

2018

RENEWABLE ENERGY LAW



Hal C. Weaver Power Plant Expansion Building, Photo by Timothy D. Rogers

January 29–30, 2018

DoubleTree by Hilton Hotel Austin ■ Austin, Texas

 **Live Webcast January 29–30, 2018**

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MONDAY MORNING, JAN. 29, 2018

Presiding Officer:

**McCall Johnson, Recurrent Energy,
San Francisco, CA**

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 Policy Panel

An esteemed group of Washington experts discuss the many issues in play in Washington including: federally-mandated payments by RTOs to coal-fired and nuclear power plants to keep them operating, import tariffs on solar panels and steel, a rewrite of the US tax code, revisions to PURPA, possible new incentives to rebuild transmission and other basic infrastructure, and rollbacks of Obama-era environmental regulations.

Moderator:

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

Panelists:

Hon. Richard A. Glick, Federal Energy Regulatory
Commission, Washington, DC
Thomas Hassenboehler, The Coefficient Group,
Washington, DC
Abigail Ross Hopper, Solar Energy Industries
Association, Washington, DC
Tom Kiernan, American Wind Energy Association,
Washington, DC
Hon. Daniel Simmons, U.S. Department of Energy,
Washington, DC

10:00 a.m. .50 hr

FERC Update

After the state itself, no agency has more ongoing authority over the deployment of renewable energy throughout Texas than the Federal Energy Regulatory Commission. This presence undergirds the importance of changes in leadership at FERC since President Trump's election, and key issues impacting renewable energy integration: transmission development, wholesale market design and its interaction with state policies, and treatment of distributed energy resources in markets and transmission planning.

Allison Clements, Goodgrid, LLC, Salt Lake City, UT

10:30 a.m. Break

10:45 a.m. .75 hr

Public Lands

Hear from University Lands and the GLO with respect to renewable energy leases, agreements, surface waivers, and more, including a discussion of the application process and contract expectations.

Moderator:

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

Panelists:

Richard Brantley, University Lands, Midland, TX
Kenneth W. Mills, Texas General Land Office,
Austin, TX

11:30 a.m. .75 hr

Front-of-the-Meter Energy Storage

Energy storage has made great strides recently, in both number and size of installations, in Texas and worldwide. Technology choices are determined by the desired usage and discharge profile desired of the battery, as well as the financial owner's comfort with the chosen technology. Discuss the current options available, as well as the future of utility or grid-sited storage.

Moderator:

Kate Sherwood, 3M Electrical Markets Division,
Austin, TX

Panelists:

Judy McElroy, Fractal Energy Storage Consultants,
Austin, TX
Spivey Paup, Recurrent Energy, San Francisco, CA
Kenneth Ragsdale, Electric Reliability Council of
Texas, Inc., Taylor, TX

12:15 p.m. Pick Up Lunch

Included in registration.

MONDAY AFTERNOON

Presiding Officer:

Peter L. Harsy, KH Law LLC, Chicago, IL

LUNCHEON PRESENTATION

12:35 p.m. .50 hr

Commercial Renewable Energy Procurement

How commercial and industry customers bid, procure, and contract for renewable energy differently than utilities.

Bobby Hollis, Facebook, Menlo Park, CA

1:05 p.m. Break

1:20 p.m. .75 hr

Behind-the-Meter Energy Storage

With the growth of distributed solar and changes in distribution systems, energy storage at the distributed, behind-the-meter, level is set to grow over the coming years. Discuss technical, market, and legal issues associated with behind-the-meter storage in the context of distributed solar generation and creation of microgrids.

Moderator:

Scott D. Deatherage, S Deatherage Law, PLLC,
Dallas, TX

Panelists:

Jesse Bryson, Advanced Microgrid Solutions, San
Francisco, CA
Chris Foster, Georgetown Utility Systems,
Georgetown, TX

2:05 p.m. 1.00 hr

Distributed C&I PPAs: Overview and Trends

On-site rooftop, carport, and groundmount solar generation continues to expand. Hear key provisions of behind-the-meter commercial and industrial power purchase agreements, an overview of the typical project financing and contract structure, and highlights of some of the recent trends and developments shaping negotiations.

Samuel William Porter, SunPower Corporation,
Austin, TX

3:05 p.m. Break

3:15 p.m. .75 hr

Community Solar

Get an update on new community solar developments in Texas, national trends, and perspectives on program design.

Moderator:

Charlie Hemmeline, Texas Solar Power Association, Austin, TX

Panelists:

Hannah Masterjohn, Clean Energy Collective, Louisville, CO
Ingmar Sterzing, Pedernales Electric Cooperative, Inc., Johnson City, TX

4:00 p.m. 1.00 hr ethics

Free Range Ethics: Where Seldom Is Heard a Discouraging Word and the Skies Are Not Cloudy All Day

A study of recent ethics cases and opinions, which affect business entity lawyers and law firms.

George W. Coleman, Bell Nunnally & Martin LLP, Dallas, TX
Claude E. Ducloux, Attorney at Law, Austin, TX

5:00 p.m. Adjourn to Reception

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ATTORNEYS

5:00 p.m. – 6:00 p.m.

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

TUESDAY MORNING, JAN. 30, 2018

Presiding Officer:

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

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.25 hrs

What's new with ERCOT and the PUC

Hear what ERCOT and the PUC are up to and how it may impact the renewable energy market in Texas.

Michael G. Grable, Lone Star Transmission, LLC, Austin, TX
Warren Lasher, Electric Reliability Council of Texas, Inc., Austin, TX

9:45 a.m. .50 hr

CSPV Import Cases

Explore the CSPV cell and module 'Section 201' case before the International Trade Commission and related antidumping and countervailing duty proceedings. Discuss the prospects for new or changed import duties or other import restraints.

Harry Clark, Orrick, Herrington & Sutcliffe LLP, Washington, DC

10:15 a.m. Break

10:30 a.m. .75 hr

M&A Trends in Renewable Energy

Most development projects are bought and sold at least two times prior to beginning operations, and many more are sold once they have operated for a period of time. Discuss current trends in the industry and key issues that tend to arise. The effect of PTC expiration and tax reform on deals will be addressed, and in addition to the sale of single projects. Also, explore portfolio and company sales as well as the acquisition of repowered projects.

Moderator:

Becky H. Diffen, McGuireWoods LLP, Austin, TX

Panelists:

Sandhya Ganapathy, EDP Renewables North America, Houston, TX
John J. Hopkins, GE Energy Financial Services, New York, NY
Lindsey Wiedmann, SunPower, Richmond, CA

11:15 a.m. .75 hr

Due Diligence and M&A for Clean Energy Projects

Learn how to utilize due diligence to identify and allocate risks in transaction documents and determine overall viability of the target.

John F. Young, Clean Law PC, La Grange, IL

12:00 p.m. Pick Up Lunch

Included in registration.

TUESDAY AFTERNOON

Presiding Officer:

Kate Sherwood, 3M Electrical Markets
Division, Austin, TX

LUNCHEON PRESENTATION

12:20 p.m. .50 hr

Gamification of Incident Response

Explore the fundamental components to incident response planning success, and review the concept of gamifying the tabletop exercise as a way to effectively engage stakeholders in a security incident simulation.

Christie Terrill, Bishop Fox, New York, NY

12:50 p.m. Break

1:05 p.m. 1.00 hr

Innovative Insurance and Risk Management Products and Emerging Trends in the Renewables Sector

Whether you're looking to finance projects utilizing prototypical equipment and emerging technologies, create synthetic PPAs, or de-risk M&A transactions or tax positions, a host of commercially available products are available to facilitate your strategic goals in an ever changing insurance marketplace. Discuss examples of how various insurance and risk management products have transferred risk and reduced uncertainties that can stand in the way of developing, financing, acquiring or divesting projects utilizing a variety of renewable energy technologies.

Moderator:

Paul Brown, Insurance Risk Partners, Oklahoma City, OK

Panelists:

David S. De Berry, Concord Specialty Risk, New York, NY
Jon Cozens, New Energy Risk, Menlo Park, CA
Michael Grundmeyer, Sompo Global Weather, Seattle, WA

2:05 p.m. 1.00 hr ethics

Ethics in Negotiation—Civility and Lying

As attorneys, we are faced with difficult attorneys, "spin" in relation to deals, and confusing rules that are supposed to guide our conduct. Lawyers need their own renewable energy to survive the maze.

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

3:05 p.m. Adjourn

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*Planning Committee member

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Austin, TX 78713-7759

Fax:

512.475.6876

Questions? 512.475.6700

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- Individual registration by January 19 \$575
 Individual registration after January 19 \$625

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AUSTIN

January 29–30, 2018

CONFERENCE LOCATION



DoubleTree by Hilton Hotel Austin
 6505 N. Interstate 35
 Austin, TX
 800.347.0330 (reservations)

Special Room Rate: \$149
 good through December 30, 2017
 reference group code REL
 (subject to availability)

Parking:
 Daily or Overnight Self-Parking: \$8
 Daily Valet Parking: \$18
 (subject to change)

KEY DATES

January 19, 2018

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

January 22, 2018

last day for cancellation (full refund)

January 24, 2018

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

January 29, 2018, 8:20 a.m.

conference begins

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