

# 2012 WIND, SOLAR AND STORAGE

ENERGY MARKETS, RESOURCE  
ADEQUACY, AND THE LEGAL  
AND BUSINESS ENVIRONMENT  
FOR RENEWABLES

February 14, 2012 – Pre-Conference  
February 15-16, 2012 – Institute  
AT&T Conference Center • Austin, Texas

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# 2012 WIND, SOLAR AND STORAGE

February 14, 15-16, 2012 ■ AT&T Conference Center ■ Austin, Texas

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## TUESDAY AFTERNOON, FEB. 14, 2012

Please select on registration form

### PRE-CONFERENCE WIND, SOLAR AND STORAGE

4.50 Hours of Credit

#### Presiding Officer:

John Moore, Stratus Energy Group, LLC,  
Austin, TX

#### 12:15 p.m. Registration Opens

Includes light refreshments.

#### 1:00 p.m. 1.00 hr

##### Is the Market Functional? Resource Adequacy and the Role of Wind, Renewables and Storage

The panel discusses the impact of market structure on reliability and resource adequacy, within the context of wind turbine generators and other renewable energy technologies.

###### Moderator:

Reed Armstrong, Iberdrola Renewables, Austin, TX

###### Panelists:

Barbara Clemenhagen, Topaz Power Group,  
Austin, TX

Brad Jones, Luminant Energy, Austin, TX

John Moore, Stratus Energy Group, LLC, Austin, TX

Mark Soutter, Invenergy LLC, Austin, TX

#### 2:00 p.m. .83 hr

##### A Primer on Project Economics, Tax Credits and PPAs for Wind and Solar Projects

Developing and financing a renewable energy project involves as much "art" as science (and perhaps more), and occasionally the touch of a magician. Each project requires assembling many different building blocks—developer equity, real equity, tax equity, construction (and maybe permanent) debt, and various revenue streams—each of which will, in part, depend on the others to be in place. In addition, few projects can go forward without a signed PPA, yet getting a PPA in place often requires an almost fully-developed (and financed) project. This panel attempts to describe how all of these pieces can and should be assembled and, perhaps, solves the age-old problem of the chicken and the egg.

###### Moderator:

Gregory F. Jenner, Stoel Rives LLP, Minneapolis, MN

###### Panelists:

Ann A. Hawkins, Skadden, Arps, Slate, Meagher &

Flom LLP, Houston, TX

Patrick Woodson, E.ON Climate & Renewables,  
Austin, TX

#### 2:50 p.m. .50 hr

##### The Role and Impact of Electric Vehicles (EVs) on Renewable Energy and the Utility System

Karl R. Rábago, Austin Energy, Austin, TX

#### 3:20 p.m. Break – 15 minutes

#### 3:35 p.m. .83 hr

##### Leasing Perspectives: Site Development for Wind and Solar Projects

Recent trends demonstrate that renewable energy development continues at a significant pace in Texas, despite a lackluster economy and transmission concerns. And landowners and developers alike continue to engage in relationships that serve as the backbone for renewable energy generation. With this in mind, the panel discusses basic tenets and recent developments in site development and leasing in both solar and wind contexts, including monetary, land use and other relevant lease terms, and considers the effect of similarities and differences between the two types of generation.

###### Moderator:

Gregory S. Friend, McElroy, Sullivan & Miller, L.L.P.,  
Austin, TX

###### Panelists:

Stephen Krebs, OwnEnergy, Houston, TX

Roderick E. Wetsel, Wetsel & Carmichael, LLP,  
Sweetwater, TX

#### 4:25 p.m. .67 hr

##### How Are New Entrants and New Technology Changing Project Economics from the Turbine Market Developer's Perspective?

The capital outlay for wind turbines doubled between 2001 and 2008, as many state RPS's were enacted, and Congress enacted multiple-year periods of PTC availability. During that boom period, the resultant demand for wind turbines caused proportionately larger increases in wind turbine pricing vs. performance, outstripping technology and performance improvements over that time. During the bust period that followed the financial crisis, the lack of transmission capacity, low or negative electricity demand growth, and the greatly reduced supply of power purchase agreements, industry installations dropped by 50%. Recently, new entrants and new technology in the turbine market have kindled the sparks of what may become a slow but virtuous new business cycle for project development. Improved pricing and technology in the turbine market must now be nurtured with stable state and federal energy

policy, new transmission infrastructure, and a general economic recovery for the industry to return to healthy levels of development activity.

Tim N. Libson, Trintek Energy Consulting, Inc.,  
Austin, TX

Jan C. Paulin, Cielo Wind Services, Inc., San Diego, CA

#### 5:05 p.m. .67 hr

##### Offshore Wind Development: What's Happening, Where and Who's Doing It?

An examination of where offshore wind development is taking place in the U.S. with particular focus on offshore development in the Northeast and potential projects in the Gulf.

Jim Lanard, Offshore Wind Development Coalition,  
Washington, DC

Mark Leyland, Baryonyx Corporation, Austin, TX

#### 5:45 p.m. Adjourn Pre-Conference

## WILDCATTING FOR WIND:

### The Texas Experience from Turbine to Market

This short documentary on DVD takes you onto working wind farms in the Sweetwater, TX region from ground operations to the top of the turbines, to explain construction, generation, operation, and interconnection. DVDs will be on sale at the conference site for the special conference price of \$10.



**WIND, SOLAR AND STORAGE INSTITUTE**

13.75 Hours of Credit

**Presiding Officer:**

Lisa Chavarria, Stahl, Bernal & Davies, LLP, Austin, TX

**8:00 a.m. Registration Opens**

Includes continental breakfast.

**8:50 a.m. Welcoming Remarks**

**9:00 a.m. 1.00 hr**

**Energy Economics in 2012: Where Are We?**

A discussion of the regional economics, trends and cost curves of competing energy sources in light of new environmental regulations, transmission constraints, and low natural gas prices.

Todd Filsinger, Filsinger Energy Partners, Denver, CO

**10:00 a.m. .75 hr**

**Deep Dive: Gas Markets, Shale Gas Production and Gas Prices—What Does the Future Hold?**

A discussion and analysis of gas markets and prices—historical, current and future—including the relevance and accuracy of pricing signals in futures markets, the impact of shale gas reserves and production techniques on long-term supply and prices, and some thoughts on future prices and factors to consider in evaluating price projections.

David Pursell, Tudor, Pickering, Holt & Co. Securities Inc., Houston, TX

**10:45 a.m. Break – 20 minutes**

**11:05 a.m. 1.17 hr**

**Integration, Reliability, Operational and Regulatory Issues for Renewables**

One of the biggest challenges facing wind and solar energy is the fact that they are intermittent. This panel presents a range of regulatory and operational challenges, including the risk of curtailment and variable energy integration charges. It also discusses the latest developments affecting the integration of renewable resources into the grid.

**Moderator:**

William H. Holmes, Stoel Rives LLP, Portland, OR

**Panelists:**

Diana M. Liebmann, Haynes and Boone, LLP, San Antonio, TX  
 Bill Magness, Electric Reliability Council of Texas (ERCOT), Austin, TX

**12:15 p.m. Break to Pick Up Lunch 20 minutes**

Included in conference registration fee.

**Presiding Officer:**

Ann A. Hawkins, Skadden, Arps, Slate, Meagher & Flom LLP, Houston, TX

**KEYNOTE LUNCHEON PRESENTATION**

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**12:35 p.m. .75 hr**

**PUC Chairman's Perspective on Renewable Energy and Storage Technologies**

The PUC Chairman provides her perspective on the future of renewable energy in the ERCOT market. She also discusses the potential for storage resources to provide energy and ancillary services and to help integrate renewable energy into the grid.

Donna L. Nelson, Chairman, Public Utility Commission of Texas, Austin, TX

**1:20 p.m. Break – 15 minutes**

**1:35 p.m. .50 hr**

**Connecting Wind Generation in ERCOT or the SPP: What to Do, Where to Go, How Long to Get There and What Does It All Mean?**

Developers control most facets of the wind generation development project, but other entities control the interconnection process. Interconnection rules continue to evolve, and owning or operating interconnection facilities can subject the generator to numerous and changing reliability obligations. Knowing and addressing at an early stage these interconnection requirements and obligations can reduce project delay risk and allow a realistic evaluation of likely costs and compliance obligations.

Chris Reeder, Brown McCarroll, L.L.P., Austin, TX

**2:05 p.m. .83 hr**

**The Current Utility-Scale Solar and Wind Generation Market**

An overview of current logistics and capital costs involved in developing large-scale solar and wind energy projects, including capital cost comparisons between wind and solar, PPA pricing examples and trends in Texas and other states, and capital cost comparisons between renewable and traditional energy projects.

Andy Bowman, Pioneer Green Energy LLC, Austin, TX

**2:55 p.m. .50 hr**

**Where's the Water? Resource and Regulatory Concerns and Their Impact on Markets**

A review of the latest resource adequacy information for the ERCOT region with a focus on potential impacts of drought, extreme weather and regulatory changes.

Warren Lasher, Electric Reliability Council of Texas (ERCOT), Austin, TX

**3:25 p.m. Break – 15 minutes**

**3:40 p.m. .50 hr**

**Selected Case Law Developments**

This presentation reviews recent case law developments of interest in the area of renewable energy.

Steven Baron, Consulting and Legal Services, Austin, TX

**4:10 p.m. .50 hr**

**Current Legal Issues Related to Wind Lease and Easement Agreements**

A review of the basic elements of a Wind Lease or Easement Agreement and a discussion of the key issues that should be addressed in negotiating and drafting these agreements.

Daniel J. Swendsen, Andrews Kurth LLP, Houston, TX

**4:40 p.m. 1.00 hr**

**Industry Panel: Market Conditions, Challenges and Opportunities**

This panel discusses the numerous opportunities and challenges facing the outlook for renewables. In spite of rapidly decreasing costs for both wind and solar utility development, there are a number of factors that could cut against a new expansive growth in renewables. While inexpensive natural gas is lowering retail electricity prices, it is also undermining the business case for renewable energy. The upcoming expiration of the wind production tax credit has in the past and will in the future affect the incentives for new renewables. Moreover, several states have met their renewable portfolio standards which impacts the rationale for load serving entities to purchase additional renewables.

**Moderator:**

Todd Filsinger, Filsinger Energy Partners, Denver, CO

**Panelists:**

Cris Eugster, EVP & Chief Sustainability Officer, CPS Energy, San Antonio, TX  
 Richard Germain, Manager, Alternative Energy, ConocoPhillips Company, Houston, TX  
 Jeff D. Hunter, CFO, US Power Generating Company, LLC, New York, NY  
 Tim Kawakami, Director, Purchased Power, Xcel Energy, Denver, CO  
 Cheryl L. Mele, Chief Operating Officer, Austin Energy, Austin, TX

**5:40 p.m. Adjourn to Reception**

**THURSDAY MORNING, FEB. 16, 2012****Presiding Officer:**

Heather Bailey, Navigant, Austin, TX

**8:00 a.m. Conference Room Opens**

Includes continental breakfast.

**8:30 a.m. .33 hr****Regulatory Issues Involving Electric Energy Storage**

Unique capabilities and attributes of storage technologies have raised a variety of national and regional regulatory issues. This session explores recent developments in electric regulatory law relating to these technologies.

Elizabeth Drews, Brown McCarroll, L.L.P., Austin, TX

**8:50 a.m. 1.00 hr****When, Where and How Much Will Storage Transform the Electric Industry?**

A panel of experts addresses technological, market and policy issues important to development, operation and utilization of storage. Differences among storage technologies, applications, commercial needs, grid integration, and market rules are addressed.

**Moderator:**

Elizabeth Drews, Brown McCarroll, L.L.P., Austin, TX

**Panelists:**

Audrey Fogarty, Xtreme Power, Austin, TX  
 Mark Kapner, Frontier Associates, Austin, TX  
 Praveen H. Kathpal, AES Energy Storage, Arlington, VA  
 Alissa Oppenheimer, Chamisa Energy, LLC, Santa Fe, NM  
 Mark Patterson, Electric Reliability Council of Texas (ERCOT), Austin, TX

**9:50 a.m. .75 hr****Corporate Keynote: Storage and Renewables from the CPS Perspective**

A discussion of the important role that storage will play moving forward as utilities integrate greater amounts of variable renewable resources into their systems.

Doyle N. Beneby, President and Chief Executive Officer, CPS Energy, San Antonio, TX

**10:35 a.m. Break – 15 minutes****10:50 a.m. .50 hr****Solar Developments, Economics, Incentives and Regulatory Barriers in 2012**

An overview of the solar marketplace and solar development, with a focus on current economics, incentives and regulatory barriers in the U.S. and Texas.

Dennis L. Harper, SunPower Corporation, Richmond, CA  
 Richard Gruber, Lincoln Renewable Energy, LLC, Austin, TX

**11:20 a.m. 1.00 hr****2012 Solar Industry Panel: Market Conditions, Pricing Pressures, Corporate Restructurings and Prospects for the Future**

The past year has brought major corporate restructurings in the solar industry due to changing market conditions, the reduction in credits and stimulus funding, and pricing competition from new market players. A panel of industry experts discusses these issues and more, with a focus on prospects for the solar sector over the next twenty-four months.

**Moderator:**

Dennis L. Harper, SunPower Corporation, Richmond, CA

**Panelists:**

Lisa Bodensteiner, First Solar, Inc., Tempe, AZ (Invited)  
 John D. Clapp, CFO, Solar Trust of America, Short Hills, NJ  
 Juan Garza, President, Advance Technologies Initiatives, NRG Energy, Houston, TX  
 Jim Kenna, Bureau of Land Management, California State Office, Sacramento, CA (Invited)

**12:20 p.m. Break to Pick Up Lunch 20 minutes**

Included in conference registration fee.

**THURSDAY AFTERNOON****Presiding Officer:**

Renn G. Neilson, Baker Botts L.L.P., Dallas, TX

**LUNCHEON PRESENTATION****12:40 p.m. .67 hr****Texas Renewable Energy Policy: An Insider's View**

Mark Bruce, Stratus Energy Group, LLC, Austin, TX  
 Legislative Speaker TBA

**1:20 p.m. Break – 15 minutes****1:35 p.m. 1.00 hr****Financing and Deal Structures for Wind and Solar Projects: Current Tools and Techniques**

This panel examines current financing structures and techniques from the perspective of developers seeking financing, including tax equity financing; their attorneys and tax advisers; and tax equity investors.

**Moderator:**

Adam S. Umanoff, Akin Gump Strauss Hauer &amp; Feld LLP, Los Angeles, CA

**Panelists:**

Alejandro Burgaletta, Gestamp Wind, Houston, TX (Invited)  
 John M. Eber, JPMorgan Capital Corporation, Chicago, IL  
 Eli M. Katz, Chadbourne & Parke LLP, New York, NY  
 Timothy Kemper, Reznick Group, Atlanta, GA

**2:35 p.m. .92 hr****Siting Issues: Environmental and Aviation Considerations for Development**

A broad overview of the potential impacts to renewable energy project development in the context of environmental and aviation rules. Topics considered include turbine interaction with radar and other FAA concerns, as well as federal and state environmental issues, from the Endangered Species Act to the U.S. Fish and Wildlife Service's voluntary guidelines to local siting laws.

**Moderator:**

Gregory S. Friend, McElroy, Sullivan &amp; Miller, L.L.P., Austin, TX

**Panelists:**

M. Benjamin Cowan, Locke Lord LLP, Houston, TX  
 Rebecca MacPherson, Federal Aviation Administration, Washington, DC

**3:30 p.m. Adjourn**

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- Early Registration Fee due by Monday, February 6, 2012 .....\$515  
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- Early Registration Fee due by Monday, February 6, 2012 .....\$520  
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- Tuesday Afternoon Pre-Conference Wind, Solar and Storage .....\$80

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