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- MISO
- Minnesota Public Utilities Commission
- Northern States Power Company
- Otter Tail Power Company
- Stoel Rives LLP
- University of Minnesota
- University of Minnesota Law School
- Xcel Energy

*The Third Annual Conference on New Developments in*

# Renewable Energy in the Midwest States

New policy, business and legal developments

**August 25 & 26, 2011**

Minneapolis, Minnesota

Millennium Hotel Minneapolis

**Credits:** MN, IL, IN, ND CLE pending

**Quick when/where:** 8:30 a.m., 1313 Nicollet Mall

**Renewable Energy in the Midwest States Conference**

August 25 & 26, 2011 | Minneapolis, Minnesota  
Millennium Hotel Minneapolis

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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

**Girard P. Miller, Esq., Program Co-Chair**  
Fulbright & Jaworski L.L.P. ~ Minneapolis, MN

**Daniel A. Yarano, Esq., Program Co-Chair**  
Fredrikson & Byron P.A. ~ Minneapolis, MN

**8:45 Special Opening Address: Update on Federal Energy Policies Affecting Renewables Development in the Midwest**

What is happening in Congress and federal agencies to promote the development of renewable energy projects?

**The Hon. Philip D. Moeller, Commissioner**  
Federal Energy Regulatory Commission ~ Washington, DC

**9:30 Special Address: Industry Perspective on Regional Challenges**

**Judy M. Pofert, President and CEO**  
Northern States Power Company ~ Minneapolis, MN

10:15 Break: Coffee, Tea and Conversation

10:30 EPA Climate Change and Other Air Quality Initiatives

Development of renewable energy facilities on brownfields sites

**Susan Hedman, Esq., Regional Administrator**  
U. S. EPA ~ Chicago, IL

Perspectives on key air emission cases working their way through the appellate courts

**Jeffrey B. Margulies, Esq.**  
Fulbright & Jaworski L.L.P. ~ Los Angeles, CA

12:00 Lunch (on your own)

1:15 Cost Recovery Through Retail Rates: Trends in Ratemaking Issues and Their Resolutions Around the Country

Consumer pushback against renewables and energy efficiency programs due to rate impacts: What are the cost recovery issues in retail rate setting? How are the state utility commissions resolving them?

**Bruce G. Gerhardson, Esq., Associate General Counsel**  
Otter Tail Power Company ~ Fergus Falls, MN

2:00 Transmission: What's Happening at the Federal and Regional Levels?

Regulatory update; key issues and obstacles in building more transmission; proposed solutions, including what approaches have worked

**Todd J. Guerrero, Esq.**  
Fredrikson & Byron P.A. ~ Minneapolis, MN

Operational perspective

**Michael McMullen, Director of West Regional Operations**  
MISO ~ St. Paul, MN

3:15 Break: Soda, Tea and Conversation

3:30 Market Trends for New Renewable Generation in the Midwest: Industry Perspectives on the Fit Between Policy and Business Dynamics

Key factors driving demand; who is building what and, as importantly, who is financing what; areas where there is, and isn't, a good fit; how key players view the future

**Betsy Engelking, Director, Resource Planning and Bidding**  
Xcel Energy ~ Minneapolis, MN

**Brian Lammers, Executive Director**  
Horizon Wind Energy LLC ~ Minneapolis, MN

**Dwight Jelle, CEO**  
Best Power International LLC ~ Eden Prairie, MN

5:00 Continue the Exchange of Ideas: Reception for Faculty and Attendees

Sponsored by Fredrikson & Byron P.A. and Fulbright & Jaworski L.L.P.



## About the Conference

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*The Midwest is one of the nation's most valuable renewable resources and a hub for clean technology innovation.*

*In this conference, leading renewable energy professionals, innovators and regulators will address opportunities and challenges for developers and entrepreneurs in the Midwest renewable marketplace and the developing Smart Grid sector.*

*The conference provides updates on the status of federal energy policies and incentives, new Smart Grid technologies and opportunities, and discussion of industry financing and investment issues.*

*You will learn about major areas that currently affect the industry, including the evolution of state energy policy, federal and regional transmission developments, federal carbon regulation, siting, permitting and ratemaking challenges, and hear an update on cogeneration and the solar industry, and more.*

*~ Program Co-Chairs: Girard P. Miller, Esq. and Daniel A. Yarano, Esq.*



- 8:00 Continental Breakfast
- 8:30 Introduction to Day Two
  - Girard P. Miller, Esq., *Program Co-Chair***
  - Daniel A. Yarano, Esq., *Program Co-Chair***
- 8:45 How Energy Policy is Evolving at the State Level
  - Minnesota
    - The Hon. David C. Boyd, Ph.D., *Chair***  
Minnesota Public Utilities Commission ~ Saint Paul, MN
  - Iowa
    - Sheila K. Tipton, Esq.**  
Belin McCormick, P.C. ~ Des Moines, IA
  - Wisconsin
    - Jordan J. Hemaidan, Esq.**  
Michael Best & Friedrich LLP ~ Madison, WI
- 10:15 Break: Coffee, Tea and Conversation
- 10:30 Siting Renewable Energy
  - Case law update: Environmental challenges and recent outcomes for wind and transmission projects; the top ten things you need to do to get your project permitted
  - Christina K. Brusven, Esq.**  
Fredrikson & Byron P.A. ~ Minneapolis, MN
- 11:15 Ethical Issues for Lawyers in Dealing with Administrative Agencies and Elected Bodies
  - What you can and cannot say to an agency or elected official; attorney-client privilege; conflicts of interest; conflicts for elected officials
  - Richard W. Painter Esq.**  
*S. Walter Richey Professor of Corporate Law*  
University of Minnesota Law School ~ Minneapolis, MN
- 12:15 Lunch (on your own)

- 1:15 Distributed Generation, Solar and Cogeneration as Alternatives
  - Operational and cost challenges for integrating distributed generation into the grid; prospects for legislative changes; implications of solar and cogeneration as part of the integration progress
  - S. Massoud Amin, D.Sc.**  
*Director of the Technological Leadership Institute*  
University of Minnesota ~ Minneapolis, MN
  - Erik J.A. Swenson, Esq.**  
Fulbright & Jaworski L.L.P. ~ Washington, DC
- 2:15 Break: Soda, Tea and Conversation
- 2:30 Commercialization and Financing Structures: What Will Future Deals Look Like?
  - Navigating the likely transition to less government support for renewables projects
  - Gregory F. Jenner, Esq.**  
Stoel Rives LLP ~ Minneapolis, MN
- 3:30 Special Legal Issues for Biofuels Development
  - Biomass and waste to energy for electric generation: Environmental issues relating to and the debate over thermal renewable technologies under federal and state programs; update on EPA's recent call for information on carbon neutrality of biomass fuels
  - Mark J. Hanson, Esq.**  
Stoel Rives LLP ~ Minneapolis, MN
- 4:30 Evaluations and Adjourn



## Registration & Other Conference Information

### To Register:

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Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

**Tuition:** Regular tuition for his program is \$995 with a group rate of \$745 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$665. For students and people in their job for less than a year, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

**Substitution & Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by

5:00 p.m. on Friday, August 19, 2011. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

**Seminar Location:** The conference will be held at the Millennium Hotel Minneapolis at 1313 Nicollet Mall in Minneapolis, MN 55403. Call the hotel directly at (612) 332-6000 for reservations at the special negotiated rate of \$139 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

**Continuing Education Credits:** Live credits: MN, IL, IN, and ND CLE pending. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

**If You Cannot Attend:** Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or searchable CD), is available for \$1005. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

**Faculty: Renewable Energy in the Midwest States Conference**

**Girard P. Miller, *Program Co-Chair***, partner at Fulbright & Jaworski L.L.P., is Co-Chair of the Global Alternative Energy Practice Group. He represents clients in the development and financing of alternative energy and cleantech projects, including wind, biofuels, biomass, solar and energy efficiency projects.

**Daniel A. Yarano, *Program Co-Chair***, partner at Fredrikson & Byron P.A., is Chair of the Renewable Energy Practice Group and the Energy Department. He advises clients on developing and financing renewable energy projects, including wind, biomass, biofuels and solar, private and public financing of companies.

**The Hon. Philip D. Moeller, *Special Address***, Commissioner of the Federal Energy Regulatory Commission, was an energy policy advisor to U.S. Senator Gorton where he worked on electricity policy, electric system reliability, hydropower, energy efficiency, nuclear waste, energy and water appropriations.

**Judy M. Pofert, *Special Address***, President and CEO at Northern States Power Company, an Xcel Energy Company, is responsible for electric and natural gas operations in Minnesota, North Dakota and South Dakota. Previously, she held leadership positions at the Minnesota Department of Public Service and Minnegasco.

**S. Massoud Amin, D.Sc.**, Professor of electrical and computer engineering, holds the Honeywell/H.W. Sweatt Chair in Technological Leadership, and is the Director of the Technological Leadership Institute at the University of Minnesota. Previously, he was Area Manager of Infrastructure Security, Grid Operations/Planning and Energy Markets at the Electric Power Research Institute.

**The Hon. David C. Boyd, Ph.D.**, Chair of the Minnesota Public Utilities Commission, was appointed by Governor Pawlenty in 2007. He serves on NARUC's Committee on Electricity, Subcommittee on Clean Coal and Carbon Sequestration, and the Subcommittee on Nuclear Issues-Waste Disposal.

**Christina K. Brusven** was Special Assistant to the Deputy Commissioner at the Minnesota Department of Commerce before joining the Corporate and Energy Practice Group at Fredrikson & Byron P.A. She focuses on regulatory, renewable energy and wind development.

**Betsy Engelking** is Director of Resource Planning and Bidding for Xcel Energy. She oversees the analysis and development of long-range resource plans and conducts the competitive bidding process to procure new long-term resources.

**Bruce G. Gerhardson**, Associate General Counsel at Otter Tail Power Company, represents the company in state and federal regulatory affairs, project development activities and infrastructure transactions, including those related to renewable and transmission riders, project permitting, resource planning and fuel clause, and has been lead counsel for five general rate cases in three states since 2007.

**Todd J. Guerrero**, partner at Fredrikson & Byron P.A., focuses on the representation of energy companies in the Energy and Renewable Energy Groups. He helps expand the firm's leadership in wind, biomass and biofuels project development.

**Mark J. Hanson**, partner at Stoel Rives LLP, structures and develops new businesses, and transitions existing businesses. His practice in commercial transactions and business development has focused on client agribusiness, renewable energy, cooperatives and food processing. He is a Super Lawyer.

**Susan Hedman**, appointed by President Obama to be EPA Region 5 Administrator, directs operations in the six-state Great Lakes region, as well as 35 federally recognized tribal governments. One of her most important roles is that of Manager of the Great Lakes National Program Office, which oversees restoration and protection.

**Jordan J. Hemaidan**, partner at Michael Best & Friedrich LLP, leads the Energy and Sustainability Group. His work on renewable energy projects includes negotiation of complex property leases, agreements for power purchase, turbine supply and construction agreements. He is listed in *Best Lawyers* and is a Super Lawyer.

**Walter Streight Howes** is Managing Partner at Verdigris Capital, LLC, focusing on sustainable solutions in energy, transportation, agriculture, construction and information management. Previously, he was at DOE as Director for the Office of Acquisition Reform and Privatization, where he was an advisor to the Secretary of Energy.

**Dwight Jelle** is CEO at Best Power International LLC, which developed

and owns the two largest solar PV facilities in Minnesota at St. John's University and the Minneapolis Convention Center. Previously, he was President and CEO at Westwood Professional Services, responsible for renewable energy projects related to wind and solar.

**Gregory F. Jenner** is a partner in the Tax Practice Group of Stoel Rives LLP. He has worked extensively on transactions and planning related to renewable energy, and is a frequent speaker on tax structuring for renewables, including planning for section 1603.

**Brian Lammers** is Executive Director at Horizon Wind Energy LLC, which has installed more than 500 MW of wind generation in Minnesota and Iowa. He is responsible for development activities in the Upper Midwestern and Northeastern regions.

**Jeffrey B. Margulies**, partner at Fulbright & Jaworski L.L.P., advises clients on regulatory environments, including compliance, enforcement and litigation, and heads the California Climate Change Practice. He is listed in *Chambers* and *Best Lawyers*, and is a "Super Lawyer."

**Michael McMullen** is Director of West Regional Operations at MISO.

**Richard W. Painter** is the S. Walter Richey Professor of Corporate Law at University of Minnesota Law School. From February 2005 to July 2007, he was Associate Counsel to the President in the White House Counsel's office, serving as the chief ethics lawyer for the President, White House employees and senior nominees to Senate-confirmed positions in the Executive Branch.

**Erik J.A. Swenson**, partner at Fulbright & Jaworski L.L.P., focuses on energy law in transactional and regulatory matters, including guiding energy project development, managing acquisitions, negotiating and documenting energy related transactions, and securing energy related authorizations and certifications. He is listed in *Chambers USA* and *Best Lawyers*.

**Sheila K. Tipton**, shareholder at Belin McCormick, P.C., concentrates on essential infrastructure, representing energy, telecommunications and water public utilities in certification, siting, ratemaking, rulemaking, merger, reorganization, compliance and other litigated proceedings. She is listed in *Best Lawyers*.

**August 25 & 26, 2011**  
**Minneapolis, Minnesota**

**Millennium Hotel**  
**Minneapolis**

1313 Nicollet Mall  
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**Who Should Attend:**

*Attorneys, industry executives, governmental officials, consumer advocates and anyone involved with renewable energy infrastructure investment, public policy and resource development*

**You Will Learn About:**

- *Update on federal energy policies affecting renewables development in the midwest*
- *Industry perspective on regional challenges*
- *EPA climate change and other air quality initiatives*
- *Cost recovery through retail rates*
- *Transmission: What's happening at the federal and regional levels?*
- *How energy policy is evolving at the state level*
- *Siting renewable energy*
- *Special legal issues for biofuels development*
- *Distributed generation, solar and cogeneration as alternatives*
- *Commercialization and financing structures*
- *Ethical issues for lawyers in dealing with administrative agencies and elected bodies*

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