18TH ANNUAL

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MONDAY AFTERNOON, JAN. 30, 2023

Presiding Officer:

Caitlin Smith, Jupiter Power, Austin, TX

12:30 p.m. Registration Opens

1:00 p.m. Welcoming Remarks

1:10 p.m. .50 hr

Real Estate Issues for Large Loads

Explore key considerations and issues affecting the development and site control for interconnect data centers, crypto mining and hydrogen.

Kaitlyn E. DeYoung, K&L Gates LLP, Kansas City, MO

1:40 p.m. .75 hr

Comparison of Title Insurance Differences Between Texas and ALTA

An overview of the standard energy endorsements and the key differences between ALTA and Texas endorsements.

Elisabeth Prescott, Invenergy, Dallas, TX Matthew Skalka, Stewart Title Guaranty Company, Houston, TX

Ashley C. Tobias, AmTrust Title, Houston, TX

2:25 p.m. .75 hr

Introduction to Financing Renewable Energy Projects

Raising capital for clean energy projects continues to evolve as we deal with market headwinds and tailwinds, new and old. Positives include many new investors providing liquidity, innovative financing structures, broad public support and long-term government policy provided by passage of the Inflation Reduction Act. On the other hand, we face challenges due to increasing interest rates, risk aversion from many offtakers, development bottlenecks and ongoing limited tax equity capital.

Bruce Randolph Thompson, Jupiter Power LLC, Austin, TX

Lexie C. Worley, Jupiter Power, Austin, TX

3:10 p.m. 15-Minute Break

3:25 p.m. .50 hr

ERCOT Update

What changes are in store for ERCOT electricity markets? Will they be meaningful, or just for show? Beth Garza, R Street Institute, Austin, TX

3:55 p.m. .75 hr

ERCOT and PUCT Transmission and Distribution Grid Planning and Impact on Market

Address how can we reliably plan and operate the grid given the rapid rate of new technologies being integrated into the transmission and distribution systems.

Moderator:

Soo Jin Kim, North American Electric Reliability Corporation, Atlanta, GA

Panelists:

Stephanie Kroger, Hunt Energy Network L.L.C., Dallas, TX

Bryan Sams, Calpine, Austin, TX Mark R. Stover, Apex Clean Energy, Austin, TX 4:40 p.m.

1.00 hr

ERCOT: Integrate or Disintegrate

New technologies, what are they (Small Modular Reactors, Bitcoin, Grid enhancing Technologies, and ??), and how do we integrate with lessons from the past to pave a reliable future for the ERCOT Grid?

Moderator:

Robert Helton, ENGIE, Bay City, TX

Panelists:

Lee Bratcher, Texas Blockchain Council, Dallas, TX Jeff Clark, Advanced Power Alliance, Austin, TX Kenan Ögelman, ERCOT, Austin, TX

5:40 p.m.

.50 hr

Issues Affecting Offtake Agreements in ERCOT

Discuss the fundamentals of offtake agreements. Also review new ERCOT and PUCT issues and their impacts on offtake agreements.

Paula Torres, AB Power Advisors, Austin, TX

6:10 p.m. Adjourn

M C L E This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 4.75 hours. 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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TUESDAY MORNING, JAN. 31, 2023

Presiding Officer:

Gregory S. Friend, Stahl, Davies, Sewell, Chavarria & Friend LLP, Austin, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .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 a.m. 1.00 hr

Federal Energy Panel Discussion

A group of key participants in the renewable energy policy debates discusses the issues that will be in play this year in Washington, including Inflation Reduction Act implementation, a possible energy bill, House Republican investigations, potential deadlock at the Federal Energy Regulatory Commission, and more.

Moderator:

Keith Martin, Norton Rose Fulbright US LLP, Washington, DC

Panelist:

JC Sandberg, American Clean Power Association, Washington, DC

Thomas West, U.S. Department of the Treasury, Washington, DC

Gregory Wetstone, American Council on Renewable Energy (ACORE), Washington, DC

10:00 a.m.

.75 hr

States' Policy Update

Hear about the impacts of and goals being set for renewables, because of the IRA in California, Illinois, and New York.

Rory Christian, New York State Public Service Commission, New York, NY

Todd Edmister, East Bay Community Energy, Oakland, CA

Carrie Zalewski, Illinois Commerce Commission, Chicago, IL

10:45 a.m.

15-Minute Break

11:00 a.m.

.75 hr

Texas Legislative and Regulatory Update

The Texas Legislature is back in session, and the Texas electric market is expected to receive significant attention again. A discussion of key legislative issues that are expected to be addressed this session, including market redesign, proposals related to renewable energy, energy storage, and much more.

Moderator:

Caitlin Smith, Jupiter Power, Austin, TX

Panelists:

Michael J. Jewell, Jewell & Associates, PLLC, Austin, TX

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

11:45 a.m. .75 hr

ERCOT Panel Discussion

Gain insight on market redesign and related issues in light of Winter Storm Uri and Summer 2022 weather impacts.

Moderator:

Warren Lasher, Lasher Energy Consulting, Austin, TX

Panelists:

Clif Lange, South Texas Electric Cooperative, Inc., Nursery, TX

Katherine Leslie Coleman, O'Melveny, Austin, TX Bill Barnes, NRG Energy Inc, Austin, TX

12:30 p.m. Pick up Lunch

Included in registration.

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TUESDAY AFTERNOON

Presiding Officer:

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

LUNCHEON PRESENTATION

1:00 p.m. .50 hr

Texas Renewable Energy Caselaw Update

An overview update concerning relevant Texas cases involving Renewable Energy issues.

Gary Zausmer, Enoch Kever PLLC, Austin, TX

1:30 p.m. 15-Minute Break

1:45 p.m. 1.00 hr

Distributed Energy and Virtual Power Plants: Regulatory Challenges and Opportunities to Leverage Consumer-Driven Electrification

This panel will provide an A-Z approach to grasping core concepts and developments in distributed energy regulation and policy. The topics discussed will include technical capacities of distributed energy and their contribution to increased electrification, a national and international review of distributed energy integration policy, examples of how distribution utility models incorporate, and value distributed energy resources and challenges faced, and a deeper dive into accomplishing DER integration in Texas. The panel will also discuss hot topics for practitioners interested in what legal challenges lie ahead for DER integration.

John C. Bonnin, AutoGrid, San Antonio, TX Erik Ela, Electric Power Research Institute, Palo Alto, CA

Jason M. Ryan, CenterPoint Energy, Houston, TX Arushi Sharma Frank, Tesla, Washington, DC

M C L E

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2:45 p.m. .75 hr

Bankruptcy Issues in Renewable Energy Projects

As demonstrated in the recent Brazos Bankruptcy case resulting from Winter Storm Uri, bankruptcy cases present not only important considerations for any renewable energy project, but opportunities for companies looking to expand their renewable energy projects. Hear a review both general bankruptcy considerations applicable to all energy projects as well as specific bankruptcy issues facing renewables projects.

Cameron K. Rivers, Holland & Knight LLP, Houston, TX Anna R. Sankaran, Holland & Knight LLP, Houston, TX

3:30 p.m.

.75 hr | .25 hr ethics

Addressing the Evolving ESG Risk Landscape

A discussion of the most recent developments in ESG disclosures, stakeholder engagement and regulatory developments. Our speakers will address trends with respect to ESG incentives, supply and value chain considerations, and emerging areas of ESG risks.

Sarah E. Fortt, Latham & Watkins LLP, Austin, TX Heather M. Palmer, Sidley Austin LLP, Houston, TX

4:15 p.m.

Adjourn to Reception

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4:15 p.m. - 5:15 p.m.

Join us for a networking opportunity with faculty and colleagues.

WEDNESDAY MORNING, FEB. 1, 2023

Presiding Officer:

Matthew Arth, Locke Lord LLP,

Austin, TX

8:00 a.m. Conference Room Opens Includes continental breakfast.

8:30 a.m. .75 hr

Joint Venture and Joint Development Agreements

As more new entrants enter the renewable energy industry, we continue to see an increase in joint ventures and other types of joint development arrangements. In this panel, we will discuss the reasons why, different types of joint structures, and key issues that tend to arise in these negotiations.

Moderator:

Becky H. Diffen, Norton Rose Fulbright, Austin, TX

Panelists

Rachel Crouch, AES Clean Energy, Washington, DC Daniel Keyes, Clearway Energy Group LLC, San Francisco, CA 9:15 a.m.

Latest Developments in Energy Hedge and PPA Agreements

.50 hr

.50 hr

Commercial and legal terms in hedging and power purchase agreements continue to change in light of significant supply chain disruptions, the passage of the Inflation Reduction Act and winter storm Uri, among other factors. What changes are being seen in PPAs and hedges? How have increased renewables development, new IRA incentives and other similar changes impacted those changes?

Brandon Scott Lobb, Locke Lord LLP, Houston, TX

9:45 a.m.

Top 10 Construction Loan Provisions

An overview of key provisions in project finance construction loan agreements with respect to renewable energy projects. Hear a high-level overview of the structure of a construction loan agreement and highlights of major pitfalls for both lenders and borrowers

Darin Lowder, Foley & Lardner LLP, Washington, DC

10:15 a.m. 15-Minute Break

10:30 a.m.

1.00 hr | .25 hr ethics

Development-Stage Renewable Energy Project Acquisitions

The purchase or sale of a renewable energy project while it is in development presents a unique set of issues, such as a success and royalty based purchase price, buy back rights, build out restrictions, shared facilities and what closing conditions will be required. This panel will discuss these issues and more, particularly in light of an ever increasingly competitive market.

Matt Bonovich, Sheppard Mullin, Chicago, IL Andrea Lucan, Allen & Overy, Los Angeles, CA J.D. Rubin, Acciona Energy, Chicago, IL

11:30 a.m. .75 hr

Impacts of Supply Chain Issues and Governmental Policy on Project Development

An in-depth discussion of the significant impacts that supply chain issues and certain governmental policies have had on the development of renewables and storage projects in the United States over the past year. Address supply chain market and pricing issues, as well as policy and force majeure dynamics.

Rohit Sachdev, Orrick, Herrington & Sutcliffe LLP, San Francisco, CA

Adam Larner, Primergy Solar, San Francisco, CA Deepa Ananthakrishnan, Primergy Solar, Richmond, CA

12:15 p.m. Pick up Lunch

Included in registration.

WEDNESDAY AFTERNOON

Dawn M. Lewallen, First American Title Insurance Company, Houston, TX

LUNCHEON PRESENTATION

12:45 p.m.

Geopolitics and Extreme Weather Impacts on the Energy Markets

We are in an energy crisis, security crisis and climate crisis simultaneously, which is roiling energy markets, creating undue suffering, but opening up an opportunity for rapid transition.

Michael E. Webber, The University of Texas Mechanical Engineering Department, Austin, TX

1:15 p.m. 15-Minute Break

1:30 p.m.

1.00 hr ethics

.50 hr

Ethical Obligations in Negotiations

A foundational discussion about how you, as Counsel, accomplish your objectives and meet your goals while acting legally and ethically during negotiations. Reinforces the professional responsibility a lawyer must maintain when faced with ethical dilemmas in negotiations in order to identify: (1) the balance between a lawyer's obligations of honesty and candor with client advocacy; (2) best practices in negotiations; and (3) the application of the ABA Model Rules of Professional Conduct in legal negotiations.

Jamie Lavergne Bryan, K&L Gates LLP, Fort Worth & Houston, TX

2:30 p.m.

.75 hr

Trends and Recent Activity - Hydrogen Energy Projects

Recent years have seen significant global interest and momentum in the use of hydrogen to decarbonize across sectors. Listen to an overview of trends and recent activity surrounding hydrogen energy projects, including recent US hydrogen policy, the potential for hydrogen to reduce emissions, and a discussion of the risks and opportunities for expansion of hydrogen production and use.

Emily Beagle, Webber Energy Group - University of Texas at Austin, Austin, TX

3:15 p.m.

.75 hr

Trends/Updates and Legal Issues - Offshore Wind Projects – Eastern U.S., Western U.S., Gulf of Mexico

The presentation will provide an update on offshore wind projects in the United States, including lease sales and project regulatory approval. The presentation will also include a discussion of the BOEM regulatory, Jones Act, and applicable law issues faced in offshore wind projects.

Alyssa Karotkin, Equinor, Houston, TX Cindy Muller, Jones Walker LLP, Houston, TX

4:00 p.m.

Adjourn

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January 23, 2023

Last day for early registration rates

January 23, 2023

Last day for full refund cancellation

January 24, 2023

Last day for partial refund cancellation \$50 processing fee applied

January 30, 2023, 1:00 p.m., CT Essentials begins

January 31, 2023, 8:20 a.m., CT Institute begins

February 1, 2023

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