

To our clients and friends:



ENERGY AND CLEAN TECH CONNECTIONS

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Energy and Clean Tech Connections September 2008

In the September 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 the Regional Greenhouse Gas Initiative (RGGI) will be holding its inaugural auction of carbon dioxide emissions allowances. RGGI is a mandatory, market-based program among ten Northeastern and Mid-Atlantic states to cap and then reduce CO₂ emissions from the power sector by 10% before 2019. Participating states require allowances to be purchased for each ton of carbon dioxide emitted; allowances will be sold through a series of uniform, regional auctions. The first auction will be held on September 25, 2008. For more information, we refer you to a [report](#) issued by Environment Northeast analyzing emissions trends and their potential impact on the inaugural auction.

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

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In the News

Google, General Electric Push Renewable Energy, Grid Technology

Information Week - September 17, 2008

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Senior Vice President

Windpole Ventures Assessing Towers for Wind Turbine Sites

The Boston Globe - September 17, 2008

[More info...](#)

Energized by New Career Prospects

Two partners at Flagship Ventures offer advice about moving into the clean tech industry.

The Boston Globe - September 14, 2008

[More info...](#)

Google Sets Sail with Ocean Power Patent

Greentech Media - September 8, 2008

[More info...](#)

IREC Report Shows Solar Markets Booming

Renewable Energy World - September 5, 2008

[More info...](#)

Surpassing Expectations: State of the US Wind Power Market

Renewable Energy World - September 4, 2008

[More info...](#)

Sindicatum Raises \$280 Million for Carbon-Offset Projects

Greentech Media - September 3, 2008

[More info...](#)

US Wind Power Doubles in Two Years

Greentech Media - September 3, 2008

[More info...](#)

Funding Roundup: Mega Solar Deals, Algal Biofuels and Clean Water

Greentech Media - September 2, 2008

[More info...](#)

More Greentech Companies to Go Public

Greentech Media - September 2, 2008

[More info...](#)

SunEdison and Q-Cells Sign 800-MW Module Development Deal

Renewable Energy World - September 2, 2008

[More info...](#)

AVA Solar Gets \$104 Million

Greentech Media - August 28, 2008

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Nanosolar Grabs \$300 Million for Utility Solar

Cleantech Group - August 27, 2008

[More info...](#)

Agribusinesses to Collaborate on Corn Residue

Chicago Tribune - August 27, 2008

[More info...](#)

Betting on a Hot Market for Syngas

The Boston Globe - August 25, 2008

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Canada to Beat US to Carbon Storage

Greentech Media - August 22, 2008

[More info...](#)

NYMEX to Trade Carbon-Emission Allowances

Greentech Media - August 22, 2008

[More info...](#)

Suniva Scores \$480 Million Solar Cell Contract

Greentech Media - August 21, 2008

[More info...](#)

Iberdrola to Spend \$1 Billion on Renewable Energy

Greentech Media - August 19, 2008

[More info...](#)

Federal and State Happenings

New York Wind Could Get Big Boost from Utility Merger

Renewable Energy World - September 10, 2008

[More info...](#)

DOE to Invest up to \$4.4 Million in Six Innovative Biofuels Projects at US Universities

Press Release, US Department of Energy - September 10, 2008

[More info...](#)

DOE Announces \$6.6 Million in Competitive Grant Selections for Innovative State Efficiency, Renewables Initiatives

Press Release, US Department of Energy - September 8, 2008

[More info...](#)

USDA Awards US \$35 Million for Renewables and

Energy Efficiency

Renewable Energy World - September 4, 2008

[More info...](#)

Wind, Solar Energy Built on Temporary Tax Breaks

Associated Press - August 31, 2008

[More info...](#)

DOE Announces up to \$7 Million for Technology Commercialization Acceleration

Press Release, US Department of Energy - August 29, 2008

[More info...](#)

Australia, Iceland, and the US Launch International Partnership to Promote Advanced Geothermal Technologies

Press Release, US Department of Energy - August 28, 2008

[More info...](#)

SolarGenerations Program Expands to Include Wind & Hydro

Renewable Energy World - August 27, 2008

[More info...](#)

DOE Announces \$26 Million to Develop Energy Efficient Processes for US Industry

Press Release, US Department of Energy - August 22, 2008

[More info...](#)

More US States Cooking Up Renewable Energy Incentives

Renewable Energy World - August 15, 2008

[More info...](#)

DOE Announces up to \$15.3 Million for Long-Term Hydrogen Vehicle Development

Press Release, US Department of Energy - August 14, 2008

[More info...](#)

Spotlight on Susan Foster

Susan Foster is an attorney in the firm's Corporate Practice. She is admitted to practice in California and is qualified as a Solicitor in England and Wales. Susan works with clients primarily on licensing, collaborations, and commercial matters in the fields of clean tech, high tech, mobile media, and life sciences. She has represented a broad range of clients from start-up companies to international industry leaders.

Susan's clean tech experience includes advising on fuel-cell development and manufacturing agreements and assisting with the formation of a joint venture for the commercialization of electric cars in North America. Within the high tech fields, Susan has advised

clients on deals involving the sale and licensing of intellectual property rights; multi-tier distribution arrangements; OEM and value-added reseller arrangements; research, development, and consulting activities; and the provision and outsourcing of technology services.

Primarily based in the firm's London office since September 2008, Susan previously practiced law in the United Kingdom for an international law firm from 2001 to 2004, and has substantial experience negotiating and drafting international agreements. While in the UK, Susan advised an international healthcare imaging company on a multi-tier bid and resulting contracts under the British government's National Programme for IT, the world's largest healthcare IT project.

Susan has spoken on open source software, European antitrust and technology transfer law, and other technology law issues at a number of conferences in the United States and the United Kingdom.

Susan earned an A.B. with highest honors from Princeton University (1989), where she was elected to Phi Beta Kappa, a Ph.D. from Cornell University (1997), and a J.D., with distinction, from Stanford Law School (2000). During law school, Susan was on the Executive Board for the *Stanford Technology Law Review*.

Legal News

William M. Hill to Co-Chair 2008 ABA Construction Law Conference in Chicago

Press Release, Mintz Levin - September 11, 2008

[More info...](#)

Benjamin B. Tymann to Chair the Massachusetts Bar Association's "Internal Investigation in the Face of a Law Enforcement Investigation: An Intersection Requiring Caution" Program

Press Release, Mintz Levin - September 11, 2008

[More info...](#)

Richard A. Kanoff to Co-Chair and Speak at a Strategic Two-Day Conference on Renewable Energy in New England

Press Release, Mintz Levin - September 8, 2008

[More info...](#)

Mintz Levin Receives Perfect Score for Second Straight Year on Human Rights Campaign 2009 Corporate Equality Index

Press Release, Mintz Levin - September 5, 2008

[More info...](#)

Mintz Levin Achieves Significant Victory against Microsoft Corporation in Patent Infringement Case

Press Release, Mintz Levin - August 26, 2008

[More info...](#)

“Green Jobs” and “Global Warming” Bills Get Patrick’s Signature

Energy and Clean Technology Alert, Mintz Levin - August 13, 2008

[More info...](#)

Unions’ Exemption from Antitrust Laws Is Not Made of Steel

Antitrust Advisory, Mintz Levin - August 8, 2008

[More info...](#)

Grants

Restructured FutureGen Program

The US Department of Energy (DOE) today issued a Funding Opportunity Announcement (FOA) to invest in multiple commercial-scale Integrated Gasification Combined Cycle (IGCC) or other clean coal power plants with cutting-edge carbon capture and storage (CCS) technology under the Department’s restructured FutureGen program. The solicitation is seeking multiple cost-shared projects to advance coal-based power generation technologies that capture and store the greenhouse gas carbon dioxide (CO₂). The Department anticipates \$290 million will be available for funding of selected projects through fiscal year (FY) 2009 and an additional \$1.01 billion is expected to be available in subsequent years, subject to appropriations by Congress.

Application Deadline: October 8, 2008 (selection of projects is targeted for the end of calendar year 2008)

[More info...](#)

Solar America Initiative (SAI) Market Transformation

Solar America Showcases, FY2008

Under this Notice of Opportunity for Technical Assistance, DOE will provide technical assistance to large-scale, high-visibility solar installation projects that have the ability to impact the market for solar technologies through large project size, use of a novel solar technology, and/or use of a novel application for a solar technology. In addition, it is desired that the project be replicable or have replicable components. Large-scale installations may include photovoltaic, concentrating solar power, solar water heating, and solar space heating applications.

Technical assistance will not be provided for research, product development, or early-stage testing and evaluation of any technology or product. Solar America Showcases focus on providing support to projects in which a commercially ready technology is to be installed in a large-scale application with full financial project commitment already in place. Support for research, product development, or early-stage testing and evaluation of solar products or technologies may be available under other Solar America Initiative opportunities.

DOE will not purchase hardware or otherwise provide direct funding to organizations selected from this notice.

Application Deadline: October 9, 2008

[More info...](#)

Focus on Energy Renewable Program Incentives and Grants

Focus on Energy, Wisconsin's energy efficiency and renewable energy initiative, announced that it is offering large, one-time-only grants to help finance the installation of innovative renewable energy systems. Funds will be awarded on a competitive basis and are meant to support one project in each of the following technologies:

- **Industrial or Municipal Anaerobic Digesters and Biomass Combustion:** These grants will fund the installation of a commercially available anaerobic digester system and a biomass combustion system in the US \$2–4 million range. The grant will reward up to 25% of the installed project cost, or a maximum of US \$500,000.
- **Solar Water Heating:** This grant will fund the installation of a solar hot-water system that offsets more than 10,000 therms per year. The grant will reward up to 25% of the installed project cost for tax-paying entities and up to 35% for nonprofits, or a maximum of US \$100,000.
- **Solar Electric:** This grant will fund the installation of a PV system that produces more than 50 kilowatts (kW) per year. The grant will reward up to 25% of the installed project cost for tax-paying entities and up to 35% for nonprofits, or a maximum of US \$100,000.
- **Wind Energy:** This grant will provide financial support for the installation of one commercially available wind energy system that demonstrates a new type of turbine, has a special type of application, and/or provides very high visibility and educational value. To be eligible the project must produce 20 kW to 100 kW per year. This grant will reward up to 35% of the installed project cost, or a maximum of US \$100,000.

Application Deadline: October 29, 2008.

[More info...](#)

New York State Energy Research and Development Authority

NYSERDA seeks proposals to support the development, demonstration, and commercialization of environmentally preferred power systems and energy-storage technologies. The solicitation includes four categories: new product development (funding up to \$1,000,000); early-stage innovative product feasibility and technology transfer studies (funding up to \$250,000); energy-storage demonstration projects (funding up to \$1,500,000); and other demonstration projects (funding up to \$1,500,000).

Application Deadline: January 14, 2009

[More info...](#)

The Clean Coal Power Initiative

The CCPI Round 3 Announcement seeks advanced coal-based projects that have progressed beyond the research and development stage to a point of readiness for operation at a scale that, once demonstrated, can be readily replicated and deployed into commercial practice within the electric power industry. The

announcement is specifically targeting advanced coal-based systems and subsystems that capture and sequester, or put to beneficial reuse, carbon dioxide emissions. The announcement is also open to any coal-based, advanced carbon capture technologies that result in co-benefits with respect to efficiency, environmental, or economic improvements potentially capable of achieving CCPI coal technology performance levels specified in the EPACT 2005, Title IV, Subtitle A, Section 402 (Table 1).

DOE's goals in this Announcement are to demonstrate at commercial scale in a commercial setting technologies that (1) operate at 90% carbon capture efficiency (2) make progress toward capture and sequestration at less than 10% increase in the COE, and (3) make progress toward capture and sequestration of 50% of plant CO₂ output at a scale sufficient to evaluate impact of the carbon capture technology on plant operations, economics, and performance. At least 300,000 tons per year of carbon dioxide emissions from the demonstration plant must be captured and sequestered or put to beneficial reuse. The carbon capture process must operate at a capture efficiency of at least 90%.

Application Deadline: January 15, 2009

[More info...](#)

The Energy Foundation Grants

The Energy Foundation is a partnership of major donors interested in solving the world's energy problems. Their mission is to advance energy efficiency and renewable energy—new technologies that are essential components of a clean energy future.

[More info...](#)

The Renewable Fuels Foundation Offers 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 US ethanol market.

[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...](#)

The Carbon Trust

The Carbon Trust, via an incubator scheme, helps prepare promising early stage companies in the UK to raise the investment needed to grow their business. They work with early-stage companies who have developed innovative carbon-saving technologies, demonstrating commercial potential and high-growth potential. The Carbon Trust is funded by the Department for Environment, Food and Rural Affairs (Defra), the Department for Business, Enterprise and Regulatory Reform (BERR), the Scottish Government, the Welsh Assembly Government and Invest Northern Ireland. The scheme aims to create investment opportunities in technology start-up companies developing low-carbon technologies.

Companies accepted for incubation will receive up to £60,000 of financial support from the Carbon Trust over a 12–18 month period. The Carbon Trust incubator scheme, which accelerates the commercialization of promising low-carbon businesses, has announced partnerships with business advisory firm Grant Thornton and a commercial law firm local to Cambridge (Mills & Reeve LLP), to provide corporate finance and legal advisory support to its incubator companies.

[More info...](#)

Events

ISO New England

Lights, Power, Action

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

[More info...](#)

Green Trade Network Summit

September 19, 2008
Cocoanut Grove - Santa Cruz Beach Boardwalk
Santa Cruz, California

[More info...](#)

Corporate Climate Response

September 22–23, 2008
University of Chicago Gleacher Center
Chicago, Illinois

[More info...](#)

Entrepreneurship for a Zero Carbon Society

September 22–24, 2008
University of Cambridge
Cambridge, England

[More info...](#)

NHA Fall Forum 2008: Hydrogen from Renewables

September 22–24, 2008
Golden, Colorado

[More info...](#)

Biomass World 2008 - Beijing

September 23–24, 2008

Beijing, China

[More info...](#)

2nd US Carbon Finance Forum

Preparing for Carbon Regulation and Trading in the US

September 24–25, 2008

The Metropolitan Club

New York, New York

[More info...](#)

West Coast Green

September 25–27, 2008

San Jose Convention Center

Silicon Valley, California

[More info...](#)

2nd Concentrated Solar Power Summit USA

September 30–October 1, 2008

Hotel Nikko

San Francisco, California

[More info...](#)

World Energy Engineering Congress

October 1–3, 2008

Gaylord National Convention Center on the Potomac

Washington, D.C.

[More info...](#)

Clean & Green Tech Conference

October 2, 2008

Hyatt Regency Bethesda

Bethesda, Maryland

[More info...](#)

CPV & CSV Investment and Finance Summit USA 2008

October 2, 2008

Hotel Nikko

San Francisco, California

[More info...](#)

Geothermal Energy 2008 Conference and Expo

October 5–8, 2008

Reno, Nevada

[More info...](#)

MREC Ocean Energy for New England Conference

October 6, 2008

Advanced Technology & Manufacturing Center

Fall River, Massachusetts

[More info...](#)

The Future of Ocean Power: Executive Briefing

October 7, 2008
British Consulate General
Cambridge, Massachusetts
[More info...](#)

PV Forum & Exhibition

October 7–8, 2008
Taipei, Taiwan
[More info...](#)

Cleantech Forum XIX

October 7–9, 2008
Mumbai, India
[More info...](#)

EuroSun 2008

1st International Conference on Solar Heating, Cooling and Buildings

October 7–10, 2008
Lisbon, Portugal
[More info...](#)

Solar Energy Asia 2008

October 7–10, 2008
Grand Hyatt
Singapore
[More info...](#)

World Energy Engineering Congress

October 8–10, 2008
Gaylord National Convention Center
Washington, D.C.
[More info...](#)

Carbon Finance 2008

October 8–10, 2008
London, England
[More info...](#)

Solar Power International 2008

October 13–16, 2008
San Diego Convention Center
San Diego, California
[More info...](#)

Renewable Energy 2008

October 13–17, 2008
BEXCO & Nurimaru
Busan, Korea
[More info...](#)

EBW Waste-to-Energy Expo & Conference

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

[More info...](#)

2008 China International Solar Photovoltaic Industry Fair

October 17–19, 2008

Tianjin, China

[More info...](#)

2008 New Jersey Clean Energy Conference and Leadership Awards

Investing in a CleanTech Economy

October 17, 2008

Hyatt Regency

Jersey City, New Jersey

[More info...](#)

3rd Annual Investing in Solar

Where Deals Are Made

October 20–21, 2008

Arizona Grand Resort

Phoenix, Arizona

[More info...](#)

World Carbon Emission Reduction Summit

October 20–23, 2008

Abu Dhabi, United Arab Emirates

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Dow Jones Alternative Energy Innovations 2008

October 21–22, 2008

Sofitel San Francisco Bay

Redwood City, California

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BWEA30: 30th Anniversary Conference

Delivering the UK's Wind, Wave, and Tidal Energy

October 21–23, 2008

London, England

[More info...](#)

POWER-GEN Asia 2008

October 21–23, 2008

Kuala Lumpur Convention Centre

Malaysia, Kuala Lumpur

[More info...](#)

Renewable Energy Finance Forum - West

October 27–28, 2008

Grand Hyatt Seattle

Seattle, Washington

[More info...](#)

Wind Expo LAWEA 2008

November 5–7, 2008

Guadalajara, Mexico

[More info...](#)

Grid-Interop 2008

November 11–13, 2008

Atlanta, Georgia

[More info...](#)

2nd Concentrated Solar Power Summit

November 12–13, 2008

Sevilla, Spain

[More info...](#)

Arizona Sustainable Building Expo & Conference

November 12–13, 2008

University of Phoenix Stadium

Glendale, Arizona

[More info...](#)

The Fourth Conference on Clean Energy

Financing and Partnering for Emerging Business

November 18–19, 2008

Hynes Convention Center

Boston, Massachusetts

[More info...](#)

Greenbuild International Conference and Expo 2008

November 19–21, 2008

Boston Convention & Exhibition Center

Boston, Massachusetts

[More info...](#)

2008 CleanICT Summit

November 20–21, 2008

Palo Alto, California

[More info...](#)

9th Solarpraxis Forum

November 20–21, 2008

Berlin, Germany

[More info...](#)

ISES 3rd Asia Pacific Conference

November 25–28, 2008

Sydney, Australia

[More info...](#)

2nd Energy Efficiency Finance and Investment Forum

December 1–2, 2008

London, England

[More info...](#)

Solar Concentration Las Vegas 2008

December 1–4, 2008

Las Vegas, Nevada

[More info...](#)

Energaiia International Renewable Energies Exhibition

December 10–12, 2008

Montpellier, France

[More info...](#)

Renewable Energy Asia 2008

December 11–13, 2008

New Delhi, India

[More info...](#)

International Solar Energy Expo & Conference 2009

February 25–27, 2009

Seoul, Korea

[More info...](#)

Green Energy Summit

March 3–7 2009

Bangalore, India

[More info...](#)

Renewable Energy World Conference & Expo North America

March 10–12, 2009

Las Vegas, Nevada

[More info...](#)

World Biofuels Markets

March 16–18, 2009

Brussels, Belgium

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

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