



EUCI presents a conference on:

# PIPELINE RIGHT-OF-WAY ACQUISITION: EFFECTIVELY AND EFFICIENTLY NAVIGATING THE ROW PROCESSES

March 5-6, 2012 • Hyatt Regency Houston • Houston, TX



Post-conference workshop  
**Good-Faith Negotiations and  
Landowner Relationships**  
March 6, 2012

Gold Sponsor



EUCI is authorized by IACET to offer 1.0 CEU for the conference and 0.4 CEUs for the workshop.

# RIGHT-OF-WAY ACQUISITION: EFFECTIVELY AND EFFICIENTLY NAVIGATING THE ROW PROCESSES

March 5-6, 2012

## OVERVIEW

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Acquiring and managing the right-of-way for pipeline projects has become a complicated and cumbersome process, requiring pipeline developers to manage numerous and often competing interests as they purchase titles or negotiate easements for their projects. Special attention is required at all stages of the process to ensure that objectives are met without drawing the ire of landowners, government officials, and customers.

Led by preeminent right-of-way experts, this conference will provide attendees with strategies and best practices throughout the right-of-way acquisition and management process, including route selection, surveying, appraisal, data management, stakeholder communications, negotiations, and construction management.

This conference is designed to help pipeline companies, project developers, and right-of-way professionals efficiently and effectively navigate the right-of-way process. Attendees will receive updates on evolving right-of-way trends affecting the planning, design, negotiation, valuation, and management of pipeline projects.

## LEARNING OUTCOMES

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- Examine the needs and considerations of utilities when planning pipeline projects
- Evaluate important considerations in pre-acquisition ROW surveying
- Review technological advancements in ROW and evaluate their applications to existing processes and procedures
- Identify considerations utilized by appraisers in valuing property for purchase or easement acquisition
- Utilize a holistic approach to addressing the needs of landowners, government officials, and other stakeholders
- Review the current state of eminent domain law as it applies to ROW acquisition
- Compare the differing roles of project developers, regulators, and contractors and develop strategies to facilitate cooperation throughout the ROW process
- Examine programs for facilitating cooperation between pipeline companies and electric utilities in situations involving multiple uses of a ROW
- Prepare effective communications for diverse groups of stakeholders
- Manage interactions with existing ROW holders

## WHO SHOULD ATTEND

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- Pipeline planners and developers
- Right-of-way (ROW) agents and managers
- Real estate specialists and managers
- Pipeline suppliers, contractors, and construction managers
- Attorneys and counsel representing pipeline companies and landowners
- Landmen and ROW specialists

## IACET

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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 its 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 1.0 CEU for this program.

### **Requirements for Successful Completion of Program**

Participants must sign in/out each day and be in attendance for the entirety of the conference to be eligible for continuing education credit.

### **Instructional Methods**

PowerPoint presentations will be used in this conference.

# RIGHT-OF-WAY ACQUISITION: EFFECTIVELY AND EFFICIENTLY NAVIGATING THE ROW PROCESSES

March 5-6, 2012

## PROGRAM AGENDA

### MONDAY, MARCH 5, 2012

**8:00 – 8:30 a.m.**            **Registration and Continental Breakfast**

**8:30 – 9:30 a.m.**            **Trends and Trajectory of Pipelines and ROW Industry**

Increased pipeline development has triggered changes in the ROW industry. Right-of-way professionals must be prepared to deal with changing expansion, changing landowner expectations, fluctuating business conditions, and regulatory uncertainty. This presentation will highlight current trends, challenges, and goals for the ROW industry as it prepares for increased pipeline development.

– Laurie Markoe, President and CEO, Contract Land Staff (invited)

**9:30 – 10:30 a.m.**            **Advanced Appraising Techniques**

Correctly valuing a proposal is extremely important to any right-of-way acquisition project. This presentation will discuss current trends and best practices in right-of-way appraisals. Topics include:

- What the appraiser needs from the client
- Legal framework for ROW appraisals
- What needs to be in the appraisal report
- Impact studies
- What a before-and-after analysis is and why it is important
- The appraiser as a witness in eminent domain proceedings

– Albert Allen, Principal, Allen Williford & Seale

**10:30 – 11:00 a.m.**            **Networking Break**

**11:00 a.m. – 12:00 p.m.**    **Improving Workflow with Technology**

This presentation will address the different ways companies have managed their real estate assets, how they are currently managing them, and the different options and innovative ways companies are moving toward managing them in the future. The presentation will illustrate the most popular methods used to date and will briefly describe their implementation. This presentation will also emphasize the importance and benefits of proper and useful real estate asset management and take a look at the different tools, services, and methods that are emerging for companies to help better manage their data. This presentation will help ROW professionals better assess the following questions:

- How do you manage your land records? Can you find what you need easily?
- Is your technology obsolete? Do you want to know what is available?
- Are you capturing all of the data, maps, records, and documents you need? In real time? And in one smooth, integrated system?
- Are you curious as to what GIS technology is available? And can you connect it to your database?

– Leon Law, Vice President - Client Services and Technology, Contract Land Staff LLC

**12:00 – 1:00 p.m.**            **Group Luncheon**

**1:00 – 2:15 p.m.**            **Recent Developments in Texas Eminent Domain Law Affecting Pipelines**

On September 1, 2011, the provisions of Senate Bill 18, a comprehensive eminent domain reform bill passed by the Texas legislature in May 2011, became effective in Texas. Senate Bill 18 makes significant changes to right-of-way acquisition procedures for common carrier and gas utility pipelines. The Texas Supreme Court is currently addressing two important eminent domain issues for pipelines: what the standards are for determining if a pipeline is a common carrier and whether a condemnor can condemn property owned by the government.

– Steve Carroll, Partner, Fulbright and Jaworski

**2:15 – 2:45 p.m.**            **Networking Break**

**2:45 – 4:00 p.m.**            **Case Study: Rockies Express Pipeline**

The Rockies Express Pipeline is a 1,679-mile long high-speed natural gas pipeline system from the Rocky Mountains, Colorado, to eastern Ohio. The pipeline system consists of three sections running through eight states. It is the largest natural gas pipeline built in the United States in more than 20 years and one of the largest natural gas pipelines ever built in North America.

This case study will explore and address the opportunities and challenges of this high-profile project, the roles of various regulatory agencies, and the importance of the team members and how the way they worked together influenced and streamlined workflow.

- Christie Billings, Assistant General Counsel, Kinder Morgan
- Allen Force, Director - Community Relations, Kinder Morgan
- Kerry Malone, SVP and Principal-In-Charge, CLS

# RIGHT-OF-WAY ACQUISITION: EFFECTIVELY AND EFFICIENTLY NAVIGATING THE ROW PROCESSES

March 5-6, 2012

## PROGRAM AGENDA

### MONDAY, MARCH 5, 2012 (CONTINUED)

**4:00 – 5:00 p.m. Open Panel Discussion**  
Presenters will discuss current trends and best practices for the ROW industry. Attendees will have the opportunity to discuss topics in greater detail through an open Q&A session.

### TUESDAY, MARCH 6, 2012

**7:30 – 8:00 a.m. Continental Breakfast**

**8:00 – 9:00 a.m. Critical Elements of ROW Acquisition Surveys**  
This presentation will address elements of survey plats and legal descriptions critical to the right-of-way acquisition process. The needs of multiple end-users must be met, continuity of rights to be acquired must be maintained, and all must be presented in a recordable format for public record. The presentation will also address the survey process involved in supporting the acquisition of rights. Deviations from historical approaches are now commonplace because of modern surveying and mapping technology. This presentation will help attendees have a better understanding of the process and what to expect from the surveyor and other players on the right-of-way acquisition team.  
– Mike Hart, Regional Manager, Towill Inc.

**9:00 – 10:00 a.m. Case Study: Existing Rights-of-Way Held by Electric Utilities**  
Pipeline projects often must utilize rights-of-way already held by electric utilities. Through collaboration and a simplified permitting process, pipeline companies and electric utilities can resolve many of the issues that arise when there is encroachment of an existing right of way. This presentation will detail CLECO's procedure for streamlining the paperwork process and establishes better documentation to assure that pipeline and electric utilities can better cooperate on right-of-way issues.  
– Irene Norris, Manager - Right-of-Way Real Estate, CLECO

**10:00 – 10:30 a.m. Networking Break**

**10:30 a.m. – 12:00 p.m. Enhanced Communication Skills for ROW Agents**  
Ineffective stakeholder communication of energy projects has the potential to add delays and costs, and it can deteriorate public support for even the best-planned projects. Communicating with the general public on infrastructure issues such as pipelines is complicated by the technical nature of energy projects and processes. You will be more successful if you remember a few basic principles of communication and follow some simple tips. This session will help you understand, plan, and manage your communications for better results.  
– Edward D. Opstein, Senior Vice President, Universal Field Services

**12:00 p.m. Conference Adjourns**

## SPONSORSHIP OPPORTUNITIES

Do you want to drive new business through this event's powerful audience?

Becoming a sponsor or exhibitor is an excellent opportunity to raise your profile before a manageably sized group of executives who make the key purchasing decisions for their businesses. There is a wide range of sponsorship opportunities available that can be customized to fit your budget and marketing objectives, including:

- Platinum, gold, or VIP sponsor
- Workshop sponsor
- Reception host
- Lanyard sponsor
- Networking break host
- Luncheon host
- Tabletop exhibit
- Breakfast host

Custom sponsorship opportunities are also available. Please contact Joel Sharrer at 720-988-1215 or [jsharrer@euci.com](mailto:jsharrer@euci.com) for more information.

March 6, 2012

## GOOD-FAITH NEGOTIATIONS AND LANDOWNER RELATIONSHIPS

TUESDAY, MARCH 6, 2012

Registration: 1:00 – 1:30 p.m.

Workshop Timing: 1:30 – 5:30 p.m.

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### OVERVIEW

This presentation will explore the specifics of how to develop and maintain positive landowner relationships while negotiating in good faith for pipeline, electric transmission, wind and solar, rail, and public-sector projects. This includes pursuing site leasing, site purchase, easements, rights-of-way and/or workspace and coming from the perspectives of project management, design engineering, environmental, appraising, permitting, survey, right-of-way, inspections, construction, operations, and others. This presentation is a must in helping ensure a successful project, on time and on budget with happy landowners.

Join this interactive session to learn about good-faith negotiations and landowner relationships. Because of the increase in activity in the energy industry, it has become progressively more important for all professionals to be highly sensitive to landowners and any and all stakeholders. Whether there are legal, environmental, aesthetic, social, or cultural issues, the relationships we establish will set the tone of the project and can make the experience pleasant for the landowners, developers, engineers, and all other consultants. These common-sense approaches and processes are based on the psychology of healthy human relationships and will have major impact on the success of your projects.

A Certificate of Attendance that specifically meets criteria for INGAA's 8 Principles will be supplied by the presenter.

### LEARNING OUTCOMES

- Explore FERC's concern and INGAA's commitment regarding landowner relationships
- Recognize landowner's perspectives and the importance of dealing with unique differences in various landowners and their personalities
- Develop strategies for establishing a positive communication climate
- Apply best practices in dealing with demanding people
- Recognize successful good-faith negotiator personalities
- Employ attentive listening skills
- Define successful protocol for negotiations

### INSTRUCTOR

#### **Dr. Mazie Leftwich, Psy.D.**

With 20 years of experience in the right-of-way and land-management consulting business, Dr. Mazie Leftwich is a nationally known presenter and corporate trainer in the energy industry. Dr. Leftwich serves as Director of the CLS Professional Development Institute and has been the catalyst behind CLS's extensive employee training, project training, and team-excellence programs for supervisors and managers. In addition to her work at CLS, Mazie maintained a limited private counseling practice for over 30 years, specializing in organizational and personal relationships and executive coaching. Her education includes a bachelor's degree in psychology, a master's in administrative and clinical social work, and a doctorate in applied psychology.

## PROCEEDINGS

A copy of the conference proceedings will be distributed to attendees at the event. If you are unable to attend or would like to purchase additional copies, flash drives are available two weeks after the conference is complete. The cost per flash drive is US \$395 (add US \$50 for international shipments). Flash drives include visual presentations only. Upon receipt of order and payment, the flash drive will be shipped to you via regular USPS mail.

NOTE: All presentation flash drive sales are final and are nonrefundable.

## EVENT LOCATION

A room block has been reserved at the Hyatt Regency Houston, 1200 Louisiana Street, Houston, TX 77002, for the nights of March 4-5, 2012. Room rates are \$179, plus applicable tax. Call 713-654-1234 for reservations, and mention the EUCI course to get the group rate. The cutoff date to receive the group rate is February 13, 2012, but as there are a limited number of rooms available at this rate, sometimes the room block will close sooner. **Please make your reservations early.**

## REGISTRATION INFORMATION

### REMEMBER: EVERY FOURTH REGISTRANT IS FREE.

For instant registration, call (201) 871-0474 or fax the registration form to (253) 663-7224.

### Register Three; Send Fourth Free!

Any organization wishing to send multiple attendees to this course may send one FREE for every three delegates registered. Please note that all registrations must be made at the same time to qualify.

All cancellations received on or before February 3, 2012, will be subject to a US \$195 processing fee. Written cancellations received after this date will create a credit of the tuition (less processing fee) good toward any other EUCI event or publication. This credit will be good for six months. In case of event cancellation, Electric Utility Consultants' liability is limited to refund of the event registration fee only. For more information regarding administrative policies, such as complaints and refunds, please contact our offices at (201) 871-0474.

### 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

## PLEASE REGISTER THE FOLLOWING

- Conference: Pipeline Right-of-Way Acquisition: Efficiently and Effectively Navigating the ROW Processes, March 5-6, 2012: US \$1395  
**Early bird on or before February 24, 2012: US \$1195**
- Conference: Pipeline Right-of-Way Acquisition: Efficiently and Effectively Navigating the ROW Processes, March 5-6, 2012, and Workshop: Good-Faith Negotiations and Landowner Relationships, March 6, 2012: US \$1795  
**Early bird on or before February 24, 2012: US \$1595**
- I'm sorry I cannot attend, but please send me the conference proceedings for \$395. (Please add \$50 for international shipping.)

### ENERGIZE WEEKLY

EUCI's *Energize Weekly* e-mail newsletter compiles and reports on the latest news and trends in the energy industry. Newsletter recipients also receive a different, complimentary conference presentation every week on a relevant industry topic. The presentations are selected from a massive library of more than 1,000 current presentations that EUCI has gathered during its 25 years organizing conferences.

**Sign me up for *Energize Weekly*.**

How did you hear about this event? (direct e-mail, colleague, speaker(s), etc.) \_\_\_\_\_

Name \_\_\_\_\_ Job Title \_\_\_\_\_

Name Preferred for Badge \_\_\_\_\_ E-mail \_\_\_\_\_

Company \_\_\_\_\_ Telephone \_\_\_\_\_

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Check here if you have any dietary or accessibility needs. We will contact you for more details.

## PAYMENT METHOD

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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 \_\_\_\_\_

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**OR** Enclosed is a check for \$ \_\_\_\_\_ to cover \_\_\_\_\_ registrations.