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The 19th Annual Conference on
Electric Power in the Southwest

*Changing federal and regional energy policies plus strategies for
successfully navigating new challenges and opportunities*

August 18 & 19, 2022

Live Online via Interactive Broadcast

Agenda—Day 1

9:00 Introduction & Overview

Steve Michel, Esq., *Program Co-Chair*
Energy & Environmental Law ~ Santa Fe, NM
Thorvald Nelson, Esq., *Program Co-Chair*
Holland & Hart ~ Greenwood Village, CO
Marc L. Spitzer, Esq., *Program Co-Chair*
Steptoe & Johnson ~ Washington, DC

9:15 Special Opening Addresses: Federal Policy Updates

Regulatory priorities at the FERC in the coming year including ones related to its role in implementation of the Biden Administration's Climate Initiatives

Matthew Christiansen, Esq., *General Counsel*
Federal Energy Regulatory Commission
Washington, DC

Policy development at DOE; funding under the IIJA, possible tax incentives in the Build Back Better bill

Christian Bato, *Southwest Regional Specialist*
Department of Energy ~ Washington, DC

10:15 EPA Case Law Update

West Virginia vs. EPA and other cases on EPA's authority to implement Biden administration energy policies including ones intended to combat climate change by limiting carbon emissions from fossil fuel plants

Emily Schilling, Esq.
Holland & Hart ~ Salt Lake City, UT

10:45 Break

11:00 Sodium Nuclear Technology as a Potential Game Changer for Climate Action

The technology: A 345-MW net reactor coupled with a molten-salt-based energy storage system that will enhance operating flexibility for owners by boosting output to 500 MW for more than 5.5 hours during periods of low renewable output

Tara J. Neider, *Senior VP and Project Director*
TerraPower LLC ~ Bellevue, WA

Update on PacifiCorp's Natrium reactor demonstration project at a retiring coal plant in Wyoming: A fully functioning power plant intended to validate the design, construction, and operational features of the reactor

Chuck Tack, *VP of Nuclear Operations*
PacifiCorp ~ Salt Lake City, UT

12:15 Lunch Break

1:15 Regional Legislative and Administrative Policy Developments

Arizona

Greg Patterson, CPA, Esq., *Director*
Arizona Competitive Power Alliance ~ Phoenix, AZ

Colorado

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

Nevada

Robert Johnston, Esq., *Policy Advisor*
Nevada Senate Democratic Caucus ~ Carson City, NV

New Mexico

Pat O'Connell,
Senior Clean Energy Policy Analyst
Western Resource Advocates ~ Santa Fe, NM

Utah

Gary A. Dodge, Esq.
Hatch James & Dodge ~ Salt Lake City, UT

3:00 Break

3:15 Cost Allocation and Other New RTO Developments

Southwest Power Pool: Development of a voluntary Capacity Sharing Program as a compliment to the Energy Imbalance Market for energy for addressing anticipated capacity shortages in the Pacific Northwest and Rocky Mountain states

Kara Brighton Fornstrom, Esq.,
Director, State Regulatory Policy
Southwest Power Pool ~ Cheyenne, WY

RTO West: Progress towards a greenhouse gas accounting framework

Vijay A. Satyal,
Regional Energy Markets Manager
Western Resource Advocates ~ Salt Lake City, UT

California Independent System Operator

Stacey Crowley,
VP Regional and Federal Affairs
California Independent System Operator
Folsom, CA

5:00 Adjourn Day 1

Agenda—Day 2

9:00 Retail Choice and Customer-Driven Renewables: A Demand-Side Look at Contracting with Utilities and the Roles Regulators and RTOs Should Play

Community choice of supply resources as part of a climate action plan by local governments

Jonathan Koehn,
Interim Director, Climate Initiatives
City of Boulder ~ Boulder, CO

Community solar programs that expand the benefits of rooftop solar to people in the community who do not have a rooftop or the financial ability to install solar panels

Arthur J. O'Donnell
The Energy Overseer ~ Albuquerque, NM

10:30 Break

10:45 Supply Chain and other Resource Adequacy Issues: Their Impact on the Region's Ability to Bring New Facilities Online

Resource adequacy in the desert Southwest and the implications for utility resource planning; extent to which there are water constraints on energy choices

Nicolai Schlag, Partner
Energy & Environmental Economics Inc
San Francisco, CA

11:30 Tribal Renewable Energy Development

Case study of the 1,500 MW/70 hour duration Carizzo Four Corners Hydroelectric Energy Storage Center, pumped hydro project on Navajo land

Thomas Conroy, Co-Founder
Kinetic Power ~ Santa Fe, NM

12:00 Lunch Break

1:00 Hydrogen's Role for Generation and Transportation

Update on Clean Energy Holdings partnership agreement to build a 600MW wind farm in Colorado for the purpose of producing 'green' hydrogen including market analysis techniques to determine project viability

Nicholas Bair, Chief Executive Officer
Clean Energy Holdings ~ Laramie, WY

Infrastructure bill funding for hydrogen hubs in the US: The Western Four State MOU for a joint application for funding

Glen Murrell, Ph.D., Executive Director
Clean Energy Holdings ~ Laramie, WY^Location

3:00 Ethical Considerations

The interplay between professional responsibility rules for lawyers and government policies requiring consideration of impacts on historically disadvantaged people

Paul L. Biderman, Esq.
UNM Institute of Public Law ~ Santa Fe, NM
Catharyn A. Baird, Esq., CEO & Founder
EthicsGame ~ Greenwood Village, CO

4:00 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's Electric Power in the Southwest conference will provide critical updates for energy law practitioners, industry executives, and regulators as the Southwestern states continue a transition to cleaner power, new market structures, and innovative technologies.

We will discuss the latest developments at FERC, the Department of Energy, and the EPA as federal policy makers look to implement the Biden Administration's Climate Initiatives.

State legislative and regulatory efforts are increasing taking the lead in defining energy policy objectives. You will hear about initiatives in Arizona, Colorado, Nevada, New Mexico, and Utah.

New and exciting energy technologies will be discussed including a presentation on the Sodium nuclear technology in Wyoming and, in our second day, an exploration of innovations in the use of hydrogen as an energy source in the transportation sector.

We will analyze changing market structures in the Rocky Mountain West including presentations on regional transmission organizations, customer-driven renewable energy, and tribal renewable energy initiatives.

In the second day we will update attendees on current supply-chain constraints, Tribal renewable energy development, and hydrogen's role for generation and transportation.

Finally, the conference will include an ethics discussion on the interplay between energy policies and impacts on historically disadvantaged people.

The topics we will cover and the speakers addressing them are extraordinary this year. Register soon!

~ Steve Michel, Esq. of Energy & Environmental Law,
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 12, 2022. 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 11.90 (1 Ethics included) NM MCLE, 12.00 (1 Ethics included) WA MCLE, 12.00 (1 Ethics included) CA MCLE, 12.00 (1 Ethics included) UT MCLE credits. It also qualifies for 12.00 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 recently retired as the Deputy Director for the Clean Energy Program for Western Resource Advocates. His work 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, as Chairman of the Arizona Corporation Commission, and in the Arizona State Senate.

Nicholas Bair is Chief Executive Officer of Clean Energy Holdings, a renewable energy and technology firm, that provides program and construction management services. These include site evaluation, evaluation of financing, project design, permitting, and project operation.

Catharyn A. Baird is the CEO and Founder of EthicsGame. EthicsGame's products are based on Baird's pioneering work in business ethics during her 23 years as a professor at Regis University in Denver.

Christian Bato is a Southwest Regional Specialist at the Department of Energy.

Paul L. Biderman, retired Director of the Institute of Public Law at the UNM School of Law, 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.

Kara Brighton Fornstrom is Director of State Regulatory Policy at the Southwest Power Pool. She previously was Chairman of the Wyoming Public Service Commission and, before that, worked in private practice.

Matthew Christiansen is General Counsel at the Federal Energy Regulatory Commission. He previously served as a Legal Advisor to Chairman Glick and as a staff attorney in the Commission's Office of the General Counsel. He also was an Energy Law and Policy Fellow at NYU Law School's Guarini Center on Environmental, Energy and Land Use Law.

Thomas Conroy is Co-Founder of Kinetic Power. He has domestic and international experience in generation plant start-ups, renewable project development, and new product introduction. Companies include Wind Tower Systems, Wasatch Wind, Evolving Energy, and Array Technologies.

Stacey Crowley is VP Regional and Federal Affairs for the California Independent System Operator (CAISO). She is responsible for delivering the organization's communications strategy, developing strategic partnerships, and overseeing governmental relations at the state, regional and federal levels. She also manages coordination with the EIM Governing Body and its committees to facilitate quality engagement and dialogue with stakeholders on a variety of western energy issues.

Gary A. Dodge, Hatch James & Dodge, He represents a broad spectrum of energy clients, including customers interested in green energy tariffs, energy project developers, industrial and commercial energy users, and municipal and cooperative utilities, with a specific emphasis on renewable energy.

Robert Johnston is a semi-retired attorney who worked on clean energy legislation during the 2021 session of the Nevada Legislature as a policy advisor to the Nevada Senate Democratic Caucus. Prior to that, he served as a Senior Staff Attorney at Western Resource Advocates, working on clean energy and climate policy issues before the Nevada Public Utilities Commission and the Nevada Legislature. He currently serves on the board of the Nevada Clean Energy Fund.

Jonathan Koehn is Interim Director for Climate Initiatives at the City of Boulder. His team is responsible for implementing the city's sustainability agenda, specifically in relation to climate action, energy, and a resilient economy. He formerly served as Environmental Manager for the City.

Glen Murrell, Ph.D., is the inaugural Executive Director of the newly launched Wyoming Energy Authority. He previously worked for the University of Wyoming Enhanced Oil Recovery Institute, launching their reservoir data program and leading programs analyzing the CO2 EOR industry in the State.

Tara J. Neider is Senior VP and Project Director for the Sodium demonstration reactor at TerraPower LLC. She leads TerraPower's efforts to demonstrate the reactor as part of the Department of Energy's Advanced Reactor Demonstration Program. Her team is responsible for plant design, testing, licensing, design integration, procurement, project leadership, and administration.

Pat O'Connell is a Senior Clean Energy Policy Analyst for Western Resource Advocates. His work is primarily focused on advancing clean energy resources. Before joining WRA, he led resource planning activities for the Public Service Company of New Mexico.

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).

Greg Patterson, CPA, 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.

Vijay A. Satyal is Regional Energy Markets Manager for Western Resource Advocates. He previously served as a Senior Policy Advisor at the Western Electricity Coordinating Council, a Senior Policy Analyst at the Oregon Department of Energy, and a Senior Consultant at Navigant.

Emily Schilling leads the Environmental and Natural Resources practice group at Holland & Hart and focuses on complex air quality permitting and compliance including enforcement actions and rulemaking proceedings before state agencies and EPA.

Chuck Tack is VP of Nuclear Operations at PacifiCorp where he leads PacifiCorp's development of the Terrapower Advanced Reactor Demonstration Program. He previously served as the company's Managing Director for Generation Support.