

2016 Renewable Energy Law
February 9-10, 2016 • Radisson Hotel and Suites, Austin-Downtown • Austin, TX

Tuesday Morning, Feb. 9, 2016

Presiding Officer:

Zeina El-Azzi, Blue Earth Inc. - Austin, TX

8:00 am	Registration Includes continental breakfast.
8:50 am	Welcoming
9:00 am 0.75 hr	What's New With Federal Incentives A lively update on developments at the federal level affecting the renewable energy market. An unusually large number of issues of interest to independent generators are in play with the IRS, including the network upgrade payments to utilities to relieve grid congestion, prepaid power contracts, solar inverted leases, series LLCs, and targeted partnership allocations. Congress will have decided whether to give developers more time to start construction of new projects to qualify for production tax credits. The solar companies were pressing to convert their 2016 deadline to complete projects into one merely to start construction. What is the outlook for further extensions? What issues are coming up in transactions? Keith Martin, Chadbourne & Parke LLP - Washington, DC
9:45 am 1.00 hr	EPA Clean Power Plan Review With well over 4 million comments, EPA's Clean Power Plan is nothing if not controversial. Discuss some of the aspects of the plan that have made it so controversial including its legal context, its assumptions, the compliance options it affords, its potential costs and benefits, its effect on the nation's energy mix, and some of the practical and legal issues it raises. Moderator: Jeff Civins, Haynes and Boone, LLP - Austin, TX Panelists: Kathleen Spees, The Brattle Group - Cambridge, MA David B. Spence, The University of Texas at Austin - Austin, TX
10:45 am	Break
11:00 am 0.50 hr	Current and Trending Environmental Issues for Wind Energy The landscape for wind energy is undergoing change on many fronts—some are generally believed to have a positive impact (such as the Clean Power Plan) and others are viewed as increasing risk and uncertainty (such as the status of permits for species impacts including birds and new requirements for noise impacts). Explore these and other trends in the industry. Lisa Montgomery Shelton, Andrews Kurth LLP - Austin, TX

11:30 am 0.75 hr	Distributed Solar Models Explore the different regulatory and market models that have been utilized to implement distributed solar generation. Moderator: Tuan Pham, PowerFin Partners - Austin, TX Panelists: Karen Poff, Austin Energy - Austin, TX Maura Yates, MP2 Energy - Houston, TX
12:15 pm	Pick Up Lunch

Tuesday Afternoon, Feb. 9, 2016

Presiding Officer:

Brent Stahl, Stahl, Bernal, Davies, Sewell & Chavarria LLP - Austin, TX

Luncheon Presentation

	Thank You to Our Luncheon Sponsor Andrews Kurth LLP
12:35 pm 0.50 hr	The European Experience Review retroactive amendment of feed-in tariff guarantees in Spain, Italy, and other European states; domestic and international remedies for investors; and the implications for the renewable energy industry in North America and elsewhere. Kevin D. Mohr, King & Spalding - Houston, TX
1:05 pm	Break
1:20 pm 0.75 hr	Water and Mineral Issues in Solar Development Discuss the California law perspective upon water and development interactions, focusing on the issues of securing water rights for solar development, as well as the impacts of severance of rights. Issues related to the potential conflicts and resolutions between solar development and mineral rights and activity in Texas will also be discussed. Gregory S. Friend, Stahl, Bernal, Davies, Sewell & Chavarria LLP - Austin, TX Kristen Castaños, Stoel Rives LLP - Sacramento, CA
2:05 pm 0.75 hr	Policy Updates, Texas and Beyond Explore how Texas and other states are treating renewable energy policy and what factors are driving their decisions. Charlie Hemmeline, Texas Solar Power Association - Austin, TX J. Christopher Hughes, Husch Blackwell LLP - Austin, TX Susan Williams Sloan, American Wind Energy Association - Austin, TX

2:50 pm 1.00 hr	<p>Transmission Development for Renewable Energy</p> <p>Learn about the current issues in electric transmission related to the development and operation of renewable energy projects. With a review of the renewable development forecast, transmission planning, cost allocation, congestion, state regulatory decisions, federal energy policy and market drivers.</p> <p>Bill Bojorquez, Hunt Transmission Services, LLC - Dallas, TX Cary J. Kottler, Clean Line Energy Partners LLC - Houston, TX Warren Lasher, Electric Reliability Council of Texas, Inc. - Austin, TX</p>
3:50 pm	Break
4:00 pm 0.50 hr	<p>Future Ancillary Services in the ERCOT Market</p> <p>ERCOT has proposed a major change to the current 1990s-era ancillary services framework to meet evolving system needs and facilitate the use of new types of resources to meet those needs efficiently using market-based tools. Discuss the proposed Future Ancillary Services framework, the driving factors for the change, the current state of the proposal, and its interaction with the future development of renewables in ERCOT.</p> <p>Dan Woodfin, Electric Reliability Council of Texas, Inc. - Taylor, TX</p>
4:30 pm 0.75 hr ethics	<p>Here But For the Grace of God Go You: Why the Texas Lawyer's Creed Matters to You</p> <p>Learn how to be the opposing counsel your profession needs without compromising your ethical duties to your client—an autobiography of 4 family deaths in 11 months.</p> <p>Mark McPherson, Attorney at Law - Dallas, TX</p>
5:15 pm	<p>Adjourn to Reception Thank You to Our Reception Sponsor</p> <p>Stahl, Bernal, Davies, Sewell & Chavarria, LLP</p>

Wednesday Morning, Feb. 10, 2016

Presiding Officer:

Susan Williams Sloan, American Wind Energy Association - Austin, TX

8:00 am	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
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8:30 am 1.25 hrs	<p>Trends in Buying and Selling Renewable Energy: Commercial, Industrial, and Wholesale Transactions</p> <p>The market for the purchase and sale of renewable energy is constantly evolving, as new customers and transaction structures become more prominent. Review the role of long-term structured PPAs and hedges in the procurement of renewables by investor owned, municipal and regional utilities. Examine the growing importance of commercial and industrial (C&I) demand for renewable energy from both offsite and on-site sources.</p> <p>Moderators: William H. Holmes, K&L Gates LLP - Portland, OR Shalini Ramanathan, RES Americas - Austin, TX Panelist: Jacob Susman, OwnEnergy an EDF RE Company - Brooklyn, NY Andrew Dickson, Duke Energy Renewables - Austin, TX</p>
9:45 am 0.75 hr	<p>Yieldcos Update</p> <p>An update on how yieldco structures are being used to finance renewable energy projects. Discuss yieldco effects on project values and consolidation, legal and tax issues, and whether cost of capital and interest rate trends will impact the use of yieldcos.</p> <p>Moderator: Robert Sternthal, CohnReznick Capital Markets Securities, LLC - New York, NY Panelists: Terence Grant, Marathon Capital, LLC - San Francisco, CA E. Ramey Layne, Vinson & Elkins LLP - Houston, TX</p>
10:30 am	Break
10:45 am 0.75 hr	<p>Improving the Marketability of Your Project: Tips and Pitfalls</p> <p>Beyond the economics of a project, there are key contractual and development issues that will be analyzed during the due diligence process. Gain insight into how lawyers review and evaluate project documents, tips on how to best showcase your renewable energy project, and examples of potential pitfalls that an investor or buyer is trying to avoid.</p> <p>This presentation has moved to Wednesday at 2:50 p.m.</p> <p>Becky H. Diffen, Vinson & Elkins LLP - Austin, TX Materials By: Megan Ceder, Vinson & Elkins LLP - Houston, TX</p>
11:30 am	Pick Up Lunch

Wednesday Afternoon, Feb. 10, 2016

Presiding Officer:

Charlie Hemmeline, Texas Solar Power Association - Austin, TX

Luncheon Presentation

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Orrick, Herrington & Sutcliffe LLP

11:50 am 0.75 hr	<p>Texas' Transforming Energy Market: Big Changes Underway</p> <p>Major shifts in energy markets—historic and persistent low natural gas prices, relentless drops in the price of solar generation and the steady march forward of wind in high resource areas—are transforming the energy space worldwide and here in Texas. Explore how these shifts are each affecting Texas today, what challenges and opportunities they present and what we can expect in the near future.</p> <p>Andy Bowman, Pioneer Green Energy, LLC - Austin, TX</p>
12:35 pm	<p>Break</p>
12:50 pm 0.50 hr	<p>Renewable Energy Case Law Update</p> <p>Review recent court decisions involving renewable energy.</p> <p>Jacob P. Arechiga, Jackson Walker L.L.P. - Austin, TX</p>
1:20 pm 0.50 hr	<p>Texas Property Tax Incentives</p> <p>A review of Chapter 313 of the Texas Tax Code dealing with value limitation agreements, including failed legislation, the new form agreement, and rules. Briefly discuss Chapters 312, 380 and 381 of the Local Government Code.</p> <p>Renn G. Neilson, Baker Botts L.L.P - Houston, TX Robert Wood, Texas Comptroller of Public Accounts - Austin, TX</p>
1:50 pm 1.00 hr	<p>Islanding the Grid - Getting to 100%</p> <p>Islanding the grid is dynamically disaggregating the grid to eliminate cascading failures while maintaining power to everyone. As a country, we are at the beginning of being able to see how and why to have such a capability. Explore challenges of cost, regulations, and technology, but also technical benefits in reliability in critical infrastructure protection and financial benefits from minimization of failure related opportunity costs.</p> <p>Jeffrey Mikulina, Blue Planet Foundation - Honolulu, HI Gene Preston, IEEE - Austin, TX</p>
2:50 pm 0.75 hr ethics	<p>Ethics of Negotiation: Are You Smarter than a First-Year Associate? (Part 2)</p> <p>When it comes to ethics in negotiations, it's anything but anything-goes. Could a tiny white lie here and a teeny puffing there mean the difference between getting the deal done and getting disbarred? These questions and more are answered. Are you smarter than a first-year associate?</p> <p><i>This presentation has moved to Wednesday at 10:45 a.m.</i></p> <p>Wilson Chu, McDermott Will & Emery - Dallas, TX Barrett R. Howell, K&L Gates LLP - Dallas, TX</p>
3:35 pm	<p>Adjourn</p>