



EUCI Presents a Web Conference on:

FERC & HYDROELECTRIC DEVELOPMENT

March 2, 2010



12:00 – 1:30 PM Eastern Time



EUCI is authorized by IACET to offer 0.1 CEU for this program.

FERC & HYDROELECTRIC DEVELOPMENT

March 2, 2010

12:00-1:30 PM Eastern Time

OVERVIEW

Successful development of new hydroelectric energy sources requires a comprehensive understanding of the Federal Power Act's authorization processes. This webinar will present an overview of hydroelectric project licensing and regulation by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act (FPA) and related legislation. Topics to be covered include the sources of FERC's jurisdiction; types of authorizations issued (preliminary permits, licenses, exemptions from licensing); processes for obtaining the various FERC hydroelectric authorizations; statutory and regulatory preferences applicable to original and new licenses; terms and conditions of licenses and exemptions; overlapping jurisdiction with other federal and state permitting agencies; and new technologies that do not require dams, including ocean and instream hydrokinetic projects.

WHO SHOULD ATTEND

- Renewable energy developers
- Utility managers
- Consultants
- Finance and investment professionals
- Regulatory and public relations staffers
- Environmental organizations

LEARNING OUTCOMES

- Describe hydroelectric project permitting by FERC under the FPA and related legislation
- Propose processes for obtaining FERC hydroelectric authorizations
- Discuss key areas of overlapping jurisdiction between FERC and other agencies
- Explain licensing processes and outline key licensing terms and conditions

INSTRUCTORS

Charles Sensiba, Member, Van Ness Feldman, P.C.

Charles Sensiba focuses his practice on counseling and representing clients in energy and natural resources before administrative agencies, Congress, and in court proceedings. His work centers on the regulation of hydroelectric facilities under the FPA, the National Historic Preservation Act, the National Environmental Policy Act, Clean Water Act (CWA), Endangered Species Act (ESA), and other federal statutes affecting energy and water development. Mr. Sensiba's current matters include several major hydroelectric relicensing proceedings underway before FERC, licensing implementation and compliance matters, annual charges regulation, and issues concerning federal jurisdiction over hydroelectric facilities. He also advises clients on the emerging hydrokinetic and other renewable energy projects. Mr. Sensiba currently serves as Vice Chair of the American Bar Association's Hydro Committee, is a member of the National Hydropower Association (NHA), and is an active participant in NHA's Regulatory Affairs Committee and Legal Affairs Task Force. At the recent North American Hydro Summit, Mr. Sensiba moderated a panel on the perspectives of hydrokinetic project developers.

John Clements, Of Counsel, Van Ness Feldman, P.C.

Mr. Clements has 25 years of experience in all aspects of federal hydropower regulation. As FERC's hydropower office director and licensing division director, Mr. Clements managed all aspects of FERC's hydroelectric program from the licensing process through project construction and compliance and administration. He also served as the hydroelectric legal and policy advisor to three FERC chairmen, and as a senior hydroelectric attorney in FERC's Office of the General Counsel. In the latter capacity, he wrote the regulations for FERC's Integrated Licensing Process. During his service with FERC and at Van Ness Feldman, he has presented at many industry conferences.

IACET



EUCI has been approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 1760 Old Meadow Road, Suite 500, McLean, VA 22102. In obtaining this approval, EUCI has demonstrated that it complies with the ANSI/IACET Standards which are widely recognized as standards of good practice internationally.

As a result of their Authorized Provider membership status, EUCI is authorized to offer IACET CEUs for its programs that qualify under the ANSI/IACET Standards.

EUCI is authorized by IACET to offer 0.1 CEU for this program.

Requirements for Successful Completion of Program

Participants must be logged in to the web conference for its entirety to receive continuing education credit.

Instructional Methods

Web based PowerPoint presentation and on-line interactive question/answer session.

INSTRUCTORS (CONTINUED)

Matthew Love, Member, Van Ness Feldman, P.C.

Matthew Love's practice focuses on federal and state natural resource and environmental law, particularly on matters pertaining to the CWA, ESA, FPA, Magnuson-Stevens Act, and Indian law. Prior to joining Van Ness Feldman, Mr. Love served as Assistant Attorney General for Washington State and as a trial attorney for the U.S. Department of Justice. Mr. Love represents clients on regulatory issues associated with the development and the operation of renewable energy projects (including hydroelectric, tidal, and wind projects).

AGENDA

- I. Scope of FERC Jurisdiction Under the Federal Power Act
 - Navigable Waters of the U.S.
 - Federal Lands
 - Government Dams
 - Non-navigable Stream, Effects on Interstate Commerce, & Post-1935 Construction
- II. Types of FERC Authorizations
 - Preliminary Permit
 - Original License
 - New License
 - Exemptions from License
 - Conduit Exemption
 - Under 5 MW Exemption
 - Amendment of License
 - Capacity-Related
 - Non-Capacity-Related
 - New Technologies
 - Wave, Current, Tidal, Instream
 - Pilot Project 5-Year Licenses
 - Project on Outer Continental Shelf
 - Competition - Rules of Preference
 - Ocean/Tidal Resource Issues
 - Ocean/Tidal Overlapping Jurisdiction
- III. Overlapping Jurisdiction with Other Agencies
 - State Water Quality Certification
 - Federal Land Management Agency Conditions
 - Federal Agency Fishway Prescriptions
 - EPA Act 2005 Reforms
 - Corps of Engineers Dredge and Fill Permit
 - Coastal Zone Consistency Certification
 - Threatened and Endangered Species
- IV. Application Processes
 - Preliminary Permit
 - Integrated Licensing Process
 - Traditional Licensing Process
 - Exemptions
- V. License Terms and Conditions
 - Standard Articles (L-Forms)
 - Use and Occupancy Article
 - Dam and Project Safety Program
 - Project-Specific Articles
- VI. Project Construction
 - Commencement of Construction
 - Completion of Construction
- VII. Q&A

LOGGING IN TO THE WEB CONFERENCE

After registration, each registrant will receive a confirmation of payment or an invoice, depending on method of payment. Each registrant will also receive an e-mail with appropriate login information and more information regarding the event 24 hours prior to the start of the event. To log on, you will need a broadband connection and audio system.

WHAT IS A SINGLE SITE CONNECTION?

A site connection allows a single connection to the web conference. That connection is open to any number of users in a collaborative setting. Because there are no travel expenses and only a single registration fee is required, each additional participant lowers the cost per participant significantly.

By purchasing a site connection, you can invite as many people as you would like to view and participate in the session from a single location. Set up the session in a conference room and project the presentation and chat on a large screen. You also have rights to distribute copies of the presentation materials to everyone involved. Please note that audio is received via the computer sound system and must be broadcast to your group.

If for any reason a relevant stakeholder cannot co-locate for the session, we encourage you to include that person by purchasing an additional connection at the reduced fee of US \$195 per session. This will ensure that every member of a team receives the same relevant, timely information in the most efficient way.

If you have any technical or purchasing questions, please contact us at (201) 871-0474.

Start Time: 12:00 PM Eastern Time

United States Regional Start Times:

9:00 AM Pacific :: 10:00 AM Mountain :: 11:00 AM Central :: 12:00 PM Eastern

Use the time zone converter (<http://www.timezoneconverter.com/cgi-bin/tzc.tzc>) to find your correct start time.

FERC & HYDROELECTRIC DEVELOPMENT

March 2, 2010
12:00-1:30 PM Eastern Time

FIVE EASY WAYS TO REGISTER

One: CALL
(201) 871-0474

Two: FAX
(253) 663-7224

THREE: E-MAIL
register@pmaconference.com

FOUR: MAIL
PMA
P.O. Box 2303
Falls Church, VA 22042

Five: WEB SITE
www.pmaconference.com

REFUND / CANCELLATION POLICY

All cancellations received prior to February 5, 2010 will be subject to a US \$50 processing fee per web conference per registrant. Written cancellations received after this date will create a partial credit of the tuition good toward any other EUCI conference, publication or web conference. This credit will be valid for six months. N

PLEASE REGISTER THE FOLLOWING

Hydroelectric Development, March 2, 2010,
Single Site Connection: US \$345
Early Bird on or Before March 1, 2010: US \$295

Additional Connection: US \$245,
Early Bird on or Before March 1, 2010: US \$195 each
Number of additional connections: _____

Web Conference Presentations Available on CD:
CDs are available 48 hours after the web conference is complete. The cost per CD is US\$295 [add US\$50 for international shipments]. Upon receipt of order and payment the CD will be shipped to you.

NOTE: All presentation CD sales are final and are non-refundable.

ENERGIZE WEEKLY

When you sign up for "Energize Weekly" you will receive a new conference presentation each week via email on a relevant industry topic. The presentations are selected from a massive library of over 1000 current presentations that EUCI has gathered during its 22 years organizing conferences.

Sign me up for "Energize Weekly"

How did you hear about this event?
(Direct email, Colleague, Speaker(s), etc.)

Name _____ Job Title _____

E-Mail _____

Company _____ Telephone _____

Address _____ City _____ State _____ Zip _____

PAYMENT METHOD

Please make checks payable to "PMA"

Please charge my credit card: Visa MC AMEX Security Code _____

Visa and MC cards have a 3 digit code on the signature panel on the back of the card, following the account number. American Express cards have a 4 digit code on the front of the card, above the card number.

Name on Card _____ Signature _____

Account Number _____ Exp. Date _____

Card Holder Phone Number _____

Billing Address _____ Billing Zip Code _____

Or enclosed is a check for \$ _____ to cover _____ connections.