

2014

RENEWABLE ENERGY LAW



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January 28–29, 2014
AT&T Conference Center ▪ Austin, Texas

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2014 RENEWABLE ENERGY LAW

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TUESDAY MORNING, JAN. 28, 2014

Presiding Officer:

**Brent Stahl, Stahl, Bernal & Davies, LLP,
Austin, TX**

7:30 a.m. Registration Opens

Includes continental breakfast.

8:25 a.m. Welcoming Remarks

8:30 a.m. .75 hr

Commercial Competitive Landscape for Utility-Scale Renewable Energy

A look back and forward at the competitive landscape in Texas and beyond for wind and solar energy.

Andy Bowman, Pioneer Green Energy, LLC, Austin, TX

9:15 a.m. 1.00 hr

Utility-Scale Solar: Is the Texas Market Poised for Growth?

Will the convergence of the CREZ buildout, new ERCOT protocols, PUCT policy and the expiration of the ITC create conditions for the expansion of utility-scale solar energy deployment in Texas?

Moderator:

Randy Sowell, Lionshare Advisory Services, McCamey, TX

Panelists:

Clay A. Butler, The Butler Firm, PLLC, Austin, TX
Michael Osborne, Austin Energy, Austin, TX
Maura Yates, SunEdison LLC, Austin, TX

10:15 a.m. Break

10:30 a.m. 1.25 hr

Distributed Generation's Impact on Large-Scale Electric Utility Models

Will distributed generation (DG) be a "disruptive force" in the electric utility industry similar to the impact cell phones have had on wire-line telephone companies? This panel explores how DG may evolve given advancing technology, government policy, new financing models, and how DG and Texas utility models can co-exist in harmony.

Moderator:

Richard Gruber, Third Path Advisors, LLC, Austin, TX

Panelists:

Robyn Beavers (Invited), NRG Energy, Inc., San Francisco, CA
Brewster McCracken, Pecan Street Inc., Austin, TX
SolarCity Panelist

11:45 a.m. Pick Up Lunch

Included in registration.

TUESDAY AFTERNOON

Presiding Officer:

**Karen E. Jones, SunPower Corporation,
Portland, OR**

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Setting precedent.

KEYNOTE LUNCHEON PRESENTATION

12:05 p.m. .75 hr

Regional Economic Outlook

Anil Kumar (Invited), Senior Research Economist and Advisor, Federal Reserve Bank of Dallas, Dallas, TX

12:50 p.m. Break

1:00 p.m. .50 hr

Federal Regulatory Update

Renewable developments over the past year and a forecast of things to come, with a focus on federal activity and the new leadership at FERC.

Clay F. Wight, Skadden, Arps, Slate, Meagher & Flom LLP & Affiliates, Washington, DC

1:30 p.m. .50 hr

State Regulatory Update

Update on regulatory changes during the last year—key proceedings and rulings in Texas impacting the electric power markets.

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

2:00 p.m. 1.00 hr

CREZ Update

A description of the completed CREZ construction focusing on statistics that have not typically been included in CREZ program summaries, an assessment of current power delivery limitations from the Panhandle portion of the CREZ lines, and a projection of the likely financial impact—an increase in ERCOT Transmission Cost of Service (TCOS)—from the construction of the CREZ system.

Moderator:

John Moore, Stratus Energy Group, Austin, TX

Panelists:

Jeff Billo, Electric Reliability Council of Texas, Taylor, TX
Steve Farmer, RS&H, Austin, TX

3:00 p.m. .50 hr

Interconnection Overview

Overview of recent procedural and technical requirement changes and how these have become more demanding. Is this nourishing new practical considerations such as fast-track options for smaller projects? Interesting parallels in ERCOT and CAISO.

Hala N. Ballouz, Electric Power Engineers, Inc., Austin, TX

3:30 p.m. Break

3:45 p.m. .75 hr

Current Storage Technologies

As costs of deployment decline and practical experience increases, electric energy storage is approaching an inflection point like that experienced by solar roughly a decade ago. The panel discusses the legal challenges that operating energy storage projects have encountered while being deployed, as well as the solutions to those challenges.

Moderator:

William H. Holmes, K&L Gates LLP, Portland, OR

Panelists:

Darrell W. Hayslip, Narrow Gate Energy, LLC, Denton, TX
Xtreme Power Panelist

4:30 p.m. 1.00 hr

Resource Adequacy Policy Impacts on Renewable Generators and Storage Facilities

Over the past dozen years, a global pace-setting 10,000 megawatts of wind capacity was installed in ERCOT and another wave of wind development appears to be underway in Texas's Competitive Renewable Energy Zones. Recently, the first utility-scale solar and electricity storage facilities have interconnected to the ERCOT network. All this has occurred under Texas's somewhat unique energy-only market design. Major changes to that market design have recently been ordered by the Public Utility Commission of Texas and Commissioners continue to consider additional market design changes, including a centralized forward capacity market, to encourage new generation resource development in the face of projected resource inadequacy. What do such market design changes mean for wind, solar and storage projects? This panel discusses the latest developments in the ERCOT resource adequacy policy-making environment with contextual focus

on issues of interest to renewable generation and electricity storage project financiers, developers and operators.

Moderator:

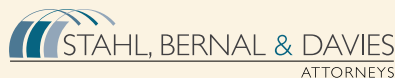
Mark Bruce, Stratus Energy Group, Austin, TX

Panelists:

Warren Lasher, Electric Reliability Council of Texas, Austin, TX
Dan Woodfin, Electric Reliability Council of Texas, Taylor, TX

5:30 p.m. Adjourn to Reception

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WEDNESDAY MORNING, JAN. 29, 2014

Presiding Officer:

Russel E. Smith, Texas Renewable Energy Industries Association, Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

Financing and Investment: Emerging Project Financing Models/Vehicles, Pension Fund Investments in Renewable Energy, and PACE

Moderator:

Eric H. Drummond, Husch Blackwell LLP, Denver, CO

Panelists:

Tim Distler, Renewable Energy Trust Capital, Inc., San Francisco, CA
Charlene Vanlier Heydinger, Keeping PACE in Texas, Austin, TX
Timothy Kemper, CohnReznick LLP, Atlanta, GA
Charles H. Purcell, K&L Gates LLP, Seattle, WA

9:30 a.m. .50 hr

Key Project Finance Issues for Long-Term Ground Leases

Dirk R. Mueller, Winston & Strawn LLP, San Francisco, CA

10:00 a.m. Break

10:15 a.m. 1.00 hr

Traditional PPAs vs. Hedge PPAs (or "Contract for Differences")

This panel discusses the differences between traditional PPAs and contracts for difference. Why might a party prefer one over the other? What are the advantages and disadvantages?

Moderator:

Giji M. John, Andrews Kurth LLP, Houston, TX

Panelists:

Kenneth Davies, Altenex, Boston, MA
Shalini Ramanathan, RES Americas, Austin, TX

11:15 a.m. .75 hr ethics

Lawyer for the Deal: When You're Wearing Too Many Hats

When multiple entities are created for a "deal," conflicts occur, and costs and attorney's fees skyrocket if litigation follows. What you need to know and what you can do to best serve your clients when you find yourself wearing too many hats.

Thomas H. Watkins, Husch Blackwell LLP, Austin, TX

12:00 p.m. Pick Up Lunch

Included in registration.

WEDNESDAY AFTERNOON

Presiding Officer:

Richard Gruber, Third Path Advisors, LLC, Austin, TX

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KEYNOTE LUNCHEON PRESENTATION

12:20 p.m. .75 hr

The Global Energy Transition: An Objective Look at Drivers and Pace

The transition from a fossil-energy present to an alternate-energy future will span the 21st century. The pace of change will be driven by energy affordability, availability, reliability and environmental sustainability. In percentage terms, oil and coal will slowly decrease while natural and nuclear increase. Attempting to orchestrate a transition via poorly-informed government policy, or unachievable technology acceleration, could have unintended consequences. Scaling up alternative energy sources like solar, wind, biomass and geothermal is investment-heavy, but can be accomplished with well-considered policy and technology advances, especially in energy storage and transmission. Efficiency, including vehicles, insulation and lighting, and industrial systems, is key to environmental sustainability.

Scott W. Tinker, Director, Bureau of Economic Geology and State Geologist of Texas, The University of Texas at Austin Jackson School of Geosciences, Austin, TX

1:05 p.m. Break

1:15 p.m. .50 hr

The Intersection between Federal Environmental Regulation and Renewable Energy Demand

James D. Marston, Environmental Defense Fund, Austin, TX

1:45 p.m. .75 hr

State Tax Update

This presentation highlights upcoming changes to the Chapter 313 program and how it could impact renewable energy projects, as well as other recent tax updates.

Kevin O'Hanlon, O'Hanlon, McCollom & Demerath, Austin, TX
Robert Wood, Economic Development and Analysis Division, Texas Comptroller of Public Accounts, Austin, TX

2:30 p.m. .50 hr

Federal Tax Update

Renewable energy transactions are economically driven by the current federal tax credits and incentives available. Learn about the latest tax considerations and issues impacting tax equity investors and industry participants.

Nat Eng, Novogradac & Company LLP, San Francisco, CA

3:00 p.m. Break

3:15 p.m. .50 hr

Case Law Update

A review of select recent court decisions involving renewable energy.

Becky H. Duffen, Vinson & Elkins LLP, Austin, TX

3:45 p.m. .75 hr ethics

What's Your Ethics IQ?

Test your ethics knowledge in an interactive game where the audience can anonymously answer multiple choice ethics questions and compete against each other to win!

Richard Melamed, Richard Melamed, PLLC, Houston, TX

4:30 p.m. Adjourn

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 15.00 hours, of which 1.50 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 (#169).

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January 28–29, 2014

CONFERENCE LOCATION



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 1900 University Avenue
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 512.404.3600

Special Room Rate: \$174
 good through January 6, 2014
 (subject to availability)

Parking:

Free daily self-parking at UT garages.
 Separate fees apply for valet and
 overnight parking.

KEY DATES

January 17, 2014

last day for early registration
 add \$50 for registrations
 received after this time

January 22, 2014

last day for cancellation (full refund)

January 24, 2014

last day for cancellation (partial refund)
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January 28, 2014, 8:25 a.m.

conference begins

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