

**University of Houston Law Center**  
**ENERGY LAW & POLICY SYLLABUS**  
- Spring 2020-

**Contact Information**

Instructor:	Gina S. Warren
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**Class Schedule and Location:** Class is scheduled for Monday and Wednesday mornings from 10:30am to noon in room TBA.

**Office Hours:** I am available to meet with students regularly and my office hours are Mondays from noon-1:30pm. If this time does not work for your schedule, email me to schedule an appointment. You should feel free to call or e-mail me with any questions, concerns, or comments, or to schedule an appointment.

**Required Reading Material:**

- (1) Tomain, et al., ENERGY LAW IN A NUTSHELL (3d Edition 2016), West Academic publication.
- (2) Additionally, a packet of select cases and laws will be prepared by the professor and available to you prior to class.

**Learning Outcomes:** I have four goals for this course. First, you will learn about historical and current issues in energy law. We will look at some historical events and trends that have brought Energy Law to where it is today, and we will study current events. Second, by the end of the course, I expect you will have a good understanding of how each type of energy source is regulated in the United States, including what governmental entities are in charge of the regulation and the applicable statutes. Third, I expect you will walk away with a general understanding of the future of energy technology and regulation with an eye toward minimizing energy's negative externalities. Fourth, by the end of the semester you will have a specialized, in depth knowledge of an energy law topic of your choice.

**Course Attendance and Participation:** Consistent with university policy, 80 percent attendance in class is required. An attendance list will be circulated at each class session. Those individuals not satisfying the attendance requirement will be reported to UH Law Center administrative officials to be dropped from the course. Students will be expected to have read the assigned readings prior to class (you will sign up for specific panels, which hopefully coincide with your topic interests) and to be prepared to discuss the material in class.

**Assessment Methods:** This is a project course. After a few weeks of class you will be asked to identify an energy-related topic that you would be interested in researching more in depth. Your final grade will be based primarily on two components: (1) an oral presentation of your chosen (with approval) topic, which will count for 40% of your overall course grade; and (2) a legal article of your chosen topic (with approval), which will count for 60% of your overall course grade. [Additional details for both components will be provided during the semester].

**Use of Laptops:** Given that this is a small, discussion-based class, laptops are not allowed.

**Counseling and psychological services:** Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS ([www.uh.edu/caps](http://www.uh.edu/caps)) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus. [http://www.uh.edu/caps/outreach/lets\\_talk.html](http://www.uh.edu/caps/outreach/lets_talk.html)

**Reading Assignments:** What follows is an anticipated reading schedule. As the semester progresses, however, we may fall behind or speed ahead of the schedule requiring that the reading assignments be adjusted. **I therefore reserve the right to change and adjust the assignments based on the pace and progress of the class, the topics of particular interest to the class, and otherwise, as I deem necessary.**

## Tentative Course Schedule

Date	Topic	Nutshell Readings	Case Assignments
01.13	Introduction to Energy Law	119-164	N/A
01.15	U.S. Energy Resources & Consumption	51-61	N/A
01.20	<b>Martin Luther King Jr. Day – No Class</b>		
01.22	Themes of Energy Law	62-107	<ul style="list-style-type: none"> <li>• <i>American Petroleum Institute v. EPA</i>, 706 F.3d 474 (D.C. Cir. 2013)</li> <li>• <i>Federal Power Commission (n/k/a FERC) v. Florida Power &amp; Light</i>, 404 U.S. 453 (1972)</li> <li>• <i>Animal Welfare Institute v. Beech Ridge Energy</i>, 675 F. Supp. 2d 540 (D. Md. 2009)</li> <li>• <i>Massachusetts v. EPA</i>, 549 U.S. 497 (2007)</li> </ul>
01.27	Energy Legal Tools: the Role of Regulation and Markets	N/A	<ul style="list-style-type: none"> <li>• <i>Otter Tail Power Co. v. U.S.</i>, 410 U.S. 366 (1973)</li> <li>• <i>State v. Ohio Oil Co.</i>, 49 N.E. 809 (Ind. 1898)</li> <li>• <i>Confederated Tribes and Bands of the Yakima Indian Nation v. FERC</i>, 746 F.2d 466 (9<sup>th</sup> Cir. 1984)</li> <li>• <i>Competitive Enterprise Institute v. National Highway Traffic Safety Administration</i>, 956 F.2d 321 (D.C. Cir. 1992)</li> </ul>
01.29	TBA		
02.03	TBA		
02.05	TBA		
02.10	TBA		
02.12	TBA		
02.17	TBA		
02.19	TBA		
<b>Topics due by 5pm today</b>			

02.24	TBA		
02.26	TBA		
03.02	TBA		
03.04	TBA		
<b>03.09 – 03.11</b>	<b>No Class – Spring Break</b>		
03.16 <b>Detailed article outline due by 5pm today</b>	TBA		
03.18	TBA		
03.23	Student Presentations		1. 2.
03.25	Student Presentations		3. 4.
03.30	Student Presentations		5. 6.
04.01	Student Presentations		7. 8.
04.06	Student Presentations		9. 10.
04.08	Student Presentations		11. 12.
04.13	Student Presentations		13. 14.
04.15	Student Presentations		15. 16.
04.20	Student Presentations		17. 18.
04.22	Student Presentations		19. 20.
<b>05.07 by 5pm</b>	<b>Final Article Due</b>		