

# Takeaways from the Energy Bar Conference

[Creighton Boggs](#) and [I](#) were part of a skills session on drafting and negotiating Power Purchase Agreements at the Energy Bar Association [2019 Mid-year Energy Forum](#) last Wednesday, October 16, at the Renaissance Downtown Hotel in Washington, DC. This two-day conference of lawyers and law professionals was a discussion of a wide range of issues from climate change to utility operations and legal topics.

On the second day, along with the other panelists, we joined in an interactive approach to training lawyers how to negotiate a distributed energy power purchase agreement (PPA). During the first part of the session we role-played as attorneys and clients to set the stage for a PPA negotiation, including a discussion of transactional terms and an overview of fundamental motivations behind the PPA instrument, such as the customer's ability to avoid capital commitments and the developers ability to qualify for preferred tax treatment. The panel then walked through a term sheet with the audience using a Q&A approach to go through the key provisions of the PPA from the perspective of a developer and a customer, and, finally, focused on a few key PPA terms, comparing customer-friendly provisions to developer-friendly ones to provide participants with the background necessary to negotiate a distributed energy PPA.

This turned out to be a great session, with plenty of audience engagement and participation. We noted the increasing presence of junior attorneys in the panels over the two days, indicating that this part of the law is a good gateway for young practitioners looking to have a career path to a growing industry practice. If you are interested in more on the sessions, you can try looking for #EBA19EnergyForum in your favorite social channels.

As always, should you have any questions about energy regulation, energy resource development or other legal matters, you can call any of our [energy lawyers](#) to chat.



---

## Covering PPAs for the Energy Bar

My partner [Eric Hurlocker](#) is helping lead a skills session on drafting and negotiating Power Purchase Agreements at the Energy Bar Association [2019 Mid-year Energy Forum](#) this Wednesday, October 16, at the Renaissance Downtown Hotel in Washington, DC. Accompanying him on the panel is our law clerk (and pending associate) Creighton-Elizabeth Boggs. This panel is at 11:00 a.m. The full conference began today, the 15th, and goes through Wednesday evening.



Along with the other panelists, they will participate in an interactive approach to training lawyers how to negotiate a distributed energy power purchase agreement (PPA). During the first part of the session experienced practitioners will role-play as attorneys and clients to set the stage for a PPA negotiation, including a discussion of transactional terms and an overview of fundamental motivations behind the PPA instrument, such as the customer's ability to avoid capital commitments and the developers ability to qualify for preferred tax treatment. The panel will then walk through a term sheet with the audience using a Q&A approach to go through the key provisions of the PPA from the perspective of a developer and a customer. Finally, the panel will focus on a few key PPA terms, comparing customer-friendly provisions to developer-friendly ones to provide participants with the background necessary to negotiate a distributed energy PPA.

If you're at the meeting, please find us and say hello. If you can't make it, follow along by looking for #EBA19EnergyForum in your favorite social channels.

As always, should you have any questions about energy regulation, energy resource development or other legal matters, you can call any of our [energy lawyers](#) to chat.

---

# Renewable Energy Down South

Later today, we will be heading to Atlanta for the [Southeast Renewable Energy conference](#) being held at the Westin Atlanta Perimeter Hotel. We're going to this networking event where the entire southeast renewable energy community gathers to get the latest insights into the market and to meet key players as well as clients and colleagues.

In the sessions on Thursday and Friday, we hope to learn about the key trends impacting renewable energy project development, finance and investment; meet with utility procurement managers; and engage in networking with the decision-makers who are driving the industry forward. If you are planning to attend, please look for me and let's talk about renewable energy in Virginia and the Mid-Atlantic.

If you have questions about or issues in renewable energy, just contact any of our [renewable energy lawyers](#).

---

## 35th Annual National Regulatory Conference!

GreeneHurlocker lawyers attended the [35<sup>th</sup> Annual National Regulatory Conference](#) on May 18-19, 2017, in [Williamsburg, Virginia](#). GreeneHurlocker attorney [Eric Wallace](#) served on the conference planning committee for the past several months. This year's [agenda](#) featured excellent speakers lined up to discuss important issues affecting utility regulation, including: (1)



opportunities and obstacles for renewable energy markets; (2) the future for utilities in the capital markets; (3) the role of public-private partnerships in infrastructure development; (4) the pros and cons of subsidies; and (5) current issues in natural gas supply and production.

The attorneys of GreeneHurlocker look forward each year to the opportunity to meet new energy industry stakeholders and reconnect with industry friends and colleagues at the National Regulatory Conference – we hope to see you there! If you will not be able to attend this year and would like to learn more about the issues being discussed at the conference, or if you have any other questions regarding energy regulation in Virginia, Maryland, the District of Columbia, or elsewhere in our region, please contact one of GreeneHurlocker's [regulatory and energy attorneys](#).

---

## **Back from Solar Focus with Good News**

We've just returned from Solar Focus 2014, the big Maryland-District of Columbia-Virginia (MDV) Solar Energy Industry Association conference in Washington, D.C. and our client [Secure Futures, LLC](#), was recognized as Solar Innovation of the Year.

This is no small feat, and we offer congratulations to Tony Smith, president, and his management team who “brought to market a new concept, innovation, or product that promises to help advance the solar industry”, according to the award criteria. Secure Futures is a solar development company headquartered in [Staunton, VA](#). They combine state-of-the-art

