

# Energy & Clean Technology

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

SEPTEMBER 2012

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In the September edition of *Energy & Clean Tech 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, we would like to congratulate our client, [NanoSteel](#), of Providence, RI on their recent Series C financing round, which was supported by General Motors Co.'s [venture unit](#), [EnerTech Capital](#) and [Fairhaven Capital Partners](#). NanoSteel has designed a light, high-strength, cost-effective type of steel that GM hopes to use to make cars lighter, without sacrificing safety. For more information, please see the [Wall Street Journal article](#) that announced the deal.

Earlier this month, ML Strategies hosted the joint [Northeast Energy & Commerce Association](#) and [Environmental Business Council](#) event, "New Opportunities for Renewable Energy Projects," at our Boston office. The seminar focused on the recently enacted legislation in Massachusetts that expands incentives to produce electricity through the development and financing of wind, hydro, solar and anaerobic digestion projects. The well-attended seminar, moderated by former DOER Commissioner and ML Strategies' David L. O'Connor, featured insights from key legislators, project developers, utility managers and financiers who described the details of the new legislation and offered their assessments of its impact on the regional marketplace for renewable energy.

Additionally, we look forward to participating in EnerNOC's third annual [EnergySMART Conference](#) in Boston from October 1 to 3, 2012. Topics to be covered include the bottom-line impact of energy efficiency measures, evolving demand response markets, energy procurement strategies, and how to leverage existing energy management systems. We hope to see you there.

We are also pleased to announce that the authors of *The Clean Tech Revolution* have returned with the next definitive book on the clean-tech industry. In *Clean Tech Nation*, Ron Pernick and Clint Wilder combine lively storytelling with expert analysis, to provide a compelling call to action and an outline of the sector's latest technology, policy, and financial tools. Mintz Levin has been a long-time partner of Clean Edge — the research and advisory firm where Pernick is the Managing Director and Wilder the Senior Editor. *Clean Tech Nation* presents valuable findings and recommendations so we are pleased to encourage our network to get a copy. To learn more about the book, and see if you can attend an event where Ron and Clint will be speaking, please check out [www.cleantechnation.com](http://www.cleantechnation.com).

On Capitol Hill this month, the House adjourned September 21 and the Senate adjourned early the following morning until after the elections. Congress will

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return shortly thereafter to begin a lame duck session during which debates over tax extenders, energy efficiency legislation, defense reauthorization, the farm bill, and more will take place.

During the brief September work period, both the House and Senate passed a six-month continuing resolution (H.J. Res. 117) to keep the federal government funded through March 27, 2013. Despite a last minute effort to fund the Department of Energy's weatherization program, the legislation maintains a roughly 60 percent cut in program funding, leaving about \$70 million that was included in last December's omnibus funding legislation for fiscal year 2012.

Due to divisions between the parties over the severity of cuts to the food stamp program, the House adjourned without voting on either a full farm bill or any short-term extension. The current 2008 farm bill expires September 30. The expiration will not immediately end commodity and food stamp programs, but a number of conservation and energy programs will be unable to enroll new participants as of October 1. The House may take up the measure when it returns November 13, though it could be delayed until early next year. The Senate passed its version of the five-year farm bill (S. 3240) in June.

With Congress departing for final campaigning before the November elections, most legislative negotiations will have to wait until the lame duck session. At the end of the year, House and Senate leaders will discuss the expiring production tax credit, a per gallon tax credit for cellulosic biofuel, and a number of other energy provisions. Other issues that may receive attention during the lame duck session include energy efficiency legislation, defense reauthorization—particularly the Navy's use of biofuels—and the Farm bill, which includes an energy title and expires at the end of the month.

In other news, on September 14, 2012, the House approved, on a largely party-line vote of 245 to 161, the No More Solyndras Act (H.R. 6213). The measure would end a Department of Energy loan guarantee program but would allow billions of dollars in pending loan guarantee applications for nuclear and fossil energy projects to continue. The legislation would prohibit the agency from making new commitments for loan guarantee applications after 2011, but about 50 pending applications could still be considered. The program has \$30.5 billion in authority for nuclear and fossil energy projects, and about \$4.5 billion remains for renewable energy projects. For more regulatory updates, please see [ML Strategies's](#) weekly [Energy and Environmental Updates](#).

In upcoming events, we encourage you to attend the [4th Annual Marine Renewable Energy Technical Conference](#), which will take place October 30-31, 2012, and feature technical presentations on research relating to wave, tide, ocean and river current, offshore wind, environmental monitoring, policy and regulations, industry lessons learned, and more.

Finally, please mark your calendars for November 11-13, 2012, when the [Savannah International Clean Energy Conference \(SICEC\)](#) 2012 will be held in Savannah, Georgia. The conference will bring together top influencers and leaders to discuss, debate, and explore the significance and global impact Energy Independence will have on clean energy, clean technologies, and economic growth. Also, Mintz Levin's Energy & Clean Technology Chair, Thomas R. Burton III, will be featured as a speaker during the conference. For more information on upcoming events, please consult our "[Events](#)" section below.

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

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technology start-up sector, the [Boston Startup School](#) offers a six-week educational session to develop the skills necessary to acclimate and thrive in an entrepreneurial environment. The idea for the program grew out of the awareness that most start-ups provide newcomers with little formal training regarding human resources, recruiting, and professional development. The Boston Startup School hopes to combat this by providing four tracks of study – marketing, product design, software development, and sales and business development – taught by 50 volunteer instructors at the Harvard Innovation Lab. In August 2012, the program completed its first session with a graduating class of 72 students and a hiring rate greater than 50%. We look forward to seeing what the Boston Startup School has in store for the future!

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## In the News: United States

Tim Healy Honored as CEO of the Year by the Mass  
Technology Leadership Council

*Globe Newswire* – September 14, 2012

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Corporate Venture Activity Rebounds After Slump in Deals  
and Dollars

*Xconomy* – September 20, 2012

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Blackstone to Buy Vivint for more than \$2B

*Bloomberg* – September 19, 2012

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A New Use for Shale Gas

*WSJ* – September 17, 2012

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Primus Green Energy Nears Fuel Deal with Airline, CEO  
Says

*Bloomberg* – September 14, 2012

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FirstSolar Beats Chinese by Making Sun Power Predictable

*Bloomberg* – September 13th, 2012

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Honest Buildings Raises First Venture Round for Green  
Building Data

*GigaOM* – September 11, 2012

[More Info »](#)

Energy Startup Powers Up, Reaches \$100M in Revenue

*Mass High Tech* – September 10, 2012

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[More Info »](#)

Even with RFS, Ethanol Can't Escape Drought Impact

*Greentech Media* – September 10, 2012

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US Solar Market Spikes With 742 MW in Solar Installations in Q2 2012

*Greentech Media* – September 10, 2012

[More Info »](#)

Fueled by Cheap Chinese Panels, U.S. Solar Use Soars

*WSJ* – September 9, 2012

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Obama Re-pledges Renewables Commitment as E&Y Reports US Falling Behind

*Renewable Energy* – September 7, 2012

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Oregon Clean Fuel Standard Could Drive Growth in Biofuels Industry

*Clean Edge* – September 7, 2012

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US May Fight Solyndra Tax Breaks in Bankruptcy Plan

*Reuters* – September 7, 2012

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Obama and Romney Divided on Clean Energy Policy

*Environmental Finance* – September 6, 2012

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VC Interest in Cleantech by Sector over the Last Decade

*BostInno* - September 6, 2012

[More Info »](#)

China Speeding U.S. Solar-Dumping Case as Election Nears: Energy

*Bloomberg* – September 5, 2012

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For a Look at the Future of U.S. Energy, Go to Texas

*Triple Pundit* – September 5, 2012

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CSP Gains a Foothold on US East Coast

*Renewable Energy* – September 5, 2012

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DOE Announces Five New Solar Research Investments

*Clean Edge* – September 4, 2012

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Natural Gas and Renewable Energy Dominate US Electricity Additions in 1st Half of 2012

*Clean Technica* – August 29, 2012

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Renewable Electricity Nearly Doubles with Obama in Office

*Clean Technica* – August 29, 2012

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Non-Hydro Renewable Energy Nears 6% of US Electrical Generation

*Clean Edge* – August 29, 2012

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Final US Fuel Economy Standards Set

*WSJ* – August 28, 2012

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Ocean Power Technologies Gets First FERC License for Wave Power Station

*Clean Edge* – August 28, 2012

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Military Spending on Biofuels Draws Fire

*NYTimes* – August 27, 2012

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The Reign of Residential PV in Japan

*Cleantechnica* – September 21, 2012

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UK Electric Car Sales Soar

*Cleantechnica* – September 20, 2012

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China's New Energy Source?

*DailyFinance* – September 19, 2012

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China Creates Carbon Calculator to Show Effect of Energy Policy

*Bloomberg* – September 17, 2012

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Ireland Eyes Renewable Power Exports to UK by 2017

*Reuters* – September 13, 2012

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Hindustan Zinc, Ambuja Ordered to Pay Fines on Failing to Meet Renewable Purchase Obligations

*Cleanbios* – September 13, 2012

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Germany's Clean Technology Industry to More Than Double by 2025

*Renewable Energy* – September 11, 2012

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Independent Panel Calls on Nations to Address Carbon Market "Crisis"

*Energy Efficiency* – September 11, 2012

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Solar Energy Trade Wars – Enough is Enough

*Financial Times* – September 11, 2012

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Solar and Biomass Important Cornerstones for UK Energy Security

*Smart Meters* – September 10, 2012

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China pushes wind power, but no quick payoff for producers

*Reuters* – September 10, 2012

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Germany and Denmark Top the 2012 Global Green Economy Index

*Clean Edge News* – September 10, 2012

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Asia-Pacific Forum to Cut Import Duties for Green Technologies

*NYTimes* – September 7, 2012

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China Price War Draining Jobs in Germany's Solar Valley: Energy

*Bloomberg* – September 7, 2012

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332 MW Wind Project for Germany (Part of a 996 MW Offshore Wind Farm)

*Clean Technica* – September 7, 2012

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The US and China's Thin-Film PV Firms' Impact on India's Solar Industry

*Greentech Media* – September 7, 2012

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Hypocrisy Seen in European Solar Industry

*WSJ* – September 6, 2012

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Chinese Solar-Panel Exporters Face the Threat of EU Tariffs

*Renewable Energy* – September 6, 2012

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Germany Economic Minister to Press on With Energy Plans

*Reuters* – September 4, 2012

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Morgan Stanley Arm Bets Big on China Energy

*WSJ* – September 4, 2012

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Hitachi Zosen-Led Group Plans \$1.5 Billion Offshore Wind Farms

*Bloomberg* – September 4th, 2012

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Vestas to Cut 1,400 Jobs as Prospects Darken

*Reuters* – August 22nd, 2012

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China's Largest Solar Power Farm Approved—To Be Built By GCL-Poly Energy, World's Largest PV Polysilicon Producer

*Clean Technica* – August 28th, 2012

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China to spend \$372 billion on cutting energy use, pollution

*Reuters* – August 22nd, 2012

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## Government Financial Assistance

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Renewable Energy Incentives for Homes & Businesses

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### **Tax Incentives and Rebates**

#### ***Federal***

Federal Business Energy Investment Tax Credit

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Federal Renewable Electricity Production Tax Credit

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Federal Tax Credits for Consumer Energy Efficiency

Expiration Date: December 31, 2016

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Federal Energy-Efficient Commercial Buildings Tax Deduction

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

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#### ***State***

California Self-Generation Incentive Program

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California Property Tax Exclusion for Solar Energy Systems

Expiration Date: December 31, 2012

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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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Energy Efficiency Programs Offered by Massachusetts Utilities

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Massachusetts RPS Solar Carve-Out

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## Privately Sourced Financial Grants

BIRD Energy: U.S.-Israel Joint Renewable Energy Grants

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Executive Summary Deadline: September 23, 2012

Final Proposal Deadline: October 23, 2012

New Generation Energy Grants, Loans & Microloans (Ongoing)

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GE Ecomagination Challenge: Powering the Grid

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The Energy Foundation Grants (Ongoing)

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The Carbon Trust: Entrepreneurs Fast Track

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## Federal and State Happenings

Energy Department Launches SunShot Prize Competition to Install Solar Energy Systems at a Fraction of Today's Price

*Energy.gov* – September 12, 2012

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State Clean Energy Finance Banks: New Investment Facilities for Clean Energy Deployment

*Brookings* – September 12, 2012

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California Community Solar Bill Dies in Assembly Committee

*Cleantechica* – September 3, 2012

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DOE Funds Five New Solar Projects

Smart Meters – August 31, 2012

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## US Sets Higher Fuel Efficiency Standards

*NYTimes* - August 28th, 2012

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## EOG Says U.S. Fracking Rule to Cost \$1.5 Billion a Year

*Bloomberg* - September 7th, 2012

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### Energy and Environment Update

*ML Strategies* – September 16, 2012

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### EPA Raises Biodiesel Mandate for Refiners Under Program

*Bloomberg* – September 14, 2012

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### Energy and Environment Update

*ML Strategies* – September 9, 2012

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### Energy and Environment Update

*ML Strategies* – August 26, 2012

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### U.S. House to Vote on “No More Solyndras” Act

*Solar Novus Today* – September 10, 2012

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### CSAPR: What Will EPA Do Now?

*Power Engineering* – August 30th, 2012

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## Events

### **September**

#### Renewable Energy Markets 2012

September 23 – 25, 2012

Washington, D.C.

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#### Algae Biomass Summit

Denver, CO

September 24 – 27, 2012

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#### GreenGov Symposium

Washington, DC

September 24 – 26, 2012

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Optimizing Wind Power O&M

Chicago, IL  
September 24 – 26, 2012

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Flexible Transmission and Distribution

San Francisco, CA  
September 25 – 26, 2012

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Renewable Energy Finance Forum West

San Francisco, CA  
September 27 – 28, 2012

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## **October**

EnergySMART 2012 Conference

Boston, MA  
October 1 – 3, 2012

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Cleantech Open Northeast 2012 Regional Awards Gala

Boston, MA  
October 9, 2012

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4th Annual Renewable Energy Technology Conference  
Exhibition

Washington, D.C.  
October 17 – 19, 2012

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U.S. Solar Market Insight

San Francisco, CA  
October 29 – 30, 2012

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4th Annual New England Marine Renewable Technical  
Conference

Providence/Warwick, RI  
October 30 – 31, 2012

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Advanced Energy 2012

New York, NY  
October 30 – 31

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## **November**

Catalyzing Cleantech: Where are the opportunities for  
funding?

Palo Alto, CA  
November 1, 2012

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2012 Global Forum: The Academy Awards of Cleantech

San Jose, CA  
November 8 – 9, 2012

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## Savannah International Clean Energy Conference

Savannah, Georgia  
November 11 – 13, 2012

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## VERGE @ Greenbuild

San Francisco, CA  
November 12 – 13, 2012

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## Total Energy USA Conference

Houston, TX  
November 27 – 29, 2012

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## Environment and Energy Breakfast Series: Energy Efficiency

Cambridge, MA  
November 29, 2012

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2276-0912-NAT-ECT