First Annual Institute on Energy and Environmental Law with the University of Houston Law Center

Bracewell & Giuliani, Houston, February 3-4, 2011

- Latest trends and regulatory developments in energy and environmental law
- Key legal initiatives in climate change, oil and gas, renewable energy, and nuclear power development
- New legislation and regulations for offshore energy drilling, production and spill response
- Emerging issues in electric power, including nuclear and coal-fired power development

Special Luncheon Keynote Addresses:

Energy Policy Issues 2011: Barry K. Worthington, Executive Director, United States Energy Association (Day One)

Affordable Energy for the Future: John D. Hofmeister, Founder and CEO, Citizens for Affordable Energy (Day Two)

Do You Know There Are 5 Ways To Attend PLI’s Programs? See inside for details...

Register Online at www.pli.edu or Call (800) 260-4PLI
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Why You Should Attend
Legal issues in the energy industry played a pivotal role in U.S. economic and security policy during the first year of the Obama administration, and new federal environmental mandates affecting the energy arena have risen to similar prominence. Energy and environmental law deeply overlap and influence each other, and a critical understanding of one field requires a thorough grasp of key concepts in the other. Few energy practitioners can counsel their clients without understanding the latest important developments in environmental law, and most environmental practitioners will need to grasp the key changes in energy policy that affect greenhouse gas emissions, overall air quality, siting and land use, and renewable energy and demand response mandates.

This program provides a survey of the most important recent developments and actions in both the energy and environmental legal arenas. It also offers insights on pending initiatives that might affect each field. The Institute will draw on a mix of senior government officials, experienced outside counsel and upper-level in-house counsel to provide a broad overview and practical advice on how developing trends in both energy and environmental law will affect important legal issues and projects facing practitioners today.

What You Will Learn
• A broad picture of the most important trends and regulatory developments in both energy and environmental law
• An overview of the key legal initiatives in climate change, oil and gas, renewable energy, and nuclear power development
• Review new legislation and regulations for offshore energy drilling, production and spill response after the Deepwater Horizon events and in light of development of natural gas from nontraditional areas, particularly shale deposits
• Examine pending EPA and state enforcement initiatives that might affect the development of oil and gas from traditional, nontraditional and offshore resources
• Identify emerging issues in electric power, including nuclear and coal-fired power development

Who Should Attend
Energy and environmental practitioners in outside law firms, in-house counsel with responsibility for energy or environmental legal portfolios, government counsel with oversight for energy and environmental policy concerns, and anyone who needs a systematic overview of the key issues that affect both energy and environmental law.

Reserve your place today, call (800) 260-4PLI.
Linda K. Breathitt  
Federal Representative  
Southern States Energy Board  
Lexington, Kentucky

Martina E. Cartwright  
Board Member  
Texas Environmental Justice Advocacy Services  
Houston

Seth v.d.H. Cooley  
Duane Morris LLP  
Philadelphia

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Vincent P. Duane  
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John Hanger  
Secretary  
Pennsylvania Department of Environmental Protection  
Harrisburg, Pennsylvania

John D. Hofmeister  
Founder and CEO  
Citizens for Affordable Energy  
Houston

Jeffrey R. Holmstead  
President & CEO  
Bracewell & Giuliani, LLP  
Washington, D.C.

R. Skip Horvath  
Natural Gas Supply Association  
Washington, D.C.

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Matthew L. Kuryla  
Baker Botts L.L.P.  
Houston

Adam M. Kushner  
Director  
Office of Civil Enforcement  
United States Environmental Protection Agency  
Washington, D.C.

Pamela A. Lacey  
Senior Managing Counsel, Environmental  
American Gas Association  
Washington, D.C.

Daniella Landers  
Sutherland Asbill & Brennan LLP  
Houston

Jim Marston  
Director, National Energy Program  
Environmental Defense Fund  
Austin, Texas

Rae McQuade  
President  
North American Energy Standards Board  
Houston

Suzanne Murray  
Regional Counsel, EPA, Region 6  
Environmental Protection Agency  
Dallas

John R. Norris (invited)  
Commissioner  
Federal Energy Regulatory Commission  
Washington, D.C.

Eva Fromm O’Brien  
Fullbright & Jaworski L.L.P.  
Houston

David R. Percy  
Borden Ladner Gervais Professor of Energy Law and Policy  
Faculty of Law  
University of Alberta  
Edmonton

Karl R. Rábago  
Vice President, Distributed Energy Services  
Austin Energy  
Austin, Texas

Tyson Theron Slocum  
Director  
Public Citizen’s Energy Program  
Washington, D.C.

Marc Spitzer  
Commissioner  
Federal Energy Regulatory Commission  
Washington, D.C.

Ronald Tenpas  
Morgan, Lewis & Bockius LLP  
Washington, D.C.

Charles W. Whitney  
Senior Vice President & General Counsel  
Oglethorpe Power Corp.  
Atlanta

Anna Marie Wood  
Acting Director, Air Quality Policy Division  
Office of Air Quality Planning & Standards  
U.S. Environmental Protection Agency  
Research Triangle Park, North Carolina

Barry K. Worthington  
Executive Director  
United States Energy Association  
Washington, D.C.

Co-Chairs:  
Tracy D. Hester  
Assistant Professor of Law  
Director, Environment, Energy & Natural Resources Center  
University of Houston Law Center  
Houston

Sheila Slocum Hollis  
Duane Morris LLP  
Washington, D.C.

Program Attorney: Meghan C. Forgione
Morning Session: 8:45 a.m. – 12:30 p.m.

8:45
Opening Remarks and Introduction
Speakers: Tracy D. Hester, Sheila Slocum Hollis

9:00
Clash and Confluence of Energy and Environment
An overview and integration of the key themes of the conference, including climate change, responses to the Deepwater Horizon spill, renewable energy developments and other important developments. Are we at the tipping point?
Speakers: Tracy D. Hester, Sheila Slocum Hollis, Commissioner Marc Spitzer

10:00
Climate Change – Building a New World Without New Law
- Climate change legislation prospects and results – is there a path forward?
- Additional activity driven by choice, not regulation
- EPA regulatory initiatives and air permitting program framework (PSD/NSR permitting, endangerment finding, Title V permit enforcement, reporting requirements)
- Climate change public nuisance tort lawsuits and potential U.S. Supreme Court review
- Carbon pricing and trading
- State law on carbon capture and storage
Speakers: Jeffrey R. Holmstead, Anna Marie Wood

11:00 Networking Break

11:15
Oil and Gas: Lifeblood with a Price
- New oil spill legislation and regulations (including splitting of MMS into three new agencies)
- Status of the drilling moratorium and new guidelines for exploration on public lands
- Deepwater Horizon escrow fund and disbursements
- Roulette wheel of development
- Tort and damages lawsuits, including multidistrict litigation concerns
- Administrative claims procedure and effect on liability claims
- Endangered Species Act issues
Speakers: Carol E. Dinkins, Eva Fromm O’Brien

12:30 Luncheon Presentation
Energy Policy Issues 2011
Speaker: Barry K. Worthington

Afternoon Session: 1:45 p.m. – 5:00 p.m.

1:45
Exploration and Production of Nontraditional Oil and Gas Resources: The New Frontier
- Regulatory status of hydraulic fracturing and tight gas sources
- EPA initiatives and information sessions
- Effectiveness of state and local government attempts to regulate
- Tar sands and development of pipelines into U.S.
- Conflict with water use demands and sustainable management
2:45
In the Trenches: Permitting, Authorizations and Oversight of Hydrocarbon Refining and Associated Activities
- EPA initiatives to tighten emission permitting for refineries (especially in Texas)
- NSR/PSD enforcement initiatives
- Environmental justice requirements for refineries and other major sources
- Other new environmental standards, including revised ozone standard, tighter total maximum daily load limits for water discharges, and enhanced whole effluent toxicity testing requirements

Speakers: Martina E. Cartwright, Matthew L. Kuryla, Suzanne Murray

3:45 Networking Break

4:00
Enforcement Issues in the Energy Industry: A New Focus
- EPA civil and criminal enforcement initiative against gas production, particularly in Barnett Shale and Marcellus Shale
- Large FERC penalties, CFTC enforcement initiatives
- EPA civil and criminal enforcement initiatives against refineries using state air permits that EPA has not approved
- Increased citizen suit enforcement
- State criminal initiatives against oil and gas operations
- Internal investigations

Speakers: Adam M. Kushner, Ronald Tenpas

5:00 Adjourn

Morning Session: 9:00 a.m. – 12:30 p.m.

9:00
Emerging Issues for Electric Power: A Roundtable Discussion
- Smart grid implementation and future legal issues
- Reliability, markets, transmission development
- Restrictions on use of eminent domain under federal law
- NSR/PSD enforcement initiatives against power facilities
- New air toxics requirements for industrial boilers and power plants
- Security challenges (e.g., computer intrusion)
- Integration of multiple intermittent sources of renewable energy

Speakers: Vincent P. Duane, Commissioner John R. Norris (Invited), Karl R. Rabago, Tyson Theron Slocum

11:00 Networking Break

11:15
The Coal Dilemma – No Coal or Clean Coal?
- Recent revocation of approval for certain mountaintop mining operations
- Likely impact of greenhouse gas emissions on use and distribution of coal
- Hazardous air pollutant limits on coal-fired power plants
- Clean coal technology
- New legal standards and developing practices with geologic sequestration
- State law restrictions on carbon sale and transfer

Speakers: Linda K. Breathitt, Jim Marston

12:30
Luncheon Presentation
Affordable Energy for the Future
Speaker: John D. Hofmeister
Afternoon Session: 1:45 p.m. – 5:00 p.m.

1:45

Nuclear Power
- Prospects of nuclear power under proposed climate change frameworks and domestic U.S. legislation
- Update on federal initiatives to promote and develop new nuclear power projects
- Nuclear waste storage, including litigation over state compacts

Speakers: Ellen C. Ginsberg, Charles W. Whitney

2:45

State of Play in Natural Gas Regulation
- Pipelines – new projects, new developments, storage, delivery of shale and other nontraditional gas supplies; rate issues; enforcement and compliance
- LNG – dead or alive?
- Canadian gas – still a key supply and changes in dynamics
- Role of gas in GHG debate – short-term solution or long-term godsend?
- FERC/CFTC regulation – Dodd-Frank Act impact and other challenges
- Producers, marketers, distribution companies – who is making legal waves?

Speakers: Thomas D. Hutchins, Pamela A. Lacey, Rae McQuade

3:45 Networking Break

4:00

Emerging Energy Technologies: Renewable Energy, Wind Energy and Solar
- Is constructing transmission facilities a right, an obligation, or an opportunity?
- Issues associated with cross-border transmission projects
- Issues associated with off-shore siting
- What is transmission planning trying to accomplish? What is the goal of planning?
- How far is FERC’s reach in planning?

Speakers: Stephen G. Kozey, Daniella Landers

5:00 Adjourn

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Houston, Texas Seminar Location:
Bracewell & Giuliani,
711 Louisiana St., Suite 2300, Houston, Texas 77002.
Houston Hotel Accommodations:
Houston Magnolia Hotel,
1100 Texas Avenue, Houston, Texas 77002. (888) 915-1110.
Please contact the hotel directly and mention Bracewell & Giuliani.

Payment Policy: Registration fees are due in advance. Attendees may pay by check, Visa, MasterCard, American Express or Diners Club.
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YES, please register me for the following session:

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☐ 28848  Houston Seminar,* February 3-4, 2011, Bracewell & Giuliani, $1,595

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