To our clients and friends:

http://www.jdsupra.com/post/documentViewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79

MINTZ LEVIN



ENERGY AND CLEAN TECH CONNECTIONS Your Law Firm Link to Industry News

New recipients: subscribe here.

Thomas R. Burton III Chair Energy and Clean Technology (Boston) (617) 348-3097 <u>TRBurton@mintz.com</u>

Brady Berg

Member Corporate (Palo Alto) (650) 251-7758 BBerg@mintz.com

Evan M. Bienstock Corporate (Boston) (617) 348-3090 EMBienstock@mintz.com

Travis L. Blais Tax (Boston) (617) 348-1684 TLLBlais@mintz.com

Faith L. Charles Member Corporate (New York) (212) 692-6770 FLCharles@mintz.com

Ralph A. Child Member Environmental (Boston) (617) 348-3021 <u>RChild@mintz.com</u>

> Jonathan M. Cosco Real Estate (Boston) (617) 348-4727

Energy and Clean Tech Connections

May 2009

In the May 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.

On April 27, the Advanced Research Projects Agency - Energy (ARPA-E) issued its first Funding Opportunity Announcement in the amount of \$150 million. In line with ARPA-E's mandate to promote ground-breaking, novel energy research, the solicitation targets "high risk, high reward" research that can be deployed rapidly. Applicants should have a relatively well-formed R&D plan that takes a nascent technology beyond the point of market entrance and to the point of having a significant impact on the nation's energy industry. Individual awards will take the form of direct grants, and will range from \$500,000 to \$20 million. For more information, see <u>Government</u> Financial Assistance below.

On Capitol Hill, the revised version of the Waxman-Markey bill, known as the <u>American Clean Energy and Security Act</u> (ACESA), was released by the House Energy and Commerce Committee last Friday and began markup by the House this week. The final committee version contains significant changes from the original version of the bill that reflect bargaining with both conservatives and Southern Energy and Commerce Committee Democrats. These changes include a lower renewable energy mandate and a smaller required reduction in green house gas emissions by 2020. The new version of the bill also proposes giving away rather than auctioning off the majority of emissions allowances in order to offset the costs of investment in renewable energy and energy efficiency technologies.

The Energy and Clean Technology Practice Group is pleased to announce that Mintz Levin attorneys Sahir Surmeli and Scott White recently authored an article in *Power & Energy Solutions* entitled

JMCosco@mintz.com

David F. Crosby Member Intellectual Property (Boston) (617) 348-1830 DFCrosby@mintz.com

Julian Crump

Managing Partner, Member Intellectual Property (London) +44 (0) 20 7776 7302 JCrump@mintz.com

Daniel I. DeWolf Member Co-Chair, Venture Capital and Emerging Companies (New York) (212) 692-6223 DDeWolf@mintz.com

> David P. Dutil Member Corporate (Washington) (202) 434-7425 DDutil@mintz.com

> Susan L. Foster, Ph.D. Corporate (London) +44 (0) 20 7776 7330 SFoster@mintz.com

Jeremy D. Glaser Member Corporate (San Diego) (858) 314-1515 JDGlaser@mintz.com

Jeremy B. Hayden Of Counsel Corporate (San Diego) (858) 314-1524 JBHayden@mintz.com

> Irwin M. Heller Member Corporate (Boston) (617) 348-1654 IHeller@mintz.com

Katherine Comer Holliday Of Counsel Corporate (Boston) (617) 348-1796 KHolliday@mintz.com

> Richard A. Kanoff Of Counsel

"<u>Climate Change and Public Company Disclosure</u>." The article details recent legal, legislative, and regulatory developments: JDSUPRA have brought climate change disclosure under public scrutiny, and their implications for public companies.

Mintz Levin was proud to host the inaugural session of the <u>New</u> <u>England Clean Energy Council's Fellowship Program</u>. We look forward to the entrepreneurs in this program building great companies. We would also like to congratulate our client Big Belly Solar on <u>completing its recent equity financing</u>.

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

In This Edition

In the News: United States In the News: Europe Government Financial Assistance Privately Sourced Financial Grants Federal and State Happenings Legal News Events

In the News: United States

Braemar Backs Electronic Ballast Supplier Fulham with \$10M

Mass High Tech - May 19, 2009 More info...

Daimler Takes 10% Stake in Tesla, Helps with Model S Launch

Greentech Media - May 19, 2009

More info...

PG&E Upgrades BrightSource Deal to 1.3GW

Cleantech Group - May 13, 2009

More info...

Schott Solar Opens Plant Despite Downturn

CNET News - May 11, 2009

More info...

Energy Regulatory and Project Development (Boston) (617) 348-3070 RAKanoff@mintz.com

> Patrick J. Kealy Corporate (Boston) (617) 348-1679 PJKealy@mintz.com

Jonathan L. Kravetz Member Chair, Securities (Boston) (617) 348-1674 JLKravetz@mintz.com

Carl A. Kukkonen III Member Intellectual Property (San Diego) (858) 314-1535 CAKukkonen@mintz.com

> Cynthia J. Larose Member Corporate (Boston) (617) 348-1732 CJLarose@mintz.com

David J. Leiter Senior Executive Vice President of Government Relations ML Strategies (Washington)

ML Strategies (Washington) (202) 434-7346 DJLeiter@mlstrategies.com

Jeffrey A. Moerdler Member Real Estate, Communications, Environmental (New York) (212) 692-6700 JAMoerdler@mintz.com

David L. O'Connor Senior Vice President for Energy and Clean Technology ML Strategies (Boston) (617) 348-4418 DOConnor@mlstrategies.com

Jeffrey R. Porter Member Environmental (Boston) (617) 348-1711 JPorter@mintz.com

Jennifer Sacco Smith Real Estate (Boston) (617) 348-1678 **Global Wind Installations Up 29% in 2008**

Document hosted at JDSUPRA Renewable/Emergy/aWorldet/dMaymVew2009?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79 More info...

Energy Storage Company Deeya Energy Completes \$30M Series C Financing Round

New Energy World Network - May 6, 2009 More info...

Smart Grid Finance Rundown: VCs and Congress Rock the Grid

Greentech Media - May 5, 2009 More info...

Solyndra & Satcon Launch Strategic Partnership

Renewable Energy World - May 1, 2009 More info...

IBM Plays Sugar Daddy to Smart Grid

Cleantech Group - May 1, 2009 More info...

Instant Messenger of the Smart Grid

Greentech Media - April 30, 2009

More info...

Clean Harbors Buys Eveready for \$387M

Mass High Tech - April 29, 2009 More info...

First Solar Triples 1Q Net Income, Looks for New CEO

Greentech Media - April 29, 2009 More info...

Dow Chemicals Signs on To Buy Gas from GreatPoint Plants

Mass High Tech - April 27, 2009

More info...

Analysts Slam SunPower After Unexpected 1Q Loss

JSaccoSmith@mintz.com

Chuck A. Samuels Member Federal/Energy Efficiency (Washington) (202) 434-7311 CASamuels@mintz.com

Paul J. Scapicchio

Senior Vice President of Government Relations ML Strategies (Boston) (617) 348-3031 PJScapicchio@mlstrategies.com

Gabriel Schnitzler Real Estate (Palo Alto) (650) 251-7720 GSchnitzler@mintz.com

Sahir C. Surmeli Member Corporate (Boston) (617) 348-3013 SSurmeli@mintz.com

Stanley A. Twarog Member Corporate (Boston) (617) 348-1749 STwarog@mintz.com

Paula J. Valencia-Galbraith Corporate (Boston) (617) 210-6854 PVGalbraith@mintz.com

Michael D. Van Loy, Ph.D. Intellectual Property (San Diego) (858) 314-1559 MDVanLoy@mintz.com

Maureen J. Walsh **Director of Federal Government Relations** ML Strategies (Washington) (202) 434-7388 MJWalsh@mlstrategies.com

> Scott C. White Corporate (San Diego) (858) 314-1511 SCWhite@mintz.com

Peter B. Zlotnick Member Litigation (New York) (212) 692-6887

Cleantech Group - April 24, 2009

Document hosted at JDSUPRA More information more information and the set of the se

CO2 Capture Tech Firm Powerspan Lands \$50M

Mass High Tech - April 23, 2009

More info...

\$376M Loan Enables First Wind's Largest Project

Mass High Tech - April 23, 2009 More info...

Ausra Scores \$25.5M for New Equipment Sales Focus

Cleantech Group - April 22, 2009

More info...

In the News: Europe

Cambridge Cleantech Company Secures Series A Funding

Business Weekly - May 12, 2009 More info...

Siemens Installs 1MW Solar PV Plant in Italy

Renewable Energy World - May 13, 2009 More info...

Fat Spaniel Targets EU Solar with SATEL Partnership

Cleantech Group - May 12, 2009

More info...

Masdar Joins E.ON, DONG for World's Largest Wind Farm

Cleantech Group - May 12, 2009

More info...

Th!nk Gets EU-Wide Approval for EV Sales

Cleantech Group - May 11, 2009 More info...

 PBZlotnick@mintz.com
 Renewable Energy Firm Wants Scottish Base

 Document hosted at JD_SUPRA
 Document hosted at JD_SUPRA

 The Sunday_Times_a.May_s3to 2009_Viewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79

 More info...

 www.mintz.com

 Big Business Attacks Plan to Cut Carbon Emissions

www.mlstrategies.com

Big Business Attacks Plan to Cut Carbon Emissions The Sunday Times - May 3, 2009 More info...

Mainstream Renewable Power Reveals \$1.5 Trillion for Offshore 'Supergrid'

Clean Edge - April 30, 2009 More info...

Europe's Green Energy Vision Puts UK in Dark

The Times - April 30, 2009 More info...

UK Government Green Goals Face Failure

The Times - April 30, 2009 More info...

Vestas To Cut 600 Jobs in Britain as Wind Turbine Market is Becalmed in Northern Europe

The Times - April 29, 2009 More info...

Spain Plugs in Largest Solar-Tower Power Plant CNET News - April 28, 2009 More info...

Carbon Trust in £20M Hunt for Offshore Turbine Foundations

Cleantech Group - April 27, 2009 More info...

Darling Powers up Clean Energy The Sunday Times - April 26, 2009 More info...

Carbon Budget 'Will Increase Fuel Poverty'

Times Online - April 24, 2009 Document hosted at JDSUPRA More infotp://www.jdsupra.com/post/documentViewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79

UK to Spend £250M on Electric Car Incentives

Cleantech Group - April 17, 2009 More info...

Government Financial Assistance

Grants

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...

Recovery Act - Advanced Research Projects Agency -Energy (ARPA-E)

Application Deadline: June 2, 2009

More info...

Advanced Water Power - Topic Areas 1, 2, & 3

Application Deadline: June 4, 2009 More info...

Advanced Water Power - Topic Areas 4, 5, & 6

Application Deadline: June 18, 2009 More info...

Biomass Research and Development Initiative

Application Deadline: June 11, 2009 More info... Energy Innovations Small Grant Program Document hosted at JDSUPRA Application Deadline: June 11, 2009 More info...

Enhanced Geothermal Systems Component Research and Development/Analysis

Application Deadline: June 15, 2009

More info...

Recovery Act - Demonstration of Integrated Biorefinery Operations

Application Deadline: June 30, 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 Document hosted at JDSUPRA http://www.idsubra.com/post/document/viewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79

Application Deadline: Rolling

More info...

Focus on Energy Renewable Energy Incentives & Grants

Application Deadline: Rolling More info...

Tax Incentives and Rebates

Federal Modified Accelerated Cost Recovery System
More info...

Federal Business Investment Tax Credit

Federal Renewable Power Production Tax Credit
<u>More info...</u>

Federal Tax Credits for Home Builders
<u>More info...</u>

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

http://www.jdsupra.com/post/documentViewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79
Massachusetts Local Property Tax Exemption

More info...

Massachusetts Corporate Income Tax Deduction More info...

Massachusetts Technology Collaborative Commonwealth Wind Incentive Program: Micro Wind

More info...

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

More info...

Massachusetts Commonwealth Solar

More info...

Privately Sourced Financial Grants

The Energy Foundation Grants More info...

The Renewable Fuels Foundation Grants for Ethanol Production

More info...

The Carbon Trust

More info...

Federal and State Happenings

On Earth Day Vice President Biden Announces \$300M in Recovery Act Funds for Clean Cities Program

Press Release, U.S. Department of Energy - April 22, 2009 More info...

California Adopts Low Carbon Fuel Standard

Obama and Salazar Release Framework for Renewable Energy Development on OCS

Renewable Energy World - April 24, 2009 More info...

Small Wind Energy Project Proposed for Massachusetts Turnpike

Renewable Energy World - April 30, 2009 More info...

U.S. Government Furthers Its Commitment To Invest in Renewable Energy R&D

Renewable Energy World - May 5, 2009 More info...

U.S Offers \$790M to Next-Gen Biofuels

Cleantech Group - May 5, 2009 More info...

DOE Selects 53 New Projects Focused on Wind Energy for up to \$8.5M

Press Release, U.S. Department of Energy - May 6, 2009 More info...

DOE To Slash Fuel Cell Vehicle Research

CNET News - May 8, 2009 More info...

California Sees Jump in Solar Rebates, Government Customers Lead the Way

Greentech Media - May 12, 2009 More info...

DOE Awards U.S. \$25M for Massachusetts Wind Technology Testing Center

Renewable Energy World - May 13, 2009 More info... Utilities Brief California Energy Commission and JDSUPRA Grid Effort/www.jdsupra.com/post/documentViewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79

Greentech Media - May 13, 2009 More info...

House Passes Bill To Promote 'Green' School Renovations

CQ Politics - May 14, 2009 More info...

Come Get 'Em: Government Plans To Give Freebies Under Cap-and-Trade

Greentech Media - May 14, 2009 More info...

DOE Lifts Smart Grid Stimulus Cap to \$200M

Greentech Media - May 18, 2009 More info...

Legal News

Fiduciary Duties and Insolvency: Limiting Personal Liability in Tough Economic Times

Bankruptcy, Restructuring and Commercial Law Advisory, Mintz Levin - May 11, 2009

More info...

Stay of Execution of Red Flag Enforcement: FTC Announces Three-Month Delay of Enforcement of "Red Flags Rule"

Privacy and Security Alert, Mintz Levin - May 1, 2009 More info...

Robert Bodian Named Mintz Levin Managing Member

Press Release, Mintz Levin - April 29, 2009

More info...

Mintz Levin Honored for its Commitment to Public Service by San Diego County Bar Association

Press Release, Mintz Levin - April 28, 2009

Salary Deferral Arrangements May Be Void under Massachusetts Wage Act, Even for Top Executives

Employment Alert, Mintz Levin - April 23, 2009 More info...

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

Press Release, Mintz Levin - April 14, 2009 More info...

Major Patent Victory for Mintz Levin Client Uniloc Inc.

Press Release, Mintz Levin - April 9, 2009 More info...

NASDAQ Extends Suspension of Continued Listing Rules

Securities Law Alert, Mintz Levin - April 1, 2009 More info...

Events

May

An Introduction to Solar Technology & Markets

May 20–21, 2009 London, United Kingdom

More info...

Santa Barbara Summit on Energy Efficiency

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

More info...

Venture Summit East

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

Document hosted at JDSUPRA

http://www.jdsupra.com/post/documentViewer.aspx?fid=6e5af24b-9f0e-4a82-b734-c9b15db0ad79 TIEcon East 2009

May 21–22, 2009 The Westin Hotel Waltham, Massachusetts

More info...

Metering China Conference & Exhibition 2009

May 26–28, 2009 Beijing International Convention Center Beijing, China

More info...

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

More info...

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

Document hosted at JDSUPRA

More information More information More and More

Concentrating Solar Thermal Power 2009

June 4-5, 2009 Hotel Kabuki San Francisco, California

More info...

34th IEEE Photovoltaic Specialists Conference

June 7–12, 2009 Philadelphia Marriott Philadelphia, Pennsylvania

More info...

PV America

June 8-10, 2009 Pennsylvania Convention Center Philadelphia, Pennsylvania

More info...

BuilConn: Smart Green Sustainable Buildings

June 8-11, 2009 Santa Clara Convention Center Santa Clara, California

More info...

Green Building Summit

June 11, 2009 SRI International Menlo Park, California

More info...

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

More info...

Solar Economics Forum

Towards Grid Parity June 16-18, 2009

More information information in the steel at JDSUPRA

6th Renewable Energy Finance Forum Wall Street

June 23–24, 2009 Waldorf Astoria New York, New York

More info...

BWEA Offshore Wind 2009

June 24–25, 2009 London, United Kingdom

More info...

Financing the Cleantech Vision

June 25, 2009 The Sheraton Palo Alto Palo Alto, California

More info...

Photovoltaics Summit Europe 2009

June 30–July 2, 2009 Crowne Plaza Rome St. Peter's, Rome, Italy

More info...

July

BioPower Generation USA

July 8–9, 2009 Chicago, Illinois

More info...

InterSolar North America

July 14–16, 2009 Moscone Center San Francisco, California

More info...

The IEA & Marketforce's Renewables 2009

July 8–9, 2009 Radisson SAS Portman London, England

Boston | Washington | New York | Stamford | Los Angeles | Palo Alto | San Diego | London

Copyright © 2009 Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

This communication may be considered attorney advertising under the rules of some states. The information and materials contained herein have been provided as a service by the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.; however, the information and materials do not, and are not intended to, constitute legal advice. Neither transmission nor receipt of such information and materials will create an attorney-client relationship between the sender and receiver. The hiring of an attorney is an important decision that should not be based solely upon advertisements or solicitations. Users are advised not to take, or refrain from taking, any action based upon the information and materials contained herein without consulting legal counsel engaged for a particular matter. Furthermore, prior results do not guarantee a similar outcome.

The distribution list is maintained at Mintz Levin's main office, located at One Financial Center, Boston, Massachusetts 02111. If you no longer wish to receive electronic mailings from the firm, please visit <u>http://www.mintz.com/unsubscribe.cfm</u> to unsubscribe.