

To our clients and friends:



Energy and Clean Tech Connections

August 2009

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In the August 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 energy. We draw your attention to the latest industry developments, news from Beacon Hill to Capitol Hill, grant opportunities, and upcoming events.

This month, [Mintz Levin client EnerNOC announced](#) that it priced an underwritten public offering of approximately 3.96 million shares of its common stock at an offering price of \$27.00 per share, [which included 213,889 shares sold pursuant to the underwriters' over-allotment option.](#) The Boston-based energy management company received net proceeds of about \$83.6 million from the deal.

Last month, client Warburg Pincus, along with Apex Venture Partners and previous investors New Enterprise Associates, HIG Ventures, and Advanced Equities, completed a [\\$75 million financing of Suniva](#). Suniva develops, manufactures, and markets high-efficiency silicon photovoltaic cells.

Since the American Clean Energy and Security Act passed the House on June 26, focus has shifted to the Senate's efforts to pass parallel legislation. Last week, [four Democratic senators suggested](#) that the Senate should abandon efforts to pass legislation curbing greenhouse-gas emissions this year, and concentrate on a narrower bill to require use of renewable energy. Senate Majority Leader Harry Reid (D-NV) responded, saying that "I don't think we are

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Ralph A. Child

going to take to the Senate floor a bill stripped of climate provisions.”

This month, the Energy and Clean Technology Practice Group would like to congratulate client Flagship Ventures for leading the recent [\\$14.2 million financing of Advanced Electron Beams](#) with co-investors General Electric, Atlas Venture, General Catalyst Partners, RockPort Capital Partners, and Agman Partners.

We hope that you enjoy this month’s edition of the newsletter.

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In the News: United States

By the Numbers: A123 Systems’ I.P.O. Papers
Greentech Media – August 11, 2009
[More info...](#)

Solar Panel Glut Could Last Until 2012, Says Report
Greentech Media – August 10, 2009
[More info...](#)

Tesla Turns a \$1 Million Profit in July
CNET Reviews – August 7, 2009
[More info...](#)

U.S. Used Less Energy in 2008 But More Renewable
EnergyRenewable Energy World – August 7, 2009
[More info...](#)

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EnerNOC Prices 3.75 Million Stock Offer At \$27 Per Share, Expects Net Proceeds of \$78.1 Million

Associated Press – August 6, 2009

[More info...](#)

Report: Smart Grid Energy Storage Market To Reach \$8.3 Billion by 2016

Clean Edge – August 4, 2009

[More info...](#)

AEB's E-Beams Attract \$14 Million for Sustainable Packaging

Cleantech Group – August 4, 2009

[More info...](#)

Borrego Solar Gets \$30 Million for Solar Financing

Reuters – August 3, 2009

[More info...](#)

U.S. Wind Industry Goes Against Expectations, Installs 1.2 GW in Q2

Renewable Energy World – July 30, 2009

[More info...](#)

McKinsey Says U.S. Energy Use Could Be Cut 23 Percent by 2020

Cleantech Group – July 29, 2009

[More info...](#)

SunRun Secures \$18 Million Series B for Residential Solar

Cleantech Group – July 28, 2009

[More info...](#)

Suniva Raises \$75 Million, Plans to Expand Factory

Greentech Media – July 27, 2009

[More info...](#)

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First Wind Closes \$191 Million Loan Deals

Mass High Tech – July 21, 2009

[More info...](#)

Khosla Bucks VC Fundraising Drought

Forbes Magazine – July 20, 2009

[More info...](#)

In the News: Europe

Aquamarine Power Completes First Stage Deployment of Oyster Wave Energy Converter

Renewable Energy Focus – August 14, 2009

[More info...](#)

Sunstroom Energy Investments Invests €300 Million in Spanish Solar Plant

New Energy World Network – August 13, 2009

[More info...](#)

Q-Cells Cuts 500 Workers, Posts €696.9 Million in Loss
Greentech Media – August 13, 2009

[More info...](#)

Energy Company Areva Acquires Wind Turbine Manufacturer PN Rotor

New Energy World Network – August 13, 2009

[More info...](#)

ScottishPower Carbon Capture and Storage Consortium Boosted With Appointment of Shell and National Grid

New World Energy Network – August 13, 2009

[More info...](#)

Danish Wind Turbine Manufacturer Vestas Closes UK Wind Turbine Factory

New Energy World Network – August 12, 2009

[More info...](#)

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MGT Planning 295 MW Biomass Plant in UK
Renewable Energy World – August 11, 2009

[More info...](#)

Scottish Government Approves Two New Wind Farms
New Energy World Network – August 10, 2009

[More info...](#)

Italy's Largest Photovoltaic Plant Goes Live
Cleantech Group – August 10, 2009

[More info...](#)

AES Completes 374 MW of Construction Projects in First Half
of 2009

New Energy World Network – August 7, 2009

[More info...](#)

Energos and Biogen Power Build £75 Million UK Waste-to-
Energy Facility

New Energy World Network – July 31, 2009

[More info...](#)

Government Financial Assistance

Grants

Recovery Act – Clean Coal Power Initiative –
Round 3

Application Deadline: August 24, 2009

[More info...](#)

Recovery Act – Building America Energy Efficient Housing
Partnerships

Application Deadline: August 24, 2009

[More info...](#)

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Recovery Act – Solid-State Lighting U.S. Manufacturing –
Round 1

Application Deadline: August 24, 2009

[More info...](#)

Recovery Act – Large Wind Turbine Drivetrain Testing
Facility

Application Deadline: August 25, 2009

[More info...](#)

Recovery Act – Smart Grid Demonstrations

Application Deadline: August 26, 2009

[More info...](#)

Recovery Act – Training Program Development for
Commercial Building Equipment Technicians, Building
Operators, and Energy Commissioning Agents/Auditors

Application Deadline: September 1, 2009

[More info...](#)

Recovery Act – Community Renewable Energy Deployment

Application Deadline: September 3, 2009

[More info...](#)

Recovery Act – Systems Level Technology Development,
Integration, and Demonstration for Efficient Class 8 Trucks
(SuperTruck) and Advanced Technology Powertrains for
Light-Duty Vehicles (ATP-LD)

Application Deadline: September 9, 2009

[More info...](#)

Recovery Act – Development of Algal/Advanced Biofuels
Consortia

Application Deadline: September 15, 2009

[More info...](#)

Recovery Act – Funding for Expansion of Infrastructure for Higher Ethanol Blends

Application Deadline: September 30, 2009

[More info...](#)

Baseload Concentrating Solar Power Generation

Application Deadline: October 15, 2009

[More info...](#)

Solar America Cities – Technical Outreach

Application Deadline: October 15, 2009

[More info...](#)

Massachusetts Technology Collaborative Sustainable Energy Economic Development (SEED)

Application Deadline: Rolling

[More info...](#)

Massachusetts Technology Collaborative Business Expansion Initiative (BEI)

Application Deadline: Rolling

[More info...](#)

Massachusetts Technology Collaborative Large Onsite Renewables Initiative

Application Deadline: Rolling

[More info...](#)

Massachusetts Green Energy Fund

Application Deadline: Rolling

[More info...](#)

Unsolicited Proposals to the Massachusetts Renewable Energy Trust's Industry Investment and Development (II&D) Program

Application Deadline: Rolling

[More info...](#)

Focus on Energy Renewable Energy Incentives & Grants

Application Deadline: Rolling

[More info...](#)

Tax Incentives and Rebates

Federal Advanced Energy Manufacturing Tax Credit

[More info...](#)

Federal Modified Accelerated Cost Recovery System

[More info...](#)

Federal Business Investment Tax Credit

[More info...](#)

Federal Renewable Power Production Tax Credit

[More info...](#)

Federal Tax Credits for Home Builders

[More info...](#)

Federal Tax Deductions for Commercial Buildings

[More info...](#)

Self-Generation Incentive Program

[More info...](#)

California Property Tax Exclusion for Solar Energy Systems

[More info...](#)

Massachusetts Alternative Energy and Energy Conservation
Patent Deduction (Personal and Corporate)

[More info...](#)

Massachusetts Hydropower-Property Tax Exemption

[More info...](#)

Massachusetts Local Property Tax Exemption

[More info...](#)

Massachusetts Corporate Income Tax Deduction

[More info...](#)

Massachusetts Technology Collaborative Commonwealth
Wind Incentive Program: Micro Wind

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Massachusetts Technology Collaborative Commonwealth
Wind Incentive Program:
Community-Scale Wind

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Massachusetts Commonwealth Solar

[More info...](#)

Privately Sourced Financial Grants

The Energy Foundation Grants

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The Renewable Fuels Foundation Grants for Ethanol
Production

[More info...](#)

The Carbon Trust

[More info...](#)

Federal and State Happenings

Obama Administration Awards More than \$119 Million for
State Energy Programs in Seven States and Territories

Press Release, U.S. Department of Energy – August 14, 2009

[More info...](#)

Secretary Chu Announces Nearly \$38 Million in State Awards
for Energy Emergency Preparedness

Press Release, U.S. Department of Energy – August 12, 2009

[More info...](#)

Secretary Chu Announces Progress on BPA Recovery Act
Project

Press Release, U.S. Department of Energy – August 10, 2009

[More info...](#)

New York State Puts Long-Term Emissions Goal on the Books

Reuters – August 7, 2009

[More info...](#)

DOE Awards \$377 Million in Funding for 46 Energy Frontier
Research Centers

Press Release, U.S. Department of Energy – August 6, 2009

[More info...](#)

DOE Announces U.S. \$57 Million To Fund Smart Grid
Development, Releases Smart Grid Report

Renewable Energy World – August 5, 2009

[More info...](#)

Smart Grid Stimulus Applications Accelerate as Deadline
Approaches

Greentech Media – August 5, 2009

[More info...](#)

Feds Give \$2.4 Billion to 48 Auto Battery and Electric Drive
Projects

Greentech Media – August 5, 2009

[More info...](#)

Energy-Climate Bill Could Boost Electricity Costs 20% by
2030

Greentech Media – August 4, 2009

[More info...](#)

Obama Administration Announces More Than \$327 Million in
Recovery Act Funding for Science Research

Press Release, U.S. Department of Energy – August 4, 2009

[More info...](#)

New Independent Analysis Confirms Climate Bill Costs About
a Postage Stamp a Day

Press Release, U.S. Department of Energy – August 4, 2009

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U.S. Treasury Now Accepting ITC Grant Applications

Renewable Energy World – July 31, 2009

[More info...](#)

DOE to Provide \$30 Billion in Loan Guarantees for Renewables

Clean Edge – July 30, 2009

[More info...](#)

Legal News

How Complete Is Your Trademark Portfolio?

Trademark Advisory, Mintz Levin – August 6, 2009

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SEC Takes Action Against Abusive Short Sales

Securities Law Alert, Mintz Levin – July 31, 2009

[More info...](#)

SEC v. Cuban: What the Decision Means For Insider Trading Liability and Confidentiality Agreements

Securities Law Alert, Mintz Levin – July 23, 2009

[More info...](#)

“Cash Grants in Lieu of Tax Credits: A Financing Opportunity for Renewable Energy” – New Webinar on Eligibility and How to Apply

Energy and Clean Technology Alert, Mintz Levin – July 22, 2009

[More info...](#)

Securities and Exchange Commission Releases Proposed Changes to Rule 15c2-12 Disclosure Requirements

Public Finance Alert, Mintz Levin – July 22, 2009

[More info...](#)

“Grants in Lieu of Tax Credits” – New Guidance on Eligibility and How to Apply

Energy and Clean Technology Alert, Mintz Levin – July 16, 2009

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Events

August

Smart Power Symposium: Smart Grid & Energy Storage

August 25, 2009
Sunnyvale, California

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September

Cleantech Forum XXIII

September 8-10, 2009
Westin Boston Waterfront Hotel
Boston, Massachusetts

[More info...](#)

Solar Economics Forum USA

The Meeting Place for U.S. Solar Policy and Business

September 9-10, 2009
Ronald Reagan Building
Washington, D.C.

[More info...](#)

Sustainability Stakeholder Engagement

September 14-15, 2009
Doubletree Metropolitan Hotel
New York, New York

[More info...](#)

Going Green West '09

September 14-16, 2009
Cavallo Point
San Francisco, California

[More info...](#)

The 4th Annual Renewable Energy Finance & Investment Summit

September 14-16, 2009
Doral Resort and Spa
Miami, Florida

[More info...](#)

3rd U.S. Carbon Finance Forum

September 15-16, 2009
The Metropolitan Club
New York, New York

[More info...](#)

Greening the Supply Chain

September 17, 2009
Embassy Suites Boston-Logan Airport
Boston, Massachusetts

[More info...](#)

Solar Convention Las Vegas 2009

September 15-17, 2009
Las Vegas Convention and Visitors Authority, North Hall
Las Vegas, Nevada

[More info...](#)

11th Renewable Energy Finance Forum London

September 21-22, 2009
Millennium Gloucester
London, United Kingdom

[More info...](#)

Carbon Markets USA

Seize the Business Opportunities in the Budding U.S. Carbon Market

September 21-22, 2009
Ronald Reagan Building
Washington, D.C.

[More info...](#)

24th European Photovoltaic Solar Energy Conference & Exhibition

September 21-25, 2009
CCH – Congress Center and International Fair
Hamburg, Germany

[More info...](#)

Green Manufacturing Expo

The Industry Event for Sustainable Manufacturing

September
22-24, 2009
Rosemont, Illinois

[More info...](#)

GridWeek 2009

September 22-25, 2009
Ronald Reagan Building
Washington, D.C.

[More info...](#)

Next Generation Biofuels Markets

Developing Emerging Feedstocks, Commercial Strategies & Advancements in Conversion Technologies

September 28-30, 2009
Amsterdam, The Netherlands

[More info...](#)

2nd Renewable Energy Finance Forum West

September 29-30, 2009
The Palace
San Francisco, California

[More info...](#)

October

Biogas USA

Scaling up Biogas Production in North America

October 1-2, 2009
San Francisco, California

[More info...](#)

Voluntary Carbon Markets

October 12-13, 2009
London, United Kingdom

[More info...](#)

An Introduction to Renewables

The Essentials of Clean Energy Resources, Technologies & Markets

October 12-13, 2009
London, United Kingdom

[More info...](#)

2009 Clean Energy Venture Summit

October 14-15, 2009
AT&T Executive Education and Conference Center
Austin, Texas

[More info...](#)

Always On – OnDC

October 19-21, 2009
Four Seasons Hotel
Washington, D.C.

[More info...](#)

EnviroTech '09

5th International Exhibition on Environment, Water & Green Building Technologies

October 22-25, 2009
Athens, Greece

[More info...](#)

Solar Power International 09

October 27-29, 2009
Anaheim, California

[More info...](#)

Energy Storage Summit

October 27-29, 2009
Washington, D.C.

[More info...](#)

November

The Networked Grid

November 4, 2009
PG&E Auditorium
San Francisco, California

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[Boston](#) | [Washington](#) | [New York](#) | [Stamford](#) | [Los Angeles](#) | [Palo Alto](#) | [San Diego](#) | [London](#)

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