

# 2018 Renewable Energy Law

## January 29-30, 2018 • DoubleTree by Hilton Hotel Austin • Austin, TX

### January 29-30, 2018 • Live Webcast

#### Monday Morning, Jan. 29, 2018

##### **Presiding Officer:**

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

7:30 am In Austin Only	<b>Registration Opens</b>  Includes continental breakfast.
8:20 am	<b>Welcoming Remarks</b>
8:30 am 0.50 hr	<b>What's New?</b>  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	<b>Federal Energy Policy Panel</b>  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 am 0.50 hr	<b>FERC Update</b>  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 am	<b>Break</b>

10:45 am 0.75 hr	<p><b>Public Lands</b></p> <p>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.</p> <p>Moderator: Gregory S. Friend, Stahl, Bernal, Davies, Sewell &amp; Chavarria LLP - Austin, TX</p> <p>Panelists: Richard Brantley, University Lands - Midland, TX Kenneth W. Mills, Texas General Land Office - Austin, TX</p>
11:30 am 0.75 hr	<p><b>Front-of-the-Meter Energy Storage</b></p> <p>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.</p> <p>Moderator: Kate Sherwood, 3M Electrical Markets Division - Austin, TX</p> <p>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</p>
12:15 pm In Austin Only	<p><b>Pick Up Lunch</b></p> <p>Included in registration.</p>

## Monday Afternoon, Jan. 29, 2018

### Presiding Officer:

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

### LUNCHEON PRESENTATION

12:35 pm 0.50 hr	<p><b>Commercial Renewable Energy Procurement</b></p> <p>How commercial and industry customers bid, procure, and contract for renewable energy differently than utilities.</p> <p>Bobby Hollis, Facebook - Menlo Park, CA</p>
1:05 pm	<p><b>Break</b></p>

1:20 pm 0.75 hr	<p><b>Behind-the-Meter Energy Storage</b></p> <p>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.</p> <p>Moderator: Scott D. Deatherage, S Deatherage Law, PLLC - Dallas, TX Kate Sherwood, 3M Electrical Markets Division - Austin, TX Panelist: Chris Foster, Georgetown Utility Systems - Georgetown, TX</p>
2:05 pm 1.00 hr	<p><b>Distributed C&amp;I PPAs: Overview and Trends</b></p> <p>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.</p> <p>Samuel William Porter, SunPower Corporation - Austin, TX</p>
3:05 pm	<p><b>Break</b></p>
3:15 pm 0.75 hr	<p><b>Community Solar</b></p> <p>Get an update on new community solar developments in Texas, national trends, and perspectives on program design.</p> <p>Moderator: Charlie Hemmeline, Texas Solar Power Association - Austin, TX Panelists: Hannah Muller, Clean Energy Collective - Louisville, CO Ingmar Sterzing, Pedernales Electric Cooperative, Inc. - Johnson City, TX</p>
4:00 pm 1.00 hr ethics	<p><b>Free Range Ethics: Where Seldom Is Heard a Discouraging Word and the Skies Are Not Cloudy All Day</b></p> <p>A study of recent ethics cases and opinions, which affect business entity lawyers and law firms.</p> <p>George W. Coleman, Bell Nunnally &amp; Martin LLP - Dallas, TX Claude E. Ducloux, Attorney at Law - Austin, TX</p>
5:00 pm In Austin Only	<p><b>Adjourn to Reception</b></p> <p>Thank You to Our Reception Sponsor Stahl, Bernal, Davies, Sewell &amp; Chavarria, LLP</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p>

## Tuesday Morning, Jan. 30, 2018

### Presiding Officer:

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

8:00 am In Austin Only	<b>Conference Room Opens</b>  Includes continental breakfast.
8:30 am 1.25 hrs	<b>What's new with ERCOT and the PUC</b>  Hear what ERCOT and the PUC are up to and how it may impact the renewable energy market in Texas.  Warren Lasher, Electric Reliability Council of Texas, Inc. - Austin, TX Diana M. Liebmann, Haynes and Boone, LLP - San Antonio, TX Materials By: Michael G. Grable, Lone Star Transmission, LLC - Austin, TX
9:45 am 0.50 hr	<b>CSPV Import Cases</b>  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 am	<b>Break</b>
10:30 am 0.75 hr	<b>M&amp;A Trends in Renewable Energy</b>  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 - Washington, DC Lindsey Wiedmann, SunPower - Richmond, CA
11:15 am 0.75 hr	<b>Due Diligence and M&amp;A for Clean Energy Projects</b>  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 pm In Austin Only	<b>Pick Up Lunch</b>  Included in registration.

## Tuesday Afternoon, Jan. 30, 2018

### Presiding Officer:

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

### LUNCHEON PRESENTATION

12:20 pm 0.50 hr	<p><b>Gamification of Incident Response</b></p> <p>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.</p> <p>Christie Terrill, Bishop Fox - New York, NY</p>
12:50 pm	<p><b>Break</b></p>
1:05 pm 1.00 hr	<p><b>Innovative Insurance and Risk Management Products and Emerging Trends in the Renewables Sector</b></p> <p>Whether you're looking to finance projects utilizing prototypical equipment and emerging technologies, create synthetic PPAs, or de-risk M&amp;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.</p> <p>Moderator: Paul Brown, Insurance Risk Partners - Oklahoma City, OK</p> <p>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</p>
2:05 pm 1.00 hr ethics	<p><b>Ethics in Negotiation—Civility and Lying</b></p> <p>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.</p> <p>Thomas H. Watkins, Husch Blackwell LLP - Austin, TX</p>
3:05 pm	<p><b>Adjourn</b></p>