UT LAW CLE Continuing Legal Education

18th Annual Renewable Energy Law Institute
January 31 - February 1, 2023 • AT&T Conference Center • Austin, TX
January 31 - February 1, 2023 • Live Webcast

Tuesday Morning, Jan. 31, 2023

Presiding Officer:
Gregory S. Friend, Stahl, Davies, Sewell, Chavarria & Friend LLP - Austin, TX

7:30 am	**Registration Opens** Includes continental breakfast.
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 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 Panelists: 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 am 0.75 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. Todd Edmister, East Bay Community Energy - Oakland, CA Carrie Zalewski, Illinois Commerce Commission - Chicago, IL
10:45 am	**15-Minute Break**
11:00 am 0.75 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 am 0.75 hr	**ERCOT Panel Discussion: Market Redesign** Gain insight on the proposed market redesign discussions and recent changes to the ERCOT stakeholder process. Moderator: Warren Lasher, Lasher Energy Consulting - Austin, TX Panelists: Bill Barnes, NRG Energy Inc - Austin, TX Katherine Leslie Coleman, O'Melveny - Austin, TX Clif Lange, South Texas Electric Cooperative, Inc. - Nursery, TX
12:30 pm In Austin Only	**Pick up Lunch** Included in registration.

Tuesday Afternoon, Jan. 31, 2023

Presiding Officer:
Dawn M. Lewallen, First American Title Insurance Company - Houston, TX

Luncheon Presentation

1:00 pm 0.50 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 pm	**15-Minute Break**
1:45 pm 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 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
2:45 pm 0.75 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
3:30 pm 0.75 hr 0.25 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 pm	**Adjourn to Reception**
	Thank You to Our Reception Sponsor **Stahl, Davies, Sewell, Chavarria & Friend LLP** STAHL, DAVIES, SEWELL, CHAVARRIA & FRIEND ATTORNEYS

Wednesday Morning, Feb. 1, 2023

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

8:00 am	**Conference Room Opens** Includes continental breakfast.
8:30 am 0.75 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 - San Francisco, CA
9:15 am 0.50 hr	**Latest Developments in Energy Hedge and PPA Agreements** 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 am 0.50 hr	**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 am	**15-Minute Break**
10:30 am 1.00 hr 0.25 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 am 0.75 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. Deepa Ananthakrishnan, Primergy Solar - Richmond, CA Adam Larner, Primergy Solar - Oakland, CA Rohit Sachdev, Orrick, Herrington & Sutcliffe LLP - San Francisco, CA
12:15 pm In Austin Only	**Pick up Lunch**

Wednesday Afternoon, Feb. 1, 2023

Presiding Officer:
Dawn M. Lewallen, First American Title Insurance Company - Houston, TX

Luncheon Presentation

12:45 pm 0.50 hr	**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 pm	**15-Minute Break**
1:30 pm 1.00 hr ethics	**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 pm 0.75 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 pm 0.75 hr	**Trends/Updates and Legal Issues - Offshore Wind Projects – Eastern U.S., Western U.S., Gulf of Mexico** An update on offshore wind projects in the United States, including lease sales and project regulatory approval. 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 pm	**Adjourn**