

# Energy & Clean Technology

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## Energy & Clean Technology Connections: Your Law Firm Link to Industry News

APRIL 2013

In the April edition of *Energy & Clean Technology Connections*, we've gathered recent information from a wide variety of sources in an effort to keep you abreast of what's new in the world of clean energy. We draw your attention to the latest industry developments, news from local governments to Capitol Hill, grant opportunities, and upcoming events.

This month, the Energy & Clean Technology Practice would like to applaud David O'Connor, ML Strategies' Senior VP for Energy & Clean Technology, who co-chaired the [Northeast Energy and Commerce Association's 10th Annual Renewable Energy Conference](#), which took place on Thursday, March 28, at the Westin Copley Place Boston Hotel. The conference focused on exploring the evolving renewable energy market in New England through the lens of policies, programs, and profits. The one-day conference featured four talks: New Challenges and Expanding Opportunities in the Marketplace, Constructive Dialogue in Host Communities, Long-term Contract Procurements, and Exciting Prospects for New (and Old) Technologies.

Additionally, *LMG Clean Technology & Renewable Energy* ranked the Energy & Clean Technology Practice of Mintz Levin as one of the "Top Ten Clean Technology Firms" in the country. The *LMG Clean Technology & Renewable Energy* guide provides detailed information about the clean technology market. Mintz Levin's high-quality client service and breadth of technology and renewable energy practices, among other accomplishments, helped distinguish our Energy & Clean Technology Practice as one of the country's best. Tom Burton and Sahir Surmeli, the practice's co-chairs, were each named to LMG's "Clean Tech 100" list for best attorneys in the field.

On Capitol Hill last week, the House [passed a budget resolution](#) that continues to fund the federal government through the end of the fiscal year on September 30. The Republican-controlled House and Democrat-controlled [Senate also separately passed versions of a budget for FY 2014](#). The House bill claims to balance the budget by 2023 using only spending cuts, whereas the Senate's version would raise nearly \$1 billion in new revenues over the next 10 years to balance the budget in conjunction with spending cuts. The Senate's budget filed over 500 amendments, mostly symbolic. Two passed that dealt with important energy and environmental issues. Senators, by a vote of 62 – 37, voted for the establishment of a reserve fund to promote economic improvement through the construction of the Keystone XL pipeline. The Senate also accepted, on a voice vote, an amendment to increase funding for the Department of Energy's

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**RANKED ONE OF  
THE TOP TEN CLEAN  
TECHNOLOGY FIRMS**

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Advanced Research Projects Agency-Energy by \$50 million over 10 years. The Senate rejected proposed amendments, among many others, that would have (1) prohibited Congress from enacting any carbon fee or tax; (2) required the president to grant exemptions for individual power plants from the three-year deadline for compliance with the EPA's mercury and air toxics standards; and (3) made it more difficult for the EPA to implement carbon-dioxide standards for new coal-fired plants.

In other news, Senator Ron Wyden (D-OR) announced several energy-reform initiatives. He will examine broad energy tax reform policy to make the tax code more equal for energy sources. The senator will work with several federal agencies backing their efforts to build a smart-grid energy system. Finally, he has [begun working on legislation](#) to address the oversight and regulation of hydraulic fracturing (known as "fracking"), which is a contentious issue because of the potential clash between its environmental and economic impact.

The Senate Energy and Natural Resources Committee [approved President Obama's nominee for the Secretary of Interior](#), Sally Jewell, on March 21. Ms. Jewell is currently the chief executive of Recreational Equipment Inc. in Seattle. Senate Majority Leader Harry Reid said he hopes to have a vote on her nomination shortly after the Passover/Easter break.

While there has been no movement on Obama's nominees for the EPA, Gina McCarthy, and for Energy Secretary, Dr. Ernest Moniz, [Politico reports](#) that Dr. Moniz should have little trouble making it through the Senate confirmation process. His nomination hearing is scheduled for April 9. As for Ms. McCarthy, she is still [widely expected to win confirmation](#), but the Republican Party's chronicled criticisms of the EPA will mean that she likely faces a bumpier road than Dr. Moniz. Ms. McCarthy's nomination hearing has been set for April 11. ML Strategies looks forward to working with both of them after their confirmations.

In upcoming events, we hope to see you at the [New England Clean Energy Council Finance Series](#) meeting on Thursday, April 25, right here at One Financial Center in Boston. It will be from 8:30 – 10:30 am, and the event will discuss the outlook of solar financing regionally and nationally. Confirmed panelists include Mark Sylvia, Commissioner of the Massachusetts Department of Energy Resources; Carrie Cullen Hitt, Senior VP, State Affairs, at the Solar Energy Industries Association; and our own Audrey Louison, Member and Chair of Mintz Levin's Project Development & Finance Practice.

On a celebratory note, regular readers of *ML Strategies' Energy & Environment Update* may know that Sarah Litke, who has for several years helped to produce this weekly report, is out on maternity leave. We are very pleased to share with you that Sarah has a new son, William Augustine Litke, born on March 3, 2013. Mother, father, and baby are all well and happy.

Mintz Levin's Energy & Clean Technology blog brings you the latest information and events impacting the energy and clean technology industries. The blog includes in-depth analysis from the Associates and Members that work within our Energy & Clean Technology Practice. Please visit the following link that will bring you directly to the blog: <http://www.energycleantechmatters.com/>

We hope that you enjoy this month's edition of the newsletter. For the most up-to-date information on federal legislation and programs, read the most recent [ML Strategies Energy & Environment Update](#).

## Mintz Levin's Monthly Innovator Profile

In Palm Springs, California, about 100 miles east of Los Angeles, the [Coachella Valley iHub](#) (CViH) incubator has grown from five tenants in 2011 to 14 clients in 2013. Comprised of the cities of Palm Springs, Cathedral City, and Desert Hot Springs, Coachella Valley iHub works with a range of start-up businesses

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focused on creating, developing, and producing clean technology in all fields including solar energy, wind power, smart grid technologies, geothermal energy, water filtration and conservation, biofuels/biomaterials, and green building materials. CViH will build on the region's fast-growing population, and its proximity to the University of California, California State University, and College of the Desert, in its pursuit of creating high-paying technology and manufacturing jobs focused on clean technology in the region. The area appears [ready for growth in the clean technology field](#).

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## In the News: United States

Environmental Groups Reap as Solar Leasing Gains Houses

*Bloomberg* – March 27, 2013

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Quake Tied to Oil-Drilling Waste Adds Pressure for Rules

*Bloomberg* – March 27, 2013

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When's That Next Wave Coming?

*Greentech Media* – March 26, 2013

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With Community Solar, Rates That Never Rise

*Greentech Media* – March 26, 2013

[More Info »](#)

What Greenstart's Reboot Means for Cleantech—And for Accelerators

*Xconomy* – March 26, 2013

[More Info »](#)

Will NRG Energy Be the Next 10 Ton Gorilla in Solar Leases?

*Gigaom* – March 25, 2013

[More Info »](#)

Utilities Facing a "Mortal Threat" from Solar

*Wall Street Journal* – March 25, 2013

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Solving the Next Grid Challenge: Volatility

*Greentech Media* – March 22, 2013

[More Info »](#)

Northeast Solar Sales Surge Through Home Depot

*Greentech Media* – March 22, 2013

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Where the Money Is in Cleantech: Oil and Gas

*Gigaom* – March 22, 2013

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Valero Restarts Ethanol Plant in Indiana as Returns Improve

*Bloomberg* – March 22, 2013

[More Info »](#)

Garden State a Solar Eden: New Jersey Hits 1 GW

*Greentech Media* – March 22, 2013

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Cape Wind Finds Financing Partner, Enters Home Stretch

*Renewable Energy World* – March 21, 2013

[More Info »](#)

Moving the Needle – The Cleantech Group Sees Water Rising

*Cleantech Group* – March 21, 2013

[More Info »](#)

Solar Will Be Second-Biggest Source of US Power Added in 2013

*Bloomberg New Energy Finance* – March 21, 2013

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Sapphire Energy Signs Deal with Tesoro, Begins Year-Round Production

*Xconomy* – March 20, 2013

[More Info »](#)

Chevron, Green Groups Agree Set Standards for Shale Gas

*Bloomberg* – March 20, 2013

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Sapphire Energy in Pact with Tesoro for “Green Crude”

*Las Cruces Sun-News* – March 20, 2013

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No Longer Emerging: California’s Green Economy Grows Up

*Greentech Media* – March 20, 2013

[More Info »](#)

Ethanol Upending Refiners Pushes \$13 Billion on US Drivers

*Bloomberg* – March 19, 2013

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City of LA to Quit Coal at Utah’s Intermountain Power Plant by 2025

*Southern California Public Radio* – March 19, 2013

[More Info »](#)

Clean Energy Is Comparable to Fossil Energy Reserves, BNEF Says

*Bloomberg* – March 19, 2013

[More Info »](#)

US Water Infrastructure Given “D” Grade by ASCE Group

*Bloomberg New Energy Finance* – March 19, 2013

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Abengoa Solar, BrightSource Partner on World's Biggest CSP Power Tower Project

*Greentech Media* – March 18, 2013

[More Info »](#)

Vehicle Fuel Economy Has Biggest US Gain Since 1975

*Bloomberg* – March 15, 2013

[More Info »](#)

What SolarCity, Silver Spring IPOs Mean for Clean Tech

*Wall Street Journal* – March 15, 2013

[More Info »](#)

2012 Was a Record-Breaking Year for Solar Panels in the US

*Gigaom* – March 14, 2013

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Cities Weigh Taking Over From Private Utilities

*New York Times* – March 13, 2013

[More Info »](#)

Pew Report: No, China Isn't Eating Our Clean Energy Lunch

*Greentech Media* – March 13, 2013

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Clean Energy Trends 2013

*Clean Edge Inc.* – March 12, 2013

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Up to 110,000 New Green Jobs Created in 2012

*Greentech Media* – March 12, 2013

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California: Republican Mayor Pushes Climate Action, Wants Solar on New Homes

*E&ENews* – March 8, 2013

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Global Temperatures Highest in 4,000 Years

*New York Times* – March 7, 2013

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## In the News: Europe & Asia

UK Renewable Power Grows 20 on New Offshore Wind Farms

*Bloomberg* – March 28, 2013

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A Record Year for World Wind Power in 2012

*Greentech Media* – March 28, 2013

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5 Middle East Solar Markets to Watch

*Renewable Energy World* – March 25, 2013

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Ireland's Solar 21 Buys \$17 Million Italian Solar Park from Kokusai

*New Energy World Network* – March 25, 2013

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Kansai Electric, TonenGeneral to Build 30 MW Solar Power Plant

*Bloomberg* – March 22, 2013

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Russia and China in Major Natural-Gas Supply Pact

*Wall Street Journal* – March 22, 2013

[More Info »](#)

Greencoat Raises \$395 Million in UK IPO to Buy SSE, RWE Sites

*Bloomberg* – March 22, 2013

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Vestas Chiefs Signal Worst Is Over as Turnaround Work Continues

*Bloomberg* – March 21, 2013

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A Silver Lining in China's Smog

*Wall Street Journal* – March 21, 2013

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Biggest Solar Collapse in China Imperils \$1.28 Billion

*Bloomberg* – March 21, 2013

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Suntech Won't Object After China Banks Seek Solar Bankruptcy

*Bloomberg* – March 20, 2013

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China Seen Cutting Subsidy for Largest Solar Projects: Energy

*Bloomberg* – March 19, 2013

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Romania Ends Moratorium on Shale Gas Exploration, Premier Says

*Bloomberg* – March 19, 2013

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A Norwegian Start-Up Launches its Green Data Center Services

*Gigaom* – March 19, 2013

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Mitsubishi, Innovation Network Buy Italian Solar Power Producer

*Bloomberg* – March 19, 2013

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Suntech Defaults on \$541 Million Bond, a First for China

*Bloomberg* – March 18, 2013

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Energy Costs Risk Europe's Competitiveness, Johansson Says

*Bloomberg* – March 18, 2013

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China Vows to Curb Emissions as Pollution Fuels Social Unrest

*Bloomberg* – March 15, 2013

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Japan Adds 1,178 MW of Mostly Solar Energy in Nine Months

*Bloomberg* – March 15, 2013

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Water Losses in India Cut in Half by Smart Meters: Itron

*Bloomberg* – March 15, 2013

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Japan's Plan for 10% Solar Price Cut Retains Boom Incentive

*Renewable Energy World* – March 13, 2013

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An Energy Coup for Japan: "Flammable Ice"

*New York Times* – March 12, 2013

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China to Change Rates Earned by Solar Farms, PV-Tech Reports

*Bloomberg* – March 11, 2013

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Spain Shale Gas Reserves Estimated to Equal 39 Years of Demand

*Bloomberg* – March 11, 2013

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Hitting 2015 Sulphur Targets Could Increase Harmful Carbon Emissions and Cause Loss of 2,000 Jobs

*UK Chamber of Shipping* – March 8, 2013

[More Info »](#)

China Drives Record Solar Growth Becoming Biggest Market

*Bloomberg New Energy Finance* – March 8, 2013

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EU Parliament May Avoid More Delays on Carbon, Lawmaker Says

*Bloomberg* – March 1, 2013

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Government Financial Assistance

**Agency Grants**

ARPA-E: Announcement of Teaming Partner List for Robust Affordable Next Generation EV-Storage (Range)

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## **Tax Incentives & Rebates**

### ***Federal***

Federal Business Energy Investment Tax Credit

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Federal Renewable Electricity Production Tax Credit

[More Info »](#)

Federal Tax Credits for Consumer Energy Efficiency

Expiration Date: December 31, 2016

[More Info »](#)

Federal Energy-Efficient Commercial Buildings Tax Deduction

Application Deadline: January 1, 2006 – December 31, 2013

[More Info »](#)

### ***State***

California Self-Generation Incentive Program

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California Property Tax Exclusion for Solar Energy Systems

Expiration Date: December 31, 2016

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Massachusetts Incentives/Policies for Renewables & Efficiency

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Massachusetts Clean Energy Center: Commonwealth Wind Incentive Program – Micro Wind

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Massachusetts Clean Energy Center: Commonwealth Solar II

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Massachusetts Energy Efficiency for Businesses & Institutions

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Energy Incentive Programs, Massachusetts

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Massachusetts RPS Solar Carve-Out

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Privately Sourced Financial Grants

GE Ecomagination Challenge: Powering the Grid

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The Energy Foundation Grants (Ongoing)

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The Carbon Trust: Innovation

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## Federal & State News

New York Solar Projects to Get \$46 Million in State Funding

*Bloomberg* – March 28, 2013

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Lancaster, CA Becomes First US City to Require Solar

*Greentech Media* – March 27, 2013

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Energy Department Launches Bold New Clean Energy Manufacturing Initiative

*US Department of Energy* – March 26, 2013

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EPA Report: More Than Half Nation's Rivers in Poor Shape

*Washington Post* – March 26, 2013

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Audit Faults Stimulus-Backed \$1.5 Billion US Clean-Coal Effort

*Bloomberg* – March 26, 2013

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Energy Department Launches New Clean Energy Manufacturing Initiative

*US Department of Energy* – March 26, 2013

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Palo Alto Takes the Leap: 100% Carbon-Neutral Electricity

*Daily Sustainable Business News* – March 25, 2013

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New Bill Could Help Georgia Ratepayers Reap Solar Cash Crop

*Greentech Media* – March 25, 2013

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US Geothermal's Oregon Power Plant Approved for Treasury Grant

*Bloomberg New Energy Finance* – March 25, 2013

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Numbers from the War on State Renewables Standards

*Greentech Media* – March 25, 2013

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Key US Senator Starts Work on Natural Gas Bill, Mulls Export Restrictions

*Wall Street Journal* – March 22, 2013

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House Committee Seeks Public Comment on Renewable Fuel Standard

*EESI* – March 22, 2013

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Senate Panel Approves Obama's Choice for Interior Dept.

*New York Times* – March 21, 2013

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Renewed Tax Credit Buys Wind-Power Projects

*New York Times* – March 21, 2013

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Ready or Not: Arizona Takes Steps Toward Incentive Free Solar

*Renewable Energy World* – March 20, 2013

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Giant Solar, Wind Projects in Desert Get US Approval

*Greentech Media* – March 19, 2013

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Federal Energy Management Program Issues New Guide for Developing Large-Scale Renewable Energy Projects at Federal Facilities

*US Department of Energy* – March 19, 2013

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Loans of \$2 Billion Weighed by US for Clean Energy Projects

*Renewable Energy World* – March 18, 2013

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Murkowski Reintroduces FERC Hydropower Licensing Act

*Renewable Energy World* – March 18, 2013

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Obama Starts Unveiling His Plans for Climate Change, Clean Energy

*Gigaom* – March 15, 2013

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Obama Seeks to Use Oil and Gas Money to Develop Alternative Fuel Cars

*New York Times* – March 15, 2013

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Transportation Energy Futures Study Reveals Potential for Deep Cuts to Petroleum Use and Carbon Emissions

*National Renewable Energy Laboratory* – March 15, 2013

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Energy Department Study Examines Potential to Reduce Transportation Petroleum Use and Carbon Emissions

*US Department of Energy* – March 14, 2013

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US-Asia Pacific Comprehensive Energy Partnership

*US Department of Energy* – March 14, 2013

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Secretary Salazar Approves Three Renewable Energy Projects in California and Nevada

*US Department of the Interior* – March 13, 2013

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New EPA Report: Initial Data Shows Significant Gains in Fuel Economy for 2012

*US Environmental Protection Agency* – March 13, 2013

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Energy Department Announces New Funding to Advance Plug-In Electric Vehicle Technologies

*US Department of Energy* – March 8, 2013

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Energy Department Accelerates the Deployment of Advanced Vehicle Technologies with Private Industry Partnerships

*US Department of Energy* – March 5, 2013

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## Legal News

Energy & Environment Update

*ML Strategies* – April 1, 2013

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*ML Strategies* – March 25, 2013

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*ML Strategies* – March 18, 2013

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*ML Strategies* – March 11, 2013

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Energy & Environment Update

*ML Strategies* – March 4, 2013

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Supreme Court Asked to Rule on EPA's Ethanol Mandate

*DailyTech* – March 27, 2013

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EPA Settles with Goodrich Over California Plant Water

*R&D* – March 26, 2013

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EPA Clean Water Act Rules Invalidated by Appeals Court

*Bloomberg* – March 25, 2013

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Nixon-Era Law Invoked by Obama on Climate Unsettles Industry

*San Francisco Chronicle* – March 18, 2013

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EPA Likely to Delay Climate Rules for New Power Plants

*Washington Post* – March 15, 2013

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Lawmakers Release Carbon Emissions Tax Plan

*New York Times* – March 12, 2013

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## Events

### **April**

Solar Roadshow 2013

March 28 – June 23, 2013

Locations across the country – Massachusetts in May

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National Renewable Energy Forum

April 2, 2013

Toronto, ON

[More Info »](#)

Department of Energy: State Energy Strategic Planning

April 3, 2013

Live Webcast

[More Info »](#)

Department of Energy: CHP: Enabling Resilient Energy Infrastructure

April 3, 2013

Webinar

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The Networked Grid 150: The End-to-End Smart Grid Vendor Ecosystem Report and Rankings 2013

April 3, 2013

Webinar

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NBIA International Conference on Business Incubation

April 7 – 10, 2013

Boston, MA

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Wind Energy O&M Summit USA

April 8 – 10, 2013

Dallas, TX

[More Info »](#)

Global Marine Renewable Energy Conference

April 10 – 11, 2013

Washington, DC

[More Info »](#)

US and International Geothermal Energy Finance Forum  
2013

April 10 – 11, 2013  
New York, NY

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Quarterly State of the Renewable Energy Industry Briefing

April 11, 2013  
Webinar

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CISOLAR-2013: Solar Energy in the CIS and Eastern Europe

April 11 – 12, 2013  
Moscow, Russia

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SEPA Utility Solar Conference

April 15 – 17, 2013  
Portland, OR

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Power & Electricity World Asia 2013

April 15 – 18, 2013  
Singapore

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Arena 5th Annual Small Hydro

April 16 – 17, 2013  
Vancouver, BC

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ABA/ACORE: Solar Power: What Is the Future of the  
Industry?

April 17, 2013  
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ACORE Power Generation & Infrastructure Forum

April 18, 2013  
Portland, OR

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ACORE Northwest Leadership Roundtable

April 19, 2013  
Portland, OR

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The Future of Energy Summit 2013

New York, NY  
April 22 – 24, 2013

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Greentech Media's Solar Summit 2013

April 22 – 24, 2013  
Phoenix, AZ

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National Hydropower Association Annual Conference

April 22 – 24, 2013  
Washington, DC

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Third Massachusetts Sustainable Communities Conference  
& Second Massachusetts Sustainable Campuses  
Conference

April 24, 2013  
Worcester, MA

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Solar & Utility 2.0: Solar Serving the Grid

April 24, 2013  
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New England Clean Energy Council Finance Series

April 25, 2013  
Mintz Levin, Boston, MA

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India Smart Grid Summit 2013

April 25 – 26, 2013  
New Delhi, India

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CS Week 2013

April 29 – May 3, 2013  
Tampa, FL

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Clean Power Asia 2013

April 29 – 30, 2013  
Bangkok, Thailand

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Advanced Energy 2013

April 30 – May 1, 2013  
New York, NY

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Renewable Energy Finance Forum: Latin America &  
Caribbean

April 30 – May 1, 2013  
Miami, FL

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**October**

Global Cleantech 100 Summit & Gala 2013

October 9 – 10, 2013  
Washington, DC

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