding Officer: Melinda Taylor, The University of Texas, Austin, TX</p>
3:00 pm 0.75 hr	<p>Siting Issues: A Checklist of Environmental and Wildlife Issues Involved in Wind Projects</p> <p>The session will address the federal and state statutory and regulatory issues related to environmental and wildlife considerations involved in a wind project. The first part of this presentation will discuss pre-construction considerations e.g., birds, wetlands, clean water, endangered species, etc. and the second session will address potential issues that could arise as a result of the construction and/or operation of the wind facility.</p> <p>M. Benjamin Cowan, Locke Lord Bissell & Liddell LLP - Houston, TX Gregory S. Friend, McElroy, Sullivan & Miller, L.L.P. - Austin, TX</p>
3:45 pm 0.75 hr	<p>Siting Issues: A Dialogue Between Developers and Advocacy Groups</p> <p>A look at how some of the key siting issues play out in practice: what are they; and how are they typically resolved, and a discussion of the framework and options for negotiation and resolution at the project and policy level.</p> <p>Kirby Brown, Texas Wildlife Association - San Antonio, TX Andrew C. Kasner Ph.D, Audubon Texas - Pleasonton, TX Patrick Woodson, E.ON Climate & Renewables - Austin, TX</p>
4:30 pm 1.00 hr	<p>Wind Leases: Emerging Issues</p> <p>This session will examine the fundamental provisions of a wind lease including the royalty clause, minimum rent and gross revenues definition. In this session both landowner and developer concerns will be discussed on the topics of hunting rights, oil and gas exploration, siting considerations, including whether a wind farm is an appropriate alternative for the particular landowner and site, and severing wind rights.</p> <p>Moderator: Lisa Chavarria, Stahl, Bernal & Davies, LLP - Austin, TX Karen E. Jones, Stoel Rives LLP - Portland, OR Allen L. Price, Smith, Rose, Finley, Harp & Price - San Angelo, TX Roderick E. Wetsel, Wetsel & Carmichael, LLP - Sweetwater, TX</p>
5:30 pm	<p>Adjourn to Reception</p>

Wednesday Morning, Feb. 20, 2008

Presiding Officer:

Lisa Chavarria, Stahl, Bernal & Davies, LLP - Austin, TX

	Conference Opens Includes continental breakfast.
8:00 am 0.83 hr	Breakfast Panel Small Scale Wind: Landowner Self-Development, Community Wind, and Distributed Generation The first part of this session discusses landowners working collaboratively on preliminary site development, analysis, and permitting, as a prelude to passing the project to a major developer with access to turbines, financing and construction expertise. The second part of the presentation covers the regulatory issues and equipment options for those looking to get off the grid via community wind and distributed generation. William H. Holmes, Stoel Rives LLP - Portland, OR Andy Kruse, Southwest Windpower - Flagstaff, AZ
8:50 am	Break
9:00 am 0.50 hr	Niche Market Deals and Developments: Avoiding the Pitfalls The recent wave of consolidation among developers has changed the landscape dramatically, but there remains a role and market for small developers and creatively structured projects. This session provides an overview, both from a legal and business perspective, of common structures small developers may utilize to work with large developers and other potential partners to move their projects forward while maximizing their return. Patrick Woodson, E.ON Climate & Renewables - Austin, TX
9:30 am	Break
9:45 am 1.00 hr	The Challenge of Turbine Acquisition This session opens as an overview of the key issues and agreement including vocabulary, warranties, delivery and framing agreements with a general (non proprietary) overview. - How supply scarcity is being dealt with - How to increase capacity & component supply - Frame agreements for equipment - Market analysis and choke point This session concludes with a discussion of how various turbine manufactures are addressing and reacting to these conclusions. Andris Cukurs, Suzlon Wind Energy Corporation - Chicago, IL Marc Fioravanti, Clipper Windpower Inc. - Carpinteria, CA Dany St-Pierre, Siemens Energy Inc. - Orlando, FL Moderator: Edward W. Zaelke, Chadbourne & Parke LLP - Los Angeles, CA

10:45 am 0.75 hr	<p>Financing of Wind Development: Financial and Legal Considerations</p> <p>This panel of wind financing professionals explores key financial and legal considerations in the financing of wind power projects—revenue streams, power sales, tax credits, REC credit sales, and sources of financing—from the perspective of wind developers, lenders and lawyers.</p> <p>David Boyce, Airtricity Inc. - Chicago, IL Stephen Krebs, Baker Botts, LLP - Houston, TX Douglas S. Bland, Vinson & Elkins L.L.P. - Houston, TX</p>
11:30 am	<p>Pick up Box Lunch</p> <p>Included in conference registration fee.</p>
11:45 am 1.17 hrs	<p>Developer's Panel</p> <p>A discussion of market issues and trends for wind development in Texas: challenges, opportunities and approaches to future development from a panel of leading market participants—with varying perspectives.</p> <p>Glenn Allen Hodges, Pattern Energy Group LP - Austin, TX Moderator: John Moore, Consultant to Power Industry - Austin, TX Scott Caldwell, RES Americas, Inc. - Austin, TX Steven K. DeWolf, Wind-Tex Energy - Dallas, TX David Groberg, Invenergy LLC - Olney, MD David Herrick, NextEra Energy Resources LLC - Juno Beach, FL Mark Wilby, Shell WindEnergy Inc. - Houston, TX</p>

Wednesday Afternoon, Feb. 20, 2008

Presiding Officer:

Ward C. Marshall, Babcock & Brown - Austin, TX

12:55 pm	Break
1:10 pm 0.67 hr	<p>Nuisance Litigation: The Issues and How to Avoid Them</p> <p>A few lawsuits have been filed against wind developers in Texas on the theory that wind turbines create a nuisance under Texas law. This session will report on the status of that litigation and explore ways in which a developer can minimize the risk of such lawsuits.</p> <p>Steven Baron, Consulting and Legal Services - Austin, TX Trey Cox, Lynn Tillotson Pinker & Cox, L.L.P. - Dallas, TX</p>

1:50 pm 1.00 hr	<p>Renewable Energy Credits (RECs), Federal RPS and Carbon Taxes: What's Ahead at the State and Federal Level</p> <p>What's happening now and what does the future hold. This session opens with a discussion of the purpose, and current role of credits and credit trading; followed by a discussion of limitations and problems in current markets. This session closes with a look to the (near) future, and how proposed Federal RPS and carbon taxes may play out in the market for wind and renewables.</p> <p>Moderator: John Jones, Invenergy LLC - Chicago, IL Shari Heino, Mathews & Freeland LLP - Austin, TX Karl R. Rábago, Austin Energy - Austin, TX</p>
2:50 pm 0.50 hr	<p>Family Ownership of Wind Royalties: Operational and Estate Planning Considerations</p> <p>Understanding the tax and estate planning considerations and choices for wind royalty owners and their families promotes a more efficient market for wind power. This session explores these subjects in a straightforward way.</p> <p>G. Philip Morehead, Attorney at Law - Abilene, TX</p>
3:20 pm 0.50 hr	<p>Tax Abatement and Wind Development: A Practical Guide to How They Work and How to Draft Them</p> <p>County tax abatements are generally a critically piece of wind deals. This session begins with a short summary of what is happening in different countries and continues with a practical guide on how to draft these agreements, including statutory framework, model agreements, drafting tips and discussion of key clauses.</p> <p>Kevin O'Hanlon, O' Hanlon, McCollom & Demerath - Austin, TX</p>
3:50 pm	<p>Adjourn</p>