

16TH ANNUAL
GAS AND POWER INSTITUTE



October 5–6, 2017 ■ Hotel Derek ■ Houston, Texas

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THURSDAY MORNING, OCT. 5, 2017

Presiding Officer:

**Michael P. Pearson, Jackson Walker LLP,
Houston, TX**

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .75 hr

Texas Legislative and Regulatory Update

Listen to highlights of the 85th Legislative Session and recent judicial and administrative decisions affecting the Texas gas and electric industries.

Jennifer Littlefield, Haynes and Boone, LLP,
Austin, TX

Jessica L. Morgan, Husch Blackwell LLP, Austin, TX

9:15 a.m. .75 hr

Federal Energy Policy and Regulation Update

Gain insight on how the new FERC chairman and commissioners will redirect the future of electric power and natural gas regulation.

Lisa Toney, Orrick, Herrington & Sutcliffe LLP,
New York, NY

Adam Wenner, Orrick, Herrington & Sutcliffe LLP,
Washington, DC

10:00 a.m. .50 hr

Dodd-Frank: President Trump's Agenda Changes Everything, Or Does It?

President Trump is using all the tools in his Presidential Toolbox—Presidential Appointments, Executive Orders, CRA Rejection of Obama-Era Final Rules, Federal Budget Approval Process, Tax Proposals, Legislative Agenda, the Bully Pulpit, Foreign Policy Initiatives, Bilateral Trade Treaty Negotiations, and, of course, his Twitter Account!—to alter much of the regulatory landscape established by his predecessor. Early on, there was talk of repealing the Dodd-Frank Act, but where are we now? Discuss what is likely to change, what is likely to remain, and how the gas and power industries will be affected.

Phil Lookadoo, Haynes and Boone LLP,
Washington, DC

10:30 a.m. Break

10:45 a.m. .75 hr

Status, Structure, and Successes of U.S. Retail Markets

In an era of flat load, dramatic upheavals in generation economics and the arrival of digital customer sovereignty in the electricity industry, the data shows superior performance by competitive retail jurisdictions compared to traditional monopoly states. For nearly a decade, average prices have been declining in 14 competitively restructured markets while rising in 35 traditionally regulated states. At the same time competitive markets are attracting capital for new generation with improved operating efficiency relative to generation in monopoly states.

Philip R. O'Connor, PROactive Strategies, Inc.,
Chicago, IL

11:30 a.m. .50 hr

Documenting Electric Capacity Transactions

Explore the challenges in preparing contracts for the purchase and sale of electric capacity. These challenges include differences between capacity products in different markets, documentation used in capacity transactions, and issues to consider when drafting capacity contracts such as liquidated damages, force majeure, and calculating credit exposure.

Craig R. Enochs, Reed Smith LLP, Houston, TX

12:00 p.m. .50 hr

Mexico Power Market Permitting and Legal Reform Update

In its emerging power market, Mexico's regulators must balance the desire for a fast and efficient market participant registration process with the need to ensure that entities have the required skills and financial soundness to operate effectively. Many questions continue to arise from both Mexican and global companies about the registration process to participate in Mexico's power markets. Review Mexico's power registration for retail power marketing and wholesale power trading, including the challenges that many have faced in navigating the process.

Rebecca Bollenbach, Essentia Advisory Partners LLC,
Houston, TX

12:30 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

**Chris Reeder, Husch Blackwell LLP,
Austin, TX**

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LUNCHEON PRESENTATION

12:50 p.m. .50 hr

Priorities for the Evolution of an Energy-Only Electricity Market Design in ERCOT

ERCOT is a leader in the development of an open competitive electricity market. Review the economic and policy trends which point to areas of enhancement of the basic energy-only design.

William W. Hogan, John F. Kennedy School of
Government, Cambridge, MA

1:20 p.m. Break

1:35 p.m. 1.00 hr

How to Build an Energy Project in the Face of Activist Opposition

Energy projects involve a myriad of complex issues, ranging from state vs. federal regulatory control, to landowner impacts, to broad policy issues (climate change, "leave it in the ground," etc). The scale of active opposition has been magnified by increased funding from multiple sources, coupled with an unprecedented number of major projects. Consider how to build energy projects in the face of widening political divisions at the federal, state and local levels.

Moderator:

Norma Rosner Iacovo, Tenaska Power Services Co.,
Arlington, TX

Panelists:

Norman Lent III, Arent Fox LLP, Washington, DC
Frederick M Lowther, Blank Rome LLP,
Washington, DC

Phillip G. Oldham, Thompson & Knight LLP,
Austin, TX

2:35 p.m. .50 hr

Gas Processing Primer

A primer on the fundamental business and technical considerations in natural gas processing.

Stacy Duke, Targa Resources, Houston, TX

3:05 p.m. Break

3:15 p.m. .75 hr

Hot Topics in the Midstream Sector

There has been a lot going on in the midstream sector over the last few years—some good and some bad. Review what the future holds: is big infrastructure built out or is more still needed; how are commodity exposures and prices; are the days of easy returns gone as competition heats up; and what M&A trends are on the horizon.

Brandon Blossman, Tudor, Pickering, Holt & Co., Houston, TX

4:00 p.m. .50 hr

Overview of the U.S. Power Markets and the Impacts of Market Structures

Given the diversity of regional market structures throughout the U.S., discuss the outlook and impacts of these market dynamics on asset valuations and generation development opportunities.

Todd Filsinger, Filsinger Energy Partners, Denver, CO

4:30 p.m. 1.00 hr ethics

Ten Tips to Avoid a Grievance: Conflicts and Dealing with the Unrepresented Person

Busy lawyers seem to forget the fundamentals about communication restrictions (do's/dont's) contained in our ethics rules. Listen to practical pointers that can keep you out of trouble. Remember, your ability to practice law is a privilege—not a right.

Gaines F. West II, West Webb Allbritton & Gentry P C, College Station, TX

5:30 p.m. Adjourn to Reception

Join us for drinks and hors d'oeuvres with program faculty and attendees.

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FRIDAY MORNING, OCT. 6, 2017

Presiding Officer:

Kathleen E. Magruder, BP Energy Company, Houston, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:00 a.m. .75 hr

Meeting the Electricity Needs of Industrial and Large Commercial Customers

What drives the power supply choices of large electricity consumers in the Texas power markets? Examine the commercial, regulatory, and legal considerations that shape the power supply decisions of industrial and large commercial customers. As a case study, explore the procurement, policy, and regulatory issues that drove the structure of the City of Houston's three-party agreement to purchase 50 MW of solar power through its retail electric provider.

Moderator:

Meghan Elaine Griffiths, Jackson Walker LLP, Austin, TX

Panelists:

Daniel James Booth, Calpine Corporation, Houston, TX
James Perry Cargas, City of Houston Legal Department, Houston, TX

8:45 a.m. .50 hr

What Does the Future Hold for Electric Cooperatives and Municipally-Owned Utilities?

Gain insight into how not-for-profit electricity entities can address changes in technology and markets in Texas and beyond.

Todd F. Kimbrough, Greenberg Traurig, LLP, Austin, TX

9:15 a.m. .75 hr

Interplay and Competition of Federal vs. State Energy Regulatory Jurisdiction

Are state zero-emission credit programs, such as those adopted in NY and IL, legitimate state actions or impermissible encroachments upon federal jurisdiction? Explore the federal and state tensions, as well as the possible paths competitive market resolutions.

Moderator:

Norma Rosner Iacovo, Tenaska Power Services Co., Arlington, TX

Panelists:

Carrie Hill Allen, Exelon Corporation, Washington, DC
Jennifer S. Hsia, NRG Energy, Inc, Princeton, NJ

10:00 a.m. Break

10:15 a.m. .50 hr

Navigating the Use of NAESB and EEI Contracts

Discuss the most commonly used standard forms for buying and selling natural gas and electricity. Learn about common modifications buyers and sellers make to these forms, as well as when not to use them.

Chad Eric Mills, Haynes and Boone, LLP, Houston, TX

10:45 a.m. .50 hr

LNG Update

According to the IEA, LNG could be the "second revolution" in natural gas markets. Global LNG trade reached another record year in 2016 as new supply from Australia and the United States came online and found its way to markets in a diverse array of countries. The world's traditional buyers are becoming sellers as potentially huge LNG demand markets open up in China and India. Hear an update of the key developments impacting global LNG markets.

Susan L. Sakmar, The University of Houston Law Center, Houston, TX

11:15 a.m. 1.00 hr ethics

Too Many Entities

As more "deals" are put together, more entities are used to facilitate the "deal." Assess the huge liability risk for clients and lawyers if litigation is the end result.

Thomas H. Watkins, Husch Blackwell LLP, Austin, TX

12:15 p.m. Adjourn

UPCOMING CONFERENCES

GOVERNMENT ENFORCEMENT INSTITUTE

October 26–27, 2017

CIVIL LITIGATION CONFERENCE

November 2–3, 2017

BANKRUPTCY CONFERENCE

November 16–17, 2017

OIL AND GAS TAX CONFERENCE

November 16–17, 2017

RENEWABLE ENERGY LAW

January 29–30, 2018

OIL, GAS AND MINERAL LAW INSTITUTE AND FUNDAMENTALS

April 19–20, 2018

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.00 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. 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 (#179).

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*Planning Committee member

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GP17

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- Individual registration by September 27, 2017 \$575
- Individual registration after September 27, 2017. \$625
- In-House Counsel/Industry registration by September 27, 2017 \$375
- In-House Counsel/Industry registration after September 27, 2017 \$425

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- Printed Course Binder. \$37.99
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October 5–6, 2017

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Parking:

Daily self-parking: \$10
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Valet parking: \$30
(subject to change)

KEY DATES

September 27, 2017

last day for early registration
add \$50 for registrations
received after this time

September 29, 2017

last day for cancellation (full refund)

October 2, 2017

last day for cancellation (partial refund)
\$50 processing fee applied

October 5, 2017, 8:20 a.m.

Institute begins

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REASONS TO ATTEND

The 16th Annual Gas and Power Institute features timely topics relevant to the gas and power industry in light of the changing landscape of rules, regulation, legislation, and environmental requirements. With essential information on the latest industry and market climate, the Institute also provides a must-have set of materials and resources. 2017 Institute highlights:

- **Todd Filsinger**, Filsinger Energy Partners, provides an *Overview of the U.S. Power Markets and the Impacts of Market Structures*.
- **Lisa Tonery** and **Adam Wenner**, Orrick, Herrington & Sutcliffe LLP, provide insight on how the new FERC chairman and commissioners will redirect the future of electric power and natural gas regulation.
- **Phil Lookadoo**, Haynes and Boone, LLP, delivers *Dodd-Frank: President Trump's Agenda Changes Everything, Or Does It?*
- **Craig R. Enochs**, Reed Smith LLP, explores the challenges in preparing contracts for the purchase and sale of electric capacity.
- **Meghan Griffiths**, Jackson Walker LLP, leads a panel on *Meeting the Electricity Needs of Industrial and Large Commercial Customers*.
- **Rebecca Bollenbach**, Essentia Advisory Partners, reviews Mexico's power registration for retail power marketing and wholesale power trading, including the challenges that many have faced in navigating the process.
- A panel of experts lead by **Norma Rosner Iacovo**, Tenaska Power Services Co., presents *How to Build an Energy Project in the Face of Activist Opposition*.