UT LAW CLE Continuing Legal Education

17th Annual Renewable Energy Law Institute
February 1-2, 2022 • Proceeding as Live Webcast

Tuesday Morning, Feb. 1, 2022

Presiding Officer:
Brent Stahl, Stahl, Davies, Sewell, Chavarria & Friend LLP - Austin, TX

8:20 am	**Welcoming Remarks**
8:30 am 0.50 hr	**What's New?** Hear a lively update on developments affecting the renewable energy market. Keith Martin, Norton Rose Fulbright US LLP - Washington, DC
9:00 am	**10-Minute Break**
9:10 am 1.00 hr	**Federal Energy Panel Discussion** A group of key participants in the renewable energy policy debates discusses the many issues in play in Washington, including tax credit extensions, import tariffs, carbon pricing, transmission, offshore wind, standalone storage, green hydrogen and more. Moderator: Keith Martin, Norton Rose Fulbright US LLP - Washington, DC Panelists: Hon. Richard A. Glick, Federal Energy Regulatory Commission - Washington, DC Abigail Ross Hopper, Solar Energy Industries Association - Washington, DC JC Sandberg, American Clean Power Association - Washington, DC
10:10 am	**10-Minute Break**
10:20 am 0.75 hr	**Legislative and Regulatory Updates Part One** Hear the latest updates on the legislative and regulatory issues impacting renewable energy markets in Texas and beyond. Michael J. Jewell, Jewell & Associates, PLLC - Austin, TX Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX
11:05 am	**5-Minute Break**
11:10 am 0.75 hr	**Legislative and Regulatory Updates Part Two** A continuation on the legislative and regulatory impacts including a special emphasis on Winter Storm Uri. Michael J. Jewell, Jewell & Associates, PLLC - Austin, TX Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX

11:55 am	**10-Minute Break**
12:05 pm 0.75 hr	**Integrating Renewable Energy in ERCOT's Market Redesign** As the Public Utility Commission implements a market redesign at the instruction of the Texas Legislature and Governor, in response to Winter Storm Uri, the big question is how to address resources that are variable with Texas' reliability needs. Experts will discuss the pending changes in ERCOT market design, as well as a wider breadth of market design options and lessons learned from other markets. Moderator: Caitlin Smith, Jupiter Power - Austin, TX Panelists: Beth Garza, R Street Institute - Austin, TX Robert Helton, ENGIE - Bay City, TX Andy Nguyen, Lower Colorado River Authority (LCRA) - Austin, TX
12:50 pm	**30-Minute Break for Lunch - Presentations Resume at 1:20 p.m. CST**

Tuesday Afternoon, Feb. 1, 2022

Presiding Officer:
Christine Fernandez Owen, Clean Law PC - Chicago, IL

Luncheon Presentation

1:15 pm	**Thank You To Our Luncheon Sponsor** AmTrust Title An AmTrust Financial Company
1:20 pm 0.50 hr	**Winter Storm Uri - Litigation Update** This litigation update will cover the appeals, district court cases, MDL proceedings, administrative appeals and arguments raised by the parties relating to the ERCOT grid failures of February 2021. Chrysta Castañeda, The Castañeda Firm - Dallas, TX
1:50 pm	**5-Minute Break**
1:55 pm 0.75 hr	**Domino Effects in Contracts** The COVID-19 Pandemic and Winter Storm Uri are among some of the recent events that have influenced and shaped how contracts are drafted. Examine how contracting parties have sought to address, overcome, and possibly learn from the challenges faced by recent events when drafting their contracts, focusing on offtake agreements. Daniel Lynch, Akin Gump Strauss Hauer & Feld LLP - Los Angeles, CA
2:40 pm	**10-Minute Break**

2:50 pm 1.00 hr	**Energy Storage Development Panel** In the aftermath of Winter Storm Uri, and amidst unique global challenges affecting the storage industry including COVID and supply chain issues, project developers are working to bring new clean energy technologies to Texas to strengthen the grid. Explore developers' perspectives about how energy storage alone or combined with renewables can support ERCOT reliability, how contract and merchant transactions inside and outside of ERCOT are being structured to accommodate storage today, and how ERCOT may need to evolve to create pathways to value the reliability benefits of these resources. Moderator: Rohit Sachdev, Orrick, Herrington & Sutcliffe LLP - San Francisco, CA Panelists: Christina Cazares, Primergy - Chicago, IL Jason Houck, Form Energy, Inc. - Somerville, MA Sally Shaw, Broadreach Power - Houston, TX
3:50 pm	**5-Minute Break**
3:55 pm 0.50 hr	**Federal Environmental and Regulatory Updates** Wetlands and Wildlife developments under the new Biden Administration. Brooke M. Marcus, Nossaman LLP - Austin, TX
4:25 pm	**5-Minute Break**
4:30 pm 1.00 hr ethics	**A Litigator's Guide to Protecting Clients Against and During Litigation; Preserving the Attorney-Client Privilege – Legal Ethics and Practical Perspectives** Focus on strategic and ethical considerations in preventing litigation, addressing litigation when it occurs, and protecting the attorney-client privilege. Gary Zausmer, Enoch Kever PLLC - Austin, TX
5:30 pm	**Thank You to Our Exclusive Webcast Sponsor** **Stahl, Davies, Sewell, Chavarria & Friend LLP** STAHL, DAVIES, SEWELL, CHAVARRIA & FRIEND ATTORNEYS

Wednesday Morning, Feb. 2, 2022

Presiding Officer:
Becky H. Diffen, Norton Rose Fulbright - Austin, TX

8:25 am	**Morning Announcements**
8:30 am 0.75 hr	**Mineral Estate Issues in Solar Projects** Analyze mineral, title, and site control considerations in solar projects and provide a general overview of some of the mineral and title issues faced in these projects. Hear an update from a Texas case addressing

	the accommodation doctrine with mineral owners in Texas, risk mitigation factors to address mineral and title issues, and best practices to keep in mind in dealing with these issues. Brian Pullin, Husch Blackwell, LLP - Austin, TX
9:15 am	**5-Minute Break**
9:20 am 0.50 hr	**Land Owners Perspectives in Negotiating Leases** Understanding landowner perspectives and issues when negotiating renewable energy leases, easements, and ancillary agreements. Zachary Brady, Brady & Hamilton - Lubbock, TX
9:50 am	**5-Minute Break**
9:55 am 0.50 hr	**Energy Transformation and Top Trends Among Critical Industries** Modernizing the grid, enabling electrification, and increased use of renewables. What are the opportunities for C&I customers to improve resilience, build interconnected power systems and create new value streams? India James, ComEd - Chicago, IL
10:25 am	**10-Minute Break**
10:35 am 1.00 hr	**Developers and In House Counsel Panel** This panel of in-house counsel and developers will compare and contrast how real estate, permitting and interconnection issues vary in different grid regions (e.g., ERCOT vs. SPP vs. MISO vs. PJM, etc.) across the United States. Erin Baker, Vesper Energy - Allen, TX Emily Carroll, Apex Clean Energy - Charlottesville, VA Jenn Goodwillie, Orsted - Austin, TX Mark Wengierski, Scout Clean Energy - Boulder, CO
11:35 am	**10-Minute Break**
11:45 am 0.75 hr	**Financing Panel** We've seen tremendous growth in RE investment and surging deal counts, with more renewables entering the grid than ever before. However, there are many key project finance considerations that investors and sponsors need to assess, including looming project finance headwinds over the next 2-3 years, financing structures best suited to keep pace with demand, the effect of direct pay, Capital deployment risks to investors who are new to energy / clean energy, and the effect of inflation on financing. Moderator: Britta Von Oesen, CohnReznick Capital - San Francisco, CA Lan Sasa, NT Solar - Saint Louis, MO Asha Gandhi, EDP Renewables North America LLC - Houston, TX
12:30 pm	**30-Minute Break for Lunch - Presentations Resume at 1:00 p.m. CST**

Wednesday Afternoon, Feb. 2, 2022

Presiding Officer:
Matthew Arth, Locke Lord LLP - Austin, TX

Luncheon Presentation

1:00 pm 0.50 hr	**Macro-grid Issues: National and Regional Transmission Infrastructure Trends and Implications for Future Generation Project Development.** A discussion on the prospects for large scale transmission development in the United States. Explore thoughts and perspectives on transmission incentives and policy likely to emerge from Washington. Rob Gramlich, Grid Strategies LLC Materials By: Michael Skelly, Grid United LLC - Houston, TX
1:30 pm	**10-Minute Break**
1:40 pm 1.00 hr ethics	**Ethics and the Duty of Loyalty** The lawyer's fiduciary responsibilities are at the core of ethics programs everywhere, and include the duty to refrain from conflicts of interest. But in a modern society, where lawyers freely move between large firms with sophisticated clients, should the firm and client have a right to waive such traditional conflicts of interest to hire new talent? There is a growing movement to allow firms and lawyers to provide advance consent to situations which are currently barred by conflict of interest rules, as well as organized opposition to "taking the wrecking ball to client loyalty." Find out what's going on and see what you think! Robert Denby, Vinson & Elkins LLP - Houston, TX Claude E. Ducloux, Attorney at Law - Austin, TX
2:40 pm	**10-Minute Break**
2:50 pm 0.75 hr	**Trends in Restoration Requirements and Forms of Restoration** Explore the current landscape of restoration requirements for utility-scale renewable energy projects—from lease provisions to state laws. Michael Anderson-Colón, RWE Renewables Americas, LLC - Chicago, IL Erin Delawalla, RES, LLC - Chicago, IL
3:35 pm	**5-Minute Break**
3:40 pm 0.75 hr	**Texas is an energy state — does that include Hydrogen?** Discuss the results from a large Department of Energy funded hydrogen project at UT-Austin. Discuss possible pathways and challenges to developing a hydrogen economy in the Lone Star State and will touch on what that might mean for energy regulation. Joshua D. Rhodes, The University of Texas at Austin & IdeaSmiths LLC - Austin, TX
4:25 pm	**Adjourn**