



**LAW SEMINARS
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The 18th Annual Conference on

Electric Power in the Southwest

*Opportunities arising from the Biden Administration's ambitious clean energy,
environmental justice, and infrastructure initiatives*

August 26 & 27, 2021

Live Online via Interactive Broadcast

Mountain Time Zone

Agenda—Day 1

9:00 Introduction & Overview

Thorvald Nelson, Esq., *Program Co-Chair*
Holland & Hart ~ Greenwood Village, CO
Steve Michel, Esq., *Program Co-Chair,*
Deputy Director, Clean Energy Program
Western Resource Advocates ~ Santa Fe, NM
Marc L. Spitzer, Esq., *Program Co-Chair*
Steptoe & Johnson ~ Washington, DC

9:15 Impact of the Election on Federal Environmental and Energy Policies

Agency, industry, and environmental perspectives on implementation of the Biden Administration's climate action plan, including the rollback of Trump Administration's initiatives for promoting fossil fuels and easing of emissions controls

Carla Frisch, *Principal Deputy Director, Office of Policy*
US Department of Energy ~ Washington, DC
Sudeen G. Kelly, Esq.
Jenner & Block ~ Washington, DC
Steve Michel, Esq., *Program Co-Chair*

10:30 Break

10:45 Impact on FERC Energy Industry Regulatory Policy

A new chairman focusing on reducing carbon emissions and facilitating a transition to clean energy: What are the key priorities on the new chairman's agenda and what do the backgrounds of the new commissioners tell us about their likely priorities?

Marc L. Spitzer, Esq., *Program Co-Chair*

11:30 Special Address: Transmission and Wholesale Market Policies

Adapting transmission policies to a world of diversified renewable generation; proceedings and initiatives including consideration of ways to implement state-determined carbon pricing in organized wholesale markets

The Hon. Allison S. Clements, Esq., *Commissioner*

Federal Energy Regulatory Commission
Washington, DC

12:00 Lunch Break

1:15 Grid Reliability and Resiliency

How New Mexico is modernizing its grid for reliability in light of recent lessons from California and Texas

Arthur J. O'Donnell

The Energy Overseer ~ Albuquerque, NM

Update on NERC and regional reliability standards

Suzanne Keppeler, Esq.

Van Ness Feldman ~ Washington, DC

2:15 Rethinking Transmission and its Role in Energy Policy Making

Where we used to build power plants and transmission together, we now have to anticipate where renewables will be developed and have transmission in place before they are constructed

Douglas J. Howe, Ph.D., *Board of Directors Member*

New Mexico Renewable Energy Transmission Authority

Santa Fe, NM

Lawrence Willick, *Senior VP, Transmission*

LS Power Development LLC ~ Chesterfield, MO

3:15 Break

3:30 Moving Towards Decarbonization of Buildings and Transportation: Do We, by Necessity, have to Create a Hydrogen Future? If so, What are the Implications for Energy Distribution Infrastructure in the Southwest?

Update on using variable wind and solar for producing hydrogen from electrolysis: Continuing downward trends in production costs; viability as a fuel for longer-range and heavy truck transportation; use as a replacement fuel for gas peaker plants

Rao Konidena, *Principal*

Rakon Energy LLC ~ Roseville, MN

New Mexico as a hydrogen hub: Update on the Libertad Power hydrogen production facility to be located in San Juan county

Daniel E. Klein, *Founder and President*

Twenty-First Strategies ~ Santa Fe, NM

Natural gas industry perspective on the limits to what can be done

Bill Greer, *Director of Stakeholder Strategy*

Atmos Energy ~ Bowling Green, KY

5:00 Adjourn Day 1

Agenda—Day 2

9:00 Regional Legislative Policy Developments

Overview and Nevada update

Thorvald Nelson, Esq., *Program Co-Chair, Moderator*

Arizona

Greg Patterson, CPA, Esq., *Director*

Arizona Competitive Power Alliance ~ Phoenix, AZ

Colorado

Erin A. Overturf, Esq.,

Clean Energy Program Director

Western Resource Advocates ~ Boulder, CO

New Mexico

Todd Leahy, Ph.D., Esq., *Deputy Secretary*

Department of Energy, Minerals, and Natural Resources
Santa Fe, NM

Utah

Phillip J. Russell, Esq.
James Dodge Russell & Stephens ~ Salt Lake City, UT

11:00 Break

11:15 A Reality Check on What is Achievable: Can We Really Get to 100 Percent Renewables? And at What Cost?

What we know, and do not know, about achieving a National-Scale 100% Renewable Electric Grid: Update on a major NREL/DOE study into the technical and economic challenges; how interdisciplinary collaboration can move us towards our decarbonization goals

Paul Denholm, Ph.D., *Principal Energy Analyst*
NREL, U.S. Department of Energy ~ Lakewood, CO

The challenges and best pathways to success from a federal and state policymaker's perspective

Doug Little, *Principal*
Arizona Energy Associates ~ Scottsdale, AZ

12:15 Lunch Break

1:30 The Growing Environmental Justice (EJ) Movement and Resulting Moral and Legal Ethical Considerations for Coal Plant Closures

The ethical overlay including the intersection of moral aspects of the environmental justice movement and professional responsibility rules for lawyers: Issues ranging from selecting plants to close to how it is done and the end result

Paul L. Biderman, Esq., *Moderator; Director (ret.)*
UNM Institute of Public Law ~ Santa Fe, NM

Update on the Biden Administration's Environmental Justice initiatives and Environmental perspective on implementation processes and end results

Noah B. Long, Esq., *Director Western Region*
Natural Resources Defense Council ~ Santa Fe, NM

Tribal perspective as a designated disadvantaged community member

Biddah N. Becker, Esq., *Associate Attorney*
Navajo Tribal Utility Authority ~ Fort Defiance, AZ

3:30 Evaluations and Adjourn

Who Should Attend

Attorneys, industry executives, governmental officials, Tribal representatives, customer representatives and anyone else involved with energy development in the Southwest

About the Conference

This year, as the Southwestern states continue their transition to clean power, they have supportive policies at the federal level rather than an administration focused on promoting production of fossil fuels in general and coal mining in particular.

The Biden Administration has an ambitious climate change and infrastructure agenda, and we will update you on its implementation priorities for the Department of Energy and the Environmental Protection Agency. The change in administration has also brought about a change in FERC leadership and you will hear about the new chairman's focus on reducing carbon emissions and facilitating a transition to clean energy.

FERC Commissioner Allison Clements will talk about the need to adapt transmission policies to a world of renewable generation. We will explore where renewables will be developed and how transmission can be in place

before to enable that development. Grid reliability and resiliency will also be analyzed in light of the recent service disruptions in California and Texas.

Storage is an important reliability component, and you will hear about that and the technological advances that are making hydrogen more viable, New Mexico's potential to become a hydrogen hub, and the role that natural gas distribution companies could play in that transition.

For the second day, we turn to rubber meeting the road at the state level. The states in this region have seen a lot of legislative activity around clean energy, and we will look at potential cost issues associated with the push by some for 100 percent renewables.

The transition has and will witness coal plant closures, and those closures raise a host of environmental and social justice issues, with moral and ethical implications. For lawyers needing ethics credits, our "Environmental Justice" panel will provide two ethics hours this year.

The topics we'll be covering and the speakers we'll present are extraordinary this year. Register soon to reserve your seat.

~ Steve Michel, Esq. of Western Resource Advocates and Thorvald Nelson, Esq. of Holland & Hart and Marc L. Spitzer, Esq. of Steptoe & Johnson, Program Co-Chairs

Registration & Other Conference Information

Tuition: Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$745. For Tribal members, public interest NGO's, students, and people in their job for less than a year our rate is \$497.50. All rates include admission to all program sessions and course materials.

Make checks payable to Law Seminars International.

As an added value bonus, attendees will receive access to audio and video recordings of the program at no extra charge.

Financial aid is available to those who qualify. Contact our office for more information.

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 20, 2021. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Continuing Education Credit: Live credits: This program qualifies for 11 (2 Ethics included) NM, 11 (2 Ethics included) AZ, 13 (2 Ethics included) CO and 11 (2 Ethics included) NV MCLE credits. It also qualifies for 11 ABCEP environmental professional credits. Upon request, we will help you apply for CLE credits in other states and other types of credits.

Time Shift Your Content: Audio and video replay files, with course materials, are available for download or on a flash drive at the same price as live attendance. Files are available for downloading five business days after the program or from the date we receive payment. Flashdrive orders are sent via First Class mail within seven business days after the program or from the date we receive payment. The course materials alone are available for \$100.

Faculty

Steve Michel, *Program Co-Chair*, is Deputy Director for the Clean Energy Program for Western Resource Advocates. His work is primarily focused on advancing clean energy resources, such as renewables and energy efficiency, moving the power sector away from environmentally harmful fossil-fueled resources, and developing regulatory mechanisms for electric utilities to address climate change.

Thorvald Nelson, *Program Co-Chair*, is a partner at Holland & Hart where his clients include large electric consumers and electric consumer coalitions, independent power producers, renewable energy developers, and independent transmission developers. Before practicing law, he served as an economist with the Colorado Office of Consumer Counsel, where he served as a testifying expert on regulatory law and policy.

Marc L. Spitzer, *Program Co-Chair*, is a partner at Steptoe & Johnson. He represents utilities and energy companies before the Federal Energy Regulatory Commission (FERC), at state utility commissions, Congress, federal agencies and state legislatures. He formerly served as a FERC commissioner, on the Arizona Corporation Commission, and in the Arizona State Senate.

Paul L. Biderman, *Moderator*, retired in 2011 as Director of the Institute of Public Law at the UNM School of Law. He previously served as New Mexico's Secretary of Energy and Minerals. His contributions to public ethics over the years have

included service on both the Santa Fe Ethics and Campaign Review Board and on the Supreme Court's Advisory Committee on the Code of Judicial Conduct. He co-authored in 2015 the Attorney General's Compliance Guide to the Governmental Conduct Act.

Bidtah N. Becker is an Associate Attorney for the Navajo Tribal Utility Authority. In 2017, when she served as the Executive Director of the Navajo Nation Division of Natural Resources, she helped negotiate an agreement to begin decommissioning of the Navajo Generating Station and to allow the owners access to the site for an additional 30 years to monitor the site as required by federal environmental laws.

The Hon. Allison S. Clements was appointed to the Federal Energy Regulatory Commission in 2020. She previously was the founder and president of Goodgrid, LLC, an energy policy and strategy consulting firm. Before that, she spent two years as director of the energy markets program at Energy Foundation and for the Natural Resources Defense Council as director of the Sustainable FERC Project.

Paul Denholm, Ph.D. is a Principal Energy Analyst at the National Renewable Energy Laboratory. His research focuses on examining the technical and economic impacts of large-scale deployment of renewable electricity generation, and the role of energy storage. He holds a Ph.D. in energy analysis from the University of Wisconsin-Madison.

Bill Greer is Director of Stakeholder Strategy at Atmos Energy.

Carla Frisch is Principal Deputy Director, Office of Policy at the US Department of Energy. She rejoined the department after serving as an Adjunct Professor at Northwestern University's Master of Science in Energy & Sustainability program and as a Senior Principal at Rocky Mountain Institute where she worked on state/federal clean energy policy.

Douglas J. Howe, Ph.D., is a Director with the Western Grid Group. In 2020 he was appointed to serve on the board of the New Mexico Renewable Energy Transmission Authority. He formerly served as the chair of the Governing Body of the Western Energy Imbalance Market.

Suedeen G. Kelly is a partner at Jenner & Block. She was nominated by Presidents George W. Bush and Barack Obama to three terms as a FERC Commissioner. She also served as chairwoman and commissioner for the New Mexico Public Service Commission and was a lawyer for the Natural Resources Defense Council and US Environmental Protection Agency.

Suzanne Keppeler is a partner at Van Ness Feldman where she focuses on representation of electric utilities in a wide range of regulatory matters before the Federal Energy Regulatory Commission (FERC) and U.S. Courts of Appeal. She also advises on compliance with North American Electric Reliability Corporation (NERC) and regional reliability standards.

Daniel E. Klein is Founder and President of Twenty-First Strategies and Managing Partner of the Libertad Power Project. He formerly was a Senior Vice President and Director of ICF Resources Incorporated where he was a lead officer in developing the Integrated Planning Model (IPM) for the electric power sector, still in wide use by EPA, utilities, and others.

Rao Konidena is the Principal at Rakon Energy LLC where he provides policy and testimony support, business development, and training in wholesale energy markets. He previously worked at the Midcontinent ISO (MISO) as Principal Advisor for Policy Studies, working on energy storage and distributed energy resources.

Todd Leahy, Ph.D., is the Deputy Secretary for New Mexico's Department of Energy, Minerals, and Natural Resources and also serves as the Tribal Liaison for the Department. Prior to that appointment, he served at the New Mexico Wildlife Federation in a number of capacities including Acting Executive Director.

Doug Little is the Principal of Arizona Energy Associates. He formerly served as a Senior Advisor in the Office of Electricity at the US Department of Energy and Deputy Assistant Secretary for Intergovernmental and External Affairs. Prior to DOE, he was a member and Chairman of the Arizona Corporation Commission.

Noah B. Long is Director Western Region Climate & Clean Energy Program for the Natural Resources Defense Council. In that role, he has worked to advance policies for deploying renewable energy, increasing energy efficiency, and advancing cleaner cars and electric vehicles.

Arthur J. O'Donnell, publisher of The Energy Overseer, is an independent energy journalist and electricity market analyst with direct experience throughout the Western Interconnected Grid. From 2012 - 2020, he worked at the California Public Utilities Commission as a Program & Project Supervisor in Grid Planning & Reliability (in Energy Division), and Risk Assessment & Safety Advisory (for Safety & Enforcement Division).

Erin A. Overturf is the Clean Energy Program Director for Western Resource Advocates' Clean Energy Program in Colorado and Nevada. Previously, she served as an Assistant Solicitor General in the Office of the Colorado Attorney General. In that capacity, she represented state agencies such as the Colorado Public Utilities Commission, the Colorado Air Pollution Control Division, and the Colorado Energy Office.

Greg Patterson is Director of the Arizona Competitive Power Alliance and the New Mexico Independent Power Producers Association. He formerly served as Director of the Residential Utility Consumer Office.

Phillip J. Russell, James Dodge Russell & Stephens, serves as the President of the firm and represents a broad spectrum of energy clients. They include industrial and commercial energy users, municipal and cooperative utilities, and renewable energy project developers.

Lawrence Willick is Senior VP of Transmission for LS Power Development LLC. He is currently responsible for transmission business development and transmission project development.