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- Arnold & Porter LLP
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The 3rd Annual National Conference on New Developments in

Climate Change Regulation and Policy

Managing the risks and taking advantage of business opportunities

March 19 & 20, 2009

Arlington, Virginia

Corporate Executive Board Waterview Conference Center

Credits: VA CLE 13 (call about others)

Quick when/where: 8:30 a.m., 1919 North Lynn Street

Climate Change Regulation Conference

March 19 & 20, 2009 | Arlington, Virginia

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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Peter S. Glaser, Esq., Program Co-Chair
Troutman Sanders LLP ~ Washington, DC

Roger R. Martella, Jr., Esq., Program Co-Chair
Sidley Austin LLP ~ Washington, DC

8:45 International Policy Update: Where are the Global Negotiations Taking Us? Is there a Global Consensus and, if so, is the U.S. in Sync with it?

Update on Bali Road Map; Poznan United Nations Framework Convention on Climate Change; Copenhagen Climate Change Conference

C. Boyden Gray, Esq.
Special Envoy for European Union Affairs
U.S. Mission to the European Union ~ Washington, DC

9:30 A New Day for Climate Change Policy

The new administration's 2009 climate change strategy

Robert M. Sussman, Esq., Senior Fellow
Center for American Progress ~ Washington, DC

10:15 Break

10:30 Update on Federal Legislative Initiatives in the New Congress

Andrew W. Shoyer, Esq.
Sidley Austin LLP ~ Washington, DC

11:15 The Emerging Structure for International Carbon Markets

The impact of international negotiations on the voluntary carbon market in the U.S.; What will take the place of the Kyoto Protocol post-2012?

K. Russell LaMotte, Esq.
Beveridge & Diamond PC ~ Washington, DC

12:00 Lunch (on your own)

1:15 Natural Resource Issues: Implications of Climate Change

Prospects for new endangered species listings as a result of climate change

Jane C. Luxton, Esq., General Counsel
NOAA ~ Washington, DC

NEPA; state environmental quality laws; implications for land use and development

Peter R. Steenland, Jr., Esq.
Sidley Austin LLP ~ Washington, DC

2:30 Break

2:45 Conflict Resolution: Moving Towards an Era of Early Collaboration Between Industry and Environmental Groups

Chet M. Thompson, Esq.
Crowell & Moring LLP ~ Washington, DC

3:30 Taking Advantage of New Business Opportunities and Reducing Risks: A Panel Discussion

Perspectives on the deal elements that will require the most scrutiny in carbon trading or a carbon constrained economy; industry perspectives on adapting to carbon constraints

Roger R. Martella, Jr., Esq., Program Co-Chair, Moderator

John R. Varholý, Esq.
Troutman Sanders LLP ~ London, UK

Ben Yamagata, Esq.
Van Ness Feldman, P.C. ~ Washington, DC

Victoria D. Sullivan, Climate Strategy Manager
Southern Company ~ Birmingham, AL

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

Sponsored by Sidley Austin LLP and Troutman Sanders LLP



About the Conference

LAW SEMINARS INTERNATIONAL

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Global climate change is unquestionably the preeminent environmental and energy issue of our time, and is increasingly seen as an economic issue as well. As a new administration and new Congress take office, attention focuses on specific legislative and administrative proposals to mandate greenhouse gas reductions across the economy, on business opportunities and risks in a carbon-constrained environment, and on the numerous lawsuits, ongoing and potential, in the climate change area. Climate change will continue to pose an enormous challenge throughout the careers of all those presently engaged in the issue, as well as unprecedented opportunities for new technologies and sources of energies that are beginning to emerge.

This conference will provide the information and analysis needed to keep abreast of fast-breaking legal and policy developments at the state, national and international levels, manage corporate risk associated with climate change, and take maximum advantage of related business opportunities.

These and other issues will be addressed in this diverse, multidisciplinary program by our distinguished faculty of top practitioners and policy experts in the field.

~ Program Co-Chairs: Peter S. Glaser, Esq. and Roger R. Martella, Jr., Esq.



8:00 Registration and Continental Breakfast

8:30 Greenhouse Gas Transactions: What are the Financial Opportunities? Who Will Come Out Ahead?

Tax credits

Bonnie A. Suchman, Esq.
Troutman Sanders LLP ~ Washington, DC

The growth of the voluntary market; the compliance market in the Northeast; opportunities existing in these markets that are leading companies to participate in them

F. William Brownell, Esq.
Hunton & Williams LLP ~ Washington, DC

Making money in carbon markets

Josh Green, CEO
Verdeo Group, Inc. ~ Washington, DC

10:00 Break

10:15 The Mechanics of U.S. Cap and Trade Programs and Enforcement

Lessons from the Regional Greenhouse Gas Initiative actions in the Northeast for electric generating facilities

Jonathan E. Schrag, Executive Director
Regional Greenhouse Gas Initiative Inc. ~ New York, NY

Midwest Governors Association Climate Accord: Progress and prospects for preemption

Eugene M. Trisko, Esq., Energy Economist
Attorney at Law ~ Berkeley Springs, WV

11:30 Progress Toward Establishing a Federal Greenhouse Gas Inventory Reporting System

EPA's proposed rule and what is likely to happen in terms of enforcement

Kevin A. Ewing, Esq.
Bracewell & Giuliani LLP ~ Washington, DC

12:15 Lunch (on your own)

1:30 Litigation Watch: What the Courts Have Said and What the Future May Hold

Peter S. Glaser, Esq., Program Co-Chair, Moderator
Norman W. Fichthorn, Esq.
Hunton & Williams LLP ~ Washington, DC

Jonathan Martel, Esq.
Arnold & Porter LLP ~ Washington, DC

2:45 Break

3:00 Renewables: Opportunities and Challenges in 2009

Biofuels

Bob Dinneen, President and CEO
Renewable Fuels Association ~ Washington, DC

Charles H. Knauss, Esq.
Bingham McCutchen LLP ~ Washington, DC

Solar; wind

Randall Swisher, Ph.D., Executive Director (retired)
American Wind Energy Association ~ Washington, DC

4:15 Perspective from the Developing World: China

Jennifer L. Turner, Director, China Environment Forum
Woodrow Wilson International Center for Scholars
Washington, DC

5:00 Evaluations and Adjourn

Upcoming Seminars:

Land Use in Southwest Washington	February 2-3, 2009	Vancouver, WA
Clean Water and Stormwater	April 6-7, 2009	Seattle, WA
New York Land Use 2009	May 11-12, 2009	White Plains, NY

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Registration & Other Conference Information

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

Tuition: Regular tuition for this program is \$995 with a group rate of \$845 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. 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, March 13, 2009. 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 Corporate Executive Board Waterview Conference Center at 1919 North Lynn Street in Arlington, VA 22209. Sleeping rooms are available at Hotel Palomar Arlington, 1121 North 19th Street, Arlington, VA, 22209, at the rate of \$269 per night. For reservations call the hotel directly at 800-546-7866 and ask for the Janet Kennedy Block. Rooms are on a first come, first served basis.

Continuing Education Credits:

This program qualifies for 13 VA CLE credits. Upon request, we will 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 written course materials, is available for \$1005. The written 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: Climate Change Regulation Conference

Peter S. Glaser, *Program Co-Chair*, partner at Troutman Sanders LLP, specializes in environmental regulation and litigation, focusing on air quality and global climate change. He has participated in EPA rulemakings and judicial appeals, and has testified before Congress on climate change issues.

Roger R. Martella, Jr., *Program Co-Chair*, partner in the Environmental Practice Group at Sidley Austin LLP, focuses on complex environmental litigation and advises on strategic approaches to address climate change, promote sustainability and utilize clean energy. Previously he was General Counsel of the U.S. EPA and Principal Counsel for Complex Litigation at the DOJ's Natural Resources Section.

F. William Brownell, partner at Hunton & Williams LLP, focuses on environmental litigation and regulation, including clean air regulation, environmental licensing and climate change issues. He has been lead counsel in appellate cases challenging EPA and other rulemaking.

Bob Dinneen, President and CEO of the Renewable Fuels Association, is the ethanol industry's lead lobbyist before Congress and the Administration. He is on the DOE/USDA Biomass Research and Development Technical Advisory Committee.

Kevin A. Ewing, partner at Bracewell & Giuliani LLP, helps investors neutralize environmental risks in corporate transactions, and guides infrastructure and energy projects through the environmental assessment and permitting process. He has counseled public companies on environmental disclosures under securities laws.

Norman W. Fichthorn, partner at Hunton & Williams LLP, focuses on the Clean Air Act and global climate change issues. He was lead counsel for electric utilities in litigation in the U.S. Supreme Court and the U.S. Court of Appeals addressing EPA authority to regulate GHG emissions under the Clean Air Act.

C. Boyden Gray, Special Envoy for European Union Affairs at the U.S. Mission to the European Union, focuses on strengthening the Transatlantic Economic Council and promoting European understanding of the U.S. climate change policies. He was a principal architect of the Clean Air Act of 1990.

Josh Green is co-founder and CEO of Verdeo Group, Inc. Previously, he was a VP and Director of Latin America at Climate Change Capital, responsible for developing and managing a portfolio of carbon investments for its \$1 billion carbon fund.

Charles H. Knauss, partner at Bingham McCutchen LLP, focuses on the Clean Air Act, and represents clients with respect to potential opportunities for and implications of climate change regulation and legislation on renewable energy, including biofuels.

K. Russell LaMotte, of counsel at Beveridge & Diamond PC, is Co-Chair of the Climate Change Practice Group, advising on emerging U.S. climate change regimes and the evolving international climate change framework. Previously he was Deputy Assistant Legal Adviser at the U.S. Department of State.

Jane C. Luxton, General Counsel of NOAA, is the chief legal officer for all NOAA activities and a policy advisor to the Under Secretary of Commerce for Oceans and Atmosphere. She is also a Commissioner of the Western and Central Pacific Fisheries Commission.

Jonathan Martel, partner at Arnold & Porter LLP, concentrates on Clean Air Act matters, environmental litigation and counseling. Previously he was General Counsel at the U.S. EPA.

Jonathan E. Schrag, Executive Director of the Regional Greenhouse Gas Initiative Inc., focuses on supporting the first CO2 cap-and-trade program in the U.S. Previously he was President of Hudson Strategic Energy Advisors LLC.

Andrew W. Shoyer, partner at Sidley Austin LLP and Chair of the International Trade and Dispute Resolution Practice, focuses on the cross-border aspects of proposed climate change legislation.

Peter R. Steenland, Jr., counsel at Sidley Austin LLP, focuses on environmental counseling and litigation, with an emphasis on compliance with federal environmental obligations in large scale projects. Previously he was at the DOJ in the Appellate Section of the Environment & Natural Resources Division.

Bonnie A. Suchman, of counsel at Troutman Sanders LLP, specializes in electricity matters, including issues relating to the implementation

of the Energy Policy Act of 2005 and subsequent energy legislation. Previously she was Special Counsel for Electric Utility Restructuring at the U.S. Department of Energy.

Victoria D. Sullivan, Climate Strategy Manager at Southern Company, manages strategies for Southern Company's participation in climate policy development.

Robert M. Sussman, Senior Fellow at the Center for American Progress, focuses on the future of coal and global warming. Previously he chaired the Environmental Practice at Latham & Watkins LLP and was Deputy Administrator of the EPA.

Randall Swisher, Ph.D., recently retired as Executive Director of the American Wind Energy Association. Previously he was Legislative Representative for the American Public Power Association and Energy Program Director at the National Association of Counties.

Chet M. Thompson, partner at Crowell & Moring LLP in the Environment & Natural Resources Group, focuses on representation of clients under the Clean Air Act and CERCLA. Previously he was Deputy General Counsel at the U.S. EPA.

Eugene M. Trisko is an energy economist and attorney who represents labor and industry clients in energy and environmental matters. He was active on behalf of the United Mine Workers in the reauthorization of the Clean Air Act in 1990.

Jennifer L. Turner, Director of the China Environment Forum at the Woodrow Wilson International Center for Scholars, focuses on environmental and energy policy in Asia. She is the editor of the *China Environment Series*.

John R. Varholý, partner at Troutman Sanders LLP, is the Practice Group Leader of the Energy Commodity Trading, Hedging and Marketing Practice. He is also outside General Counsel to the European Federation of Energy Traders.

Ben Yamagata, member of Van Ness Feldman, P.C., practices in energy, environment, natural resources, with a focus on technology development and utilization for coal use and CO2 capture and sequestration. He has represented clients before the departments of Energy, Commerce, Interior, Office of Management and Budget, and the EPA.

March 19 & 20, 2009

Arlington, Virginia

**Corporate Executive Board
Waterview Conference Center**

1919 North Lynn Street

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Who Should Attend:

Attorneys, policy-makers, climate consultants and those involved in what localities, states and regions in the U.S. and key players overseas (EU, China, India, Japan, Brazil, Canada) are doing

You Will Learn About:

- *International policy update*
- *The new administration's 2009 climate change strategy*
- *Federal legislative initiatives in the new Congress*
- *The emerging structure for international carbon markets*
- *The mechanics of U.S. cap and trade programs and enforcement*
- *Conflict resolution between industry and environmental groups*
- *Taking advantage of new business opportunities and reducing risks*
- *Greenhouse gas transactions financial opportunities*
- *Opportunities and challenges in renewables*
- *Establishing a federal greenhouse gas inventory reporting system*

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