

To our clients and friends:



## ENERGY AND CLEAN TECH CONNECTIONS

Your Law Firm Link to Industry News

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### Energy and Clean Tech Connections

May | 2008

In the May edition of Mintz Levin's *Energy and 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 tech. We draw your attention to the latest industry developments, news from Capitol Hill, grant opportunities and upcoming events.

Mintz Levin's Energy and Clean Technologies Practice Group is thrilled to announce the addition of two members to its expanding practice: David O'Connor, Vice President for Energy and Clean Technology at ML Strategies, and Brady Berg, a Member in the firm's Corporate practice. David has previously served as Commissioner of the Massachusetts Division of Energy Resources and brings a wealth of experience to the firm ([press release](#)). Brady joins Mintz Levin's Palo Alto office to strengthen its burgeoning corporate practice in California's alternative and renewable energy industries ([press release](#)).

This month, we would like to applaud several clients for their recent accomplishments in the clean tech space: Element Partners concluded their investment in Ecore International, Inc., an industry leader in recycled products technology, and Greentech Media successfully completed their Series B financing. Additionally this past month, Infinity BioEnergy—a Brazilian ethanol company—wrapped up several common stock, convertible note, and loan transactions, and VeruTEK Technologies, Inc.—a provider of nanotechnology-based green chemistry solutions—finalized a \$6 million private placement of equity ([press release](#)). Lastly, we would like to congratulate another client, FloDesign Wind Turbine Corporation, for winning both the MIT Ignite Clean Energy Business Presentation Competition and the MIT Clean Energy Entrepreneurship Prize.

In addition, Mintz Levin is pleased to be hosting an afternoon conference on May 22nd, entitled, *Global Warming and the Changing Business Climate* ([register online](#)). Mintz Levin's team of state, regional, and federal specialists will be speaking on the risks and opportunities of the newly emerging state and federal legislation surrounding this important topic. In fact, earlier last month, the firm hosted Environmental Entrepreneurs (E2) and their event featuring Congressman Edward Markey and other experts discussing lawmakers' efforts to create a low-carbon economy and grow green-collar jobs. As Mintz Levin is committed to promoting these issues and educating the business and legal community, please consider joining us on Thursday and at future events we host. We hope you enjoy this month's edition of the newsletter.

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## In the News

### Protecting Clean Energy Innovators

*The Boston Globe* - May 14, 2008

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### DuPont, Genencor form \$140 Million Ethanol Venture

*CNN Money* - May 14, 2008

[More info...](#)

### LDK Warns Investors of Tightening Margins

*Greentech Media* - May 13, 2008

[More info...](#)

### First Reserve Invests US \$300 Million in Osage Bio Energy

*RenewableEnergyWorld.com* - May 13, 2008

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### Funding Roundup: Greentech Bucks Overall Investment Trend

*Greentech Media* - May 12, 2008

[More info...](#)

### EnerNOC Acquires South River Consulting

*RenewableEnergyWorld.com* - May 9, 2008

[More info...](#)

### Real Goods IPO Suffers from Akeena Solar Fallout

*Greentech Media* - May 8, 2008

[More info...](#)

### U.S. Wind Industry Installs 1400 MW of Wind Power in First Quarter 2008

*Renewable Energy Access* - May 8, 2008

[More info...](#)

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### **More Money for Mascoma**

*Greentech Media* - May 6, 2008

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### **Greentech Exits Ahead?**

*Greentech Media* - May 6, 2008

[More info...](#)

### **Investment in Renewable Energy Reaches \$100 Billion**

*RenewableEnergyWorld.com* - May 6, 2008

[More info...](#)

### **More Speed Bumps for Electric Cars?**

*Greentech Media* - April 25, 2008

[More info...](#)

### **Infinia Closes US \$57 Million in Series B Financing**

*RenewableEnergyWorld.com* - April 22, 2008

[More info...](#)

## **Federal and State Happenings**

### **U.S. Report Envisions Big Leap in Wind Power**

*Chicago Tribune* - May 13, 2008

[More info...](#)

### **LIPA Calls for 50 MW of Solar Energy**

*RenewableEnergyWorld.com* - May 12, 2008

[More info...](#)

### **Bipartisan Companion for Extension of Renewable Energy Tax Credits Introduced**

*RenewableEnergyWorld.com* - May 9, 2008

[More info...](#)

### **Lawmakers Turn Up the Heat on Ethanol in Response to Rising Food Prices**

*Los Angeles Times* - May 8, 2008

[More info...](#)

### **DOE Awards \$126.6 Million for Two More Large-Scale Carbon Sequestration Projects**

Press Release, *U.S. Department of Energy* - May 6, 2008

[More info...](#)

### **DOE to Invest US \$60 Million in CSP**

*RenewableEnergyWorld.com* - May 2, 2008

[More info...](#)

## DOE Selects Projects for up to \$50 Million of Federal Funding to Modernize the Nation's Electricity Grid

Press Release, U.S. Department of Energy - April 21, 2008

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## Spotlight on David O'Connor

David is the Senior Vice President for Energy and Clean Technology at ML Strategies.

David has been a leader and problem solver in the public and private sectors for more than 30 years. Most recently, he served as the Commissioner of the Massachusetts Division of Energy Resources during the tenures of five Governors. During this time, he directed the state agency charged with developing and implementing the state's energy policies and programs.

- He instituted the first-ever standards for renewable energy use and renewable certificate trading in New England, and oversaw the operation of \$150 million per year in energy efficiency programs by electric and gas utilities.
- As a member of the state Energy Facilities Siting Board, he approved the siting of several billion dollars in new power plants across the state, including the Cape Wind plant.
- As one of three officials representing the Commonwealth, he negotiated the first-ever, multi-state agreement to limit emissions from power plants of climate-changing carbon.
- For more than ten years, he led the state's participation in the deregulation of the region's \$15 billion electricity market.

Prior to joining the Massachusetts Division of Energy Resources David held a number of positions in the environmental field. He founded and directed the Massachusetts Office of Dispute Resolution, the first state agency in the United States created to resolve non-labor, public disputes. There he managed programs to settle disputes over energy policies, environmental protection, housing, and land use. Before that, David was chief mediator of the New England Environmental Mediation Center, the first regional environmental mediation service in the United States, where he settled energy, environmental, and community disputes. David has also taught graduate courses at Tufts University in the Department of Urban and Environmental Policy on negotiation, mediation, and conflict resolution in complex multi-party disputes.

David has testified regularly before legislative Committees, frequently gives media interviews and has represented the Governor of Massachusetts before state and federal regulatory agencies.

David received his BA in English literature with a minor in education *cum laude* from Middlebury College in 1974. He received a master's in public administration from Harvard University J. F. Kennedy School of Government in 1994.

## Legal News

### Mintz Levin's Palo Alto Expansion Continues

Press Release, Mintz Levin - May 14, 2008

[More info...](#)

### **Mintz Levin Promotes Nine Attorneys to Members of the Firm**

Press Release, Mintz Levin - May 13, 2008

[More info...](#)

### **Attorney General Issues Advisory Providing Important New Guidance on Massachusetts' Independent Contractor Law**

Employment Alert, Mintz Levin - May 5, 2008

[More info...](#)

### **Mintz Levin Continues Its West Coast Expansion with the Addition of Patent Litigators in Palo Alto**

Press Release, Mintz Levin - April 28, 2008

[More info...](#)

### **Mintz Levin Adds Leading Patent Litigators to Its Growing San Diego Office**

Press Release, Mintz Levin - April 21, 2008

[More info...](#)

### **Mintz Levin Named to Corporate Counsel's 2008 "Go-To" Law Firm List**

Press Release, Mintz Levin - April 17, 2008

[More info...](#)

## **Grants**

### **The Renewable Fuels Foundation Offering Its First Grants for Ethanol Production**

The Renewable Fuels Foundation (RFF) Board of Directors funds those research projects that have clear goals and measurable outcomes with benchmarks that will advance the science of ethanol production. While sound research should be the basis for all grant applications, the RFF will only support projects that directly enhance domestic production of ethanol and the efficient use of co-products. One grant will be awarded for \$150,000, of which \$75,000 will be made available over two years. Viable projects may qualify for continued funding past this time frame.

Research project proposals must have a national implication, not local. The RFF prefers to fund national model projects, thereby making a bigger impact to the U.S. ethanol market.

[More info...](#)

### **SEED 2007**

*Call for Renewable Energy Company Applicants*

**The Massachusetts Technology Collaborative**

The Massachusetts Technology Collaborative, a quasi-state agency, established the Sustainable Energy Economic Development (SEED) initiative to support growth and commercialization of renewable energy technologies in Massachusetts. SEED provides direct and flexible capital to early-stage companies for new renewable energy related product development and facilitates companies in gaining access to private capital. The award amount will be up to \$500,000 per company per 12-month period, up to two awards per Massachusetts company, and SEED is accepting applications on an open enrollment basis.

[More info...](#)

### **Business Expansion Initiative**

Business Expansion Initiative (BEI) supports the development and expansion of the production capacity of renewable energy technology firms in Massachusetts. BEI provides secured debt capital to expansion-stage companies for new renewable energy product design and manufacturing financing. BEI loans may only be made to companies located within Massachusetts.

[More info...](#)

## **Events**

### **Global Warming and the Changing Business Climate**

May 22, 2008  
One Financial Center  
Mintz Levin Conference Center  
Boston, MA  
[More info...](#)

### **All-Energy 2008**

#### ***UK's Largest Renewable Energy Exhibition & Conference***

May 21–22, 2008  
Aberdeen, Scotland  
[More info...](#)

### **World Bioenergy 2008**

May 27–29, 2008  
Elmia  
Jönköping, Sweden  
[More info...](#)

### **PV Annual 2008**

#### ***Shedding Light on Solar***

May 28, 2008  
Westin Waltham Boston  
[More info...](#)

### **Windpower 2008**

#### ***Conference & Exhibition***

June 1–4, 2008  
Hilton Americas Hotel  
George R. Brown Convention Center  
Houston, Texas  
[More info...](#)

### **Clean Technology 2008**

*CTSI Clean Technology and Sustainable Industries Conference and Trade Show*

June 1–5, 2008  
Hynes Convention Center  
Boston, Massachusetts  
[More info...](#)

### **5th Global Clean Technology Conference**

June 5, 2008  
New York, New York  
[More info...](#)

### **Cleantech Companies in Mainstream Markets**

*Fourth Annual CEO Panel on Innovative Strategies*

June 11, 2008  
Deutsche Bank Building  
New York, New York  
[More info...](#)

### **Global CO2 Summit & Exhibition**

*A Three-Day International Summit Tailored for the Energy Sector*

June 11–13, 2008  
London, England  
[More info...](#)

### **Photovoltaics Summit 2008**

June 18–20, 2008  
Hilton San Diego Resort  
San Diego, California  
[More info...](#)

### **Green Technology Entrepreneurship Academy**

July 7–11, 2008  
Tahoe Center for Environmental Sciences at Sierra Nevada College  
Lake Tahoe, Incline Village, Nevada  
[More info...](#)

### **Intersolar North America 2008**

July 15–17, 2008  
Moscone Center  
San Francisco, California  
[More info...](#)

### **Cleantech Forum XVIII**

September 15–17, 2008  
Washington, D.C.  
[More info...](#)

### **Solar Power Canada 2008**

September 16–18, 2008  
Toronto, Canada

[More info...](#)

### **ISO New England**

*Lights, Power, Action*

September 18–19, 2008  
Renaissance Boston Waterfront Hotel  
Boston, Massachusetts

[More info...](#)

### **West Coast Green**

September 25–27, 2008  
San Jose Convention Center  
Silicon Valley, California

[More info...](#)

### **World Energy Engineering Congress (WEEC)**

October 1–3, 2008  
Gaylord National Convention Center on the Potomac  
Washington, D.C.

[More info...](#)

### **Solar Power 2008**

October 13–16, 2008  
San Diego Convention Center  
San Diego, California

[More info...](#)

### **EBW Waste-to-Energy Expo & Conference**

October 14–16, 2008  
David L. Lawrence Convention Center  
Pittsburgh, Pennsylvania

[More info...](#)

### **Green Energy Summit**

October 16–19, 2008  
Bangalore, India

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### **Alternative Energy Innovations 2008**

November 7–8, 2008  
Sofitel San Francisco Bay  
Redwood City, California

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