

ABA Section of **Environment, Energy, and Resources**

AMERICAN BAR ASSOCIATION

Carbon Trading and Energy Finance Committee

Cosponsored by Agricultural Management Committee, Alternative Dispute Resolution Committee, Constitutional Law Committee, Energy and Natural Resources Litigation Committee, Environmental Disclosure Committee, Forest Resources Committee, State and Regional Environmental Cooperation Committee, and Climate Change, Sustainable Development, and Ecosystems Committee

Presents a Quick Teleconference program

This program does not offer CLE credit

Cooperative Federalism and Green Infrastructure Development

Wednesday, January 20, 2010

12:00 p.m. – 1:30 p.m. Eastern Time / 11:00 a.m. – 12:30 p.m. Central Time
10:00 a.m. – 11:30 a.m. Mountain Time / 9:00 a.m. – 10:30 a.m. Pacific Time

Program Overview:

Recent federal initiatives associated with “green infrastructure” are numerous. The success of these initiatives likely will depend on their harmonization with existing state and regional programs. This is particularly true in the areas of (1) climate change legislation and carbon cap and trade, (2) renewable portfolio standards and renewable energy credits, (3) transmission investment and expansion, and (4) smart grid and demand response. In addition to traditional state and federal concerns, regional effects also must be considered.

As part of the process of balancing competing interests, legal questions have arisen concerning “federalism” and doctrines such as “preemption,” “supremacy,” and “states rights.” The effectiveness of many green infrastructure initiatives will hinge on the ability of lawmakers and regulators to develop workable accommodations within the confines of traditional principles of cooperative federalism.

This timely Quick Teleconference not only will illuminate the carbon and energy independence debates, but will also spotlight how their resolution will continue to reverberate through all levels of future regulation. The objective of the program is to inform practitioners and policymakers about federalism issues associated with the development of a national green infrastructure.

Moderators:

Roger D. Feldman, Counsel, Andrews Kurth, LLP; Washington, DC

Jeffrey M. Gray, Regulatory Attorney, Alliant Energy Corporate Services, Inc.; Madison, WI

Roger D. Stark, Partner, Curtis, Mallet-Prevost, Colt & Mosle LLP; Washington, DC

Panelists:

David Bookbinder, Chief Climate Counsel, Sierra Club; Washington, DC

Steven Ferrey, Professor, Suffolk University Law School; Boston, MA

Peter S. Fox-Penner, Principal and Chairman Emeritus, The Brattle Group; Washington, DC

Phyllis Reha, Vice Chair, Minnesota Public Utilities Commission; Saint Paul, MN

Questions?

Do you have a question that you would like the panel to address? Please email your question to Roger D. Stark, rstark@curtis.com by Tuesday, January 19, 2010 at noon Eastern Time and the panel will make every effort to address your inquiry.

