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ML  
STRATEGIES

## ENERGY AND CLEAN TECH CONNECTIONS

Your Law Firm Link to Industry News

New recipients: subscribe here.

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### Energy and Clean Tech Connections

April 2009

Mintz Levin is pleased to unveil a newly reorganized *Energy and Clean Tech Connections* designed to help our clients and friends better understand the rapidly changing incentives landscape. We created a new section to highlight [Privately Sourced Financial Grants](#), and expanded our coverage of [Government Financial Assistance](#) to include [Tax Incentives and Rebates](#) in addition to [Grants](#). The [Federal and State Happenings](#) section has also been refocused to hone in on state and federal government affairs, recent and upcoming legislation, and newly-created financial incentives.

This month on Capitol Hill, an extensive [energy and climate change bill](#) was announced by Representatives Henry Waxman (D-Calif.) and Edward Markey (D-Mass.). The bill includes diverse provisions: a national renewable portfolio standard; a cap-and-trade program for greenhouse gas emissions; a mechanism for the purchase of “offsets” outside of the cap-and-trade system; a national carbon dioxide vehicle emissions standard and a low-carbon fuel standard; support for carbon-capture technology; new energy efficiency standards; and support for “green jobs.”

The Energy and Clean Technology Practice Group would like to congratulate client Ember Corporation, which recently closed its \$8 million [Series B-1 financing](#) with Polaris Venture Partners, GrandBanks Capital, RRE Ventures, Vulcan Capital, DFJ ePlanet Ventures, New Atlantic Ventures and WestLB Mellon Asset Management, along with strategic partners Chevron Technology Ventures and Stata Venture Partners. In addition, Client RockPort Capital Partners, together with NGP Energy Technology Partners, L.P., Altira Group LLC, Chevron Technology Ventures and General Electric, continued its support of Southwest Windpower last month by funding its \$10 million [Series B-2 financing](#).

Mintz Levin would also like to congratulate client GMZ Energy Inc. on the selection of its [new CEO, Aaron Bent](#). Bent is the former founder and CEO of Continuum Photonics Inc. and was the general manager

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for Polatis Photonics.

Finally, the Energy and Clean Technology Practice Group is pleased to announce that Mintz Levin attorney Gabriel Schnitzler recently authored an article in *Business Law Brief*, entitled "[Clean Tech Opportunities in Green Building Legislation](#)." The article provides a review of recent green building legislation, as well as an analysis of the implications of green building legislation on clean technology.

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

## In This Edition

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## In the News: United States

### EnerNOC Harvests Power in Maryland

*Greentech Media* - March 24, 2009

[More info...](#)

### Coal-to-Gas Venture GreatPoint Heads to China

*CNET News* - April 2, 2009

[More info...](#)

### Organizers Call Northeast's Regional Greenhouse Gas Initiative a Success

*Chicago Tribune* - April 15, 2009

[More info...](#)

### Big Boost for Small Wind: GE Invests in Southwest Windpower

*Greentech Media* - April 6, 2009

[More info...](#)

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**First Solar to Build 48 MW Plant in Nevada, Largest  
Photovoltaic Facility in U.S.**  
Document hosted at JDSUPRA™  
<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

*Chicago Tribune* - April 15, 2009

[More info...](#)

**A123 Systems Raises \$69M**

*Greentech Media* - April 13, 2009

[More info...](#)

**“Solar City” Planned for Sunshine State**

*Greentech Media* - April 10, 2009

[More info...](#)

**U.S. Installs 342 MW of Solar PV in 2008**

*Renewable Energy World* - March 26, 2009

[More info...](#)

**Google Invests in Silver Spring; Expect More**

*Greentech Media* - March 31, 2009

[More info...](#)

**Massachusetts Mulls Smart Meter Pilots**

*Greentech Media* - April 1, 2009

[More info...](#)

**Working with the Wind: Growing Employment in the  
European and U.S. Wind Power Sectors**

*Renewable Energy World* - April 2, 2009

[More info...](#)

**First Solar Completes U.S. \$400M Acquisition of  
OptiSolar PV Pipeline**

*Renewable Energy World* - April 6, 2009

[More info...](#)

**Fisker Closes \$85M Financing in Run-Up to Production**

*Cleantech Group* - April 7, 2009

[More info...](#)

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## **Norwegian Power Group Pumps £510M into Norfolk**

*Business Weekly* - April 15, 2009

[More info...](#)

## **Budget Will Make or Break Renewable Energy**

*The Sunday Times* - April 12, 2009

[More info...](#)

## **Th!nk Goes Dutch**

*Cleantech Group* - March 20, 2009

[More info...](#)

## **Germany: The World's First Major Renewable Energy Economy**

*Renewable Energy World* - April 3, 2009

[More info...](#)

## **Norway Channels Billions into Cleantech**

*Cleantech Group* - April 6, 2009

[More info...](#)

## **Firms Abandon Carbon Offsets**

*The Sunday Times* - April 12, 2009

[More info...](#)

## **U.K. Hopes Europe Can Save Offshore Wind Farm**

*The Times* - April 8, 2009

[More info...](#)

## **National Grid Hopes to Plug into Obama's Millions**

*The Times* - April 6, 2009

[More info...](#)

## **Spain Leads 2008 Solar Market**

*Cleantech Group* - March 30, 2009

[More info...](#)

[PBZlotnick@mintz.com](mailto:PBZlotnick@mintz.com)

## Covanta to Build U.S. \$300M Plant in England

Document hosted at JDSUPRA™

*Renewable Energy World* - March 30, 2009

[More info...](#)

[www.mintz.com](http://www.mintz.com)

[www.mlstrategies.com](http://www.mlstrategies.com)

## Green Energy Plans in Disarray as Wind Farm Giant Slashes Investment

*The Times* - March 26, 2009

[More info...](#)

## Wave Power Project Hits the Rocks

*The Sunday Times* - March 22, 2009

[More info...](#)

## Government Financial Assistance

### *Grants*

### National Clean Diesel Funding Assistance Program

**Application Deadline:** April 28, 2009

[More info...](#)

### SmartWay Clean Diesel Finance Program

**Application Deadline:** April 28, 2009

[More info...](#)

### Research and Development of Hydrogen Sensor Technologies

**Application Deadline:** April 30, 2009

[More info...](#)

### National Clean Diesel Emerging Technologies Program

**Application Deadline:** May 5, 2009

[More info...](#)

### Transportation Electrification Program

**Application Deadline:** May 13, 2009

[More info...](#)

### Enhanced Geothermal Systems Demonstration

**Application Deadline:** May 14, 2009

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

### **Development of Supply Systems to Handle and Deliver High Tonnage Biomass Feedstocks for Cellulosic Biofuels Production**

**Application Deadline:** May 18, 2009

[More info...](#)

### **Massachusetts Clean Cities Private/Commercial Vehicle Program**

**Application Deadline:** May 18, 2009

[More info...](#)

### **Electric Drive Vehicle Battery and Component Manufacturing Initiative**

**Application Deadline:** May 19, 2009

[More info...](#)

### **Demonstration of Integrated Biorefinery Operations**

**Application Deadline:** Mandatory letters of intent - February 20, 2009; completed applications - May 29, 2009

[More info...](#)

### **Clean Cities FY 09 Petroleum Reduction Technologies Projects for Transportation Sector: Area 4 of Interest: Alternative Fuel and Advanced Technology Vehicles Pilot Program**

**Application Deadline:** May 29, 2009

[More info...](#)

### **Advanced Water Power**

**Application Deadline:** June 4, 2009

[More info...](#)

### **Biomass Research and Development Initiative**

**Application Deadline:** June 11, 2009

[More info...](#)

### **Energy Innovations Small Grant Program**

**Application Deadline:** June 11, 2009

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

## Enhanced Geothermal Systems Component Research and Development/Analysis

**Application Deadline:** June 15, 2009

[More info...](#)

## Advanced Technology Vehicles Manufacturing Loan Program

**Application Deadline:** June 30, 2009; and every 90 days thereafter as long as authority remains to make additional loans

[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 Program Incentives & Grants

**Application Deadline:** Rolling

[More info...](#)

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-aaab097d286a>

## ***Tax Incentives and Rebates***

### **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**

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## **Massachusetts Technology Collaborative Small Renewables Initiative (SRI)**

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

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## **Massachusetts Commonwealth Solar**

[More info...](#)

## **Privately Sourced Financial Grants**

### **The Energy Foundation Grants**

[More info...](#)

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

[More info...](#)

### **The Carbon Trust**

[More info...](#)

## **Federal and State Happenings**

### **Vice President Biden Outlines Funding for Smart Grid Initiatives**

Press Release, U.S. Department of Energy - April 16, 2009

[More info...](#)

### **House Leaders Pitch Wide-Ranging Climate Plan**

*Chicago Tribune* - April 1, 2009

[More info...](#)

### **Solyndra Nabs \$535M DOE Loan for 500 MW Factory**

*Cleantech Group* - March 20, 2009

[More info...](#)

### **Carbon Cap Bill Introduced in U.S. House**

*Renewable Energy World* - April 6, 2009

[More info...](#)

### **Energy Secretary Chu Announces \$6B in Recovery Act**

## Funding for Environmental Cleanup

Document hosted at JDSUPRA™  
Press Release, U.S. Department of Energy - March 31, 2009  
<http://www.jdsupra.com/post/document-detail.aspx?ID=6000362-93-4-720-004-eaab097d286a>

[More info...](#)

## FERC Approves \$10B Grid Upgrade for Wind Projects

*Cleantech Group* - April 13, 2009

[More info...](#)

## President Obama Announces More Key Administration Posts

Press Release, U.S. Department of Energy - April 14, 2009

[More info...](#)

## Secretary Chu Announces \$41.9 Million to Spur Growth of Fuel Cell Markets

Press Release, U.S. Department of Energy - April 15, 2009

[More info...](#)

## Cathy Zoi Nominated as DOE Renewable Energy & Energy Efficiency Assistant

*Renewable Energy World* - March 31, 2009

[More info...](#)

## Obama Administration Announces \$3.2B in Funding for Local Energy Efficiency Improvements

Press Release, U.S. Department of Energy - March 26, 2009

[More info...](#)

## Green Bank Act of 2009 Introduced in U.S. House

*Renewable Energy World* - March 25, 2009

[More info...](#)


## DOE Announces More Key Administration Posts

Press Release, U.S. Department of Energy - March 20, 2009

[More info...](#)

## Spotlight on Gabriel Schnitzler

Gabriel is an associate in the Real Estate Section in the firm's Palo Alto office. He works with commercial real estate clients and technology, health care, and energy companies in the acquisition,

leasing, sale and development of properties, and has assisted commercial lenders in the financing of office and multi-family projects.  <http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-aaab097d286a>

Prior to joining Mintz Levin, Gabriel was an associate in the land use and litigation departments of a California law firm, where he worked on land use and zoning matters, including obtaining land use entitlements, preparation of rezoning initiatives, and representation of property owners at public hearings.

Gabriel is admitted to practice in Massachusetts and California. He received his B.A., with honors, from the University of California, Davis (1998) and his J.D. from Yale Law School (2001).

Recent Articles:

- “Clean Tech Opportunities in Green Building Legislation,” *American University, Washington College of Law Business Law Brief*, Fall 2008.
- “State, Local Building Laws Point to Greener Future,” co-authored with Scott Biel, *San Diego Daily Transcript*, February 18, 2009.
- “Leases Involving Healthcare Providers: A few Specific Issues to Consider,” co-authored with Daria Niewenhaus, *New England Real Estate Journal*, March 26, 2009.

## Legal News

### Massachusetts Department of Public Utilities Proposes Rules under Green Communities Act

Energy and Clean Technology Alert, Mintz Levin - March 13, 2009

[More info...](#)

### Mintz Levin to Host “Startup-U SV: The Valuation Process,” Presented by Silicon Valley Association of Startup Entrepreneurs

Press Release, Mintz Levin - April 28, 2009

[More info...](#)

### Patrick J. Kealy to Moderate a Panel at the Fourth Annual Northeast Power Markets Forum, Sponsored by Mintz Levin and Presented by Platts

Press Release, Mintz Levin - April 27, 2009

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### Jeremy A. Spector Appointed Chair of American Bar Association’s Committee on Tax Exempt Financing

Press Release, Mintz Levin - April 14, 2009

[More info...](#)

Document hosted at JDSUPRA™

<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-aaab097d286a>

## **Major Patent Victory for Mintz Levin Client Uniloc, Inc.**

Press Release, Mintz Levin - April 9, 2009

[More info...](#)

## **IRS Initiates Build America Bonds (Direct Payment) Program**

Public Finance Alert, Mintz Levin - April 6, 2009

[More info...](#)

## **NASDAQ Extends Suspension of Continued Listing Rules**

Securities Law Alert, Mintz Levin - April 1, 2009

[More info...](#)

## **Julie Korostoff Recognized in the Top Ten Lawyers in Boston by *Women's Business Boston***

Press Release, Mintz Levin - April 1, 2009

[More info...](#)

## **R. Robert Popeo Receives Curtin Public Interest Award from Boston College Law School**

Press Release, Mintz Levin - March 27, 2009

[More info...](#)

## **Mintz Levin's New York Office Receives Proclamation of Thanks Award from My Sisters' Place**

Press Release, Mintz Levin - March 25, 2009

[More info...](#)

## **Securities and Exchange Commission to Consider Reinstating the "Uptick Rule"**

Securities Law Alert, Mintz Levin - March 16, 2009

[More info...](#)

## **California Supreme Court Holds that Escape of Pollutants - Not Deposit - Is the Relevant Discharge for Application of the Pollution Exclusion, and that Insurer Can Be Liable for Indivisible Damages**

Insurance/Reinsurance and Litigation Alert, Mintz Levin - March 13,

2009

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

## Events

### *April*

#### **Northeast Power Markets Forum**

April 27–28, 2009  
The Fairmont Washington  
Washington, D.C.

[More info...](#)

#### **Energy Efficiency Global Forum & Exposition**

April 27–29, 2009  
Palais des Congres  
Paris, France

[More info...](#)

#### **Organic Photovoltaics 2009**

April 27–29, 2009  
Doubletree Hotel Philadelphia  
Philadelphia, Pennsylvania

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#### **Implementation of Renewable Energy in the Emerging Markets of Africa, Latin America and the Caribbean 2009 (REEM09)**

April 27–29, 2009  
Hotel Nikko  
San Francisco, California

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#### **The Clean Tech Revolution**

*Upside Driver in a Down Market*

April 28, 2009  
Hyatt Regency La Jolla at Aventine  
San Diego, California

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#### **Thin Film Solar**

April 28–29, 2009

Hotel Nikko  
San Francisco, California

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

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## **Cleantech Forum XXII**

April 28–30, 2009  
Copenhagen, Denmark

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## **Sustainable Manufacturing Summit**

April 29–30, 2009  
Navy Pier  
Chicago, Illinois

[More info...](#)

## **May**

### **Clean Technology Conference & Expo 2009**

May 3–7, 2009  
George R. Brown Convention Center  
Houston, Texas

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### **WINDPOWER 2009 Conference & Exhibition**

May 4–7, 2009  
McCormick Place Convention Center  
Chicago, Illinois

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### **Gulf Solar**

*Commercializing Solar across the Middle East*

May 5–7, 2009  
Dubai, United Arab Emirates

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### **SolarTech/CALSEIA Summit**

*Accelerating the Solar Economy*

May 6–7, 2009  
Town Hall Conference Center  
San Jose, California

[More info...](#)

## **SNEC 3rd International Photovoltaic Power Generation Conference & Exhibition**

Document hosted at JDSUPRA™

<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

May 6–8, 2009  
Shanghai, China

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## **SOLAR 2009**

May 11–16, 2009  
Buffalo Niagara Convention Center  
Buffalo, New York

[More info...](#)

## **New England Clean Energy Council's Green Business Summit**

May 15, 2009  
Sheraton Hotel Boston  
Boston, Massachusetts

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## **TiEcon 2009**

*The World's Largest Entrepreneurs Conference*

May 15–16, 2009  
Santa Clara Convention Center  
Santa Clara, California

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## **An Introduction to Solar Technology & Markets**

May 20–21, 2009  
London, United Kingdom

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## **Santa Barbara Summit on Energy Efficiency**

May 20–21, 2009  
Corwin Pavilion, UC Santa Barbara  
Santa Barbara, California

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## **Venture Summit East**

May 20–22, 2009  
The Mandarin Oriental Hotel  
Boston, Massachusetts

[More info...](#)

## TiEcon East 2009

Document hosted at JDSUPRA™

May 21–22, 2009

The Westin Hotel

Waltham, Massachusetts

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## Metering China Conference & Exhibition 2009

May 26–28, 2009

Beijing International Convention Center

Beijing, China

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## Renewable Energy Europe 2009

May 26–28, 2009

KoelnMesse, Cologne, Germany

[More info...](#)

## Offshore Wind & Transmission Forum

*Strategies & Challenges in Scaling Up the Offshore Wind Industry*

May 27–28, 2009

Brussels, Belgium

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## Hydrogen + Fuel Cells 2009

*Partnerships for Global Energy Solutions*

May 31–June 3, 2009

Vancouver Conference & Exhibition Centre

Vancouver, Canada

[More info...](#)

## **June**

## Photovoltaics Summit 2009

June 1–3, 2009

Hotel Kabuki

San Francisco, California

[More info...](#)

## Carbon Reduction Commitment Summit

June 2–3, 2009

London, United Kingdom

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## Concentrating Solar Thermal Power 2009

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<http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

June 4–5, 2009

Hotel Kabuki

San Francisco, California

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## 34th IEEE Photovoltaic Specialists Conference

June 7–12, 2009

Philadelphia Marriott

Philadelphia, Pennsylvania

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## PV America

June 8–10, 2009

Pennsylvania Convention Center

Philadelphia, Pennsylvania

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## BuilConn: Smart Green Sustainable Buildings

June 8–11, 2009

Santa Clara Convention Center

Santa Clara, California

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## Carbon Finance North America 2009

*Preparing for a new era in U.S. emissions markets*

June 11–12, 2009

Sheraton New York Hotel & Towers

New York, New York

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## Solar Economics Forum

*Towards Grid Parity*

June 16–18, 2009

London, England

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## 6th Renewable Energy Finance Forum Wall Street

June 23–24, 2009

Waldorf Astoria

New York, New York

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## BioPower Generation USA

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June 23–24, 2009 <http://www.jdsupra.com/post/documentViewer.aspx?fid=63bf58ed-957e-470d-af04-eaab097d286a>

Chicago, Illinois

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## REFF Wall Street

June 23–24, 2009

Waldorf Astoria

New York, New York

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## BWEA Offshore Wind 2009

June 24–25, 2009

London, United Kingdom

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## Financing the Cleantech Vision

June 25, 2009

The Sheraton Palo Alto

Palo Alto, California

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## *July*

## InterSolar North America

July 14–16, 2009

Moscone Center

San Francisco, California

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## The IEA & Marketforce's Renewables 2009

July 8–9, 2009

Radisson SAS Portman

London, England

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