



THE CENTER FOR AMERICAN  
AND INTERNATIONAL LAW

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# Midstream Oil and Gas Law Conference

*Meeting the Demand for Infrastructure*

December 7, 2012

Hilton Post Oak Hotel • Houston, Texas

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Register before November 19 to receive a discount!

## **Highlights**

- New construction capacity allocation issues
- Private equity investment in oil and gas
- Environmental and clean air regulations affecting the midstream
- Service quality, classifications and practice issues
- New capacity issues on the OCS

## CONFERENCE CO-CHAIRS

**Donna J. Bailey**  
General Counsel,  
Gas and Midstream  
Negotiations and Legal  
Chevron Gas and Midstream  
Houston, Texas

**Mark R. Haskell**  
Morgan Lewis & Bockius LLP  
Washington, D.C.

**Michael P. Pearson**  
Jackson Walker L.L.P.  
Houston, Texas

## MIDSTREAM OIL AND GAS LAW CONFERENCE

*Meeting the Demand for Infrastructure*

### Schedule

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**8:00 REGISTRATION**

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**8:30 WELCOME AND INTRODUCTION TO THE CONFERENCE**

*Donna J. Bailey, General Counsel, Gas and Midstream Negotiations and Legal, Chevron Gas and Midstream, Houston, Texas*

*Mark R. Haskell, Morgan Lewis & Bockius LLP, Washington, D.C.*

*Michael P. Pearson, Jackson Walker L.L.P., Houston, Texas*

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**8:45 COMMERCIAL CHALLENGES PRESENTED BY THE HISTORICAL APPROACH TO OIL AND PRODUCT PIPELINE CAPACITY ACCESS AND RATES**

Steven Reed will describe the historical approach to regulation of oil and products pipelines' service offerings and rates in the context of ICA regulation, and set the stage for discussion of emerging trends later in the conference.

*Steven Reed, Steptoe & Johnson LLP, Washington, D.C.*

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**9:30 CAPACITY ALLOCATION ISSUES ARISING IN CONNECTION WITH THE CONSTRUCTION OF NEW CAPACITY**

This session will discuss the changing regulatory environment and how it is impacting the allocation of new capacity as well as the impact on existing capacity holders.

The speakers will address:

- Open season requirements
- Bid evaluation
- Capacity allocation
- The nature of services provided to different classes of shippers
- The amount and treatment of committed vs. uncommitted capacity
- The situation of two capacity owners, one an interstate shipper, and the other not

PANEL MODERATOR

*Mark R. Haskell, Morgan Lewis & Bockius LLP, Washington, D.C.*

PANELISTS

*Glenn S. Benson, Of Counsel, Perkins Coie LLP, Washington, D.C.*

*Christopher J. Barr, Post & Schell, P.C., Washington, D.C.*

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**10:15 BREAK**

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**10:30 EMERGING TRENDS IN RATE TREATMENT FOR NEW CAPACITY**

Our speaker will address recent developments in the rates applicable to new capacity, including:

- Market based vs. regulated rates
- Premium vs. discount

*Charles F. Caldwell, Vinson & Elkins LLP, Houston, Texas*

## 11:15 PRIVATE EQUITY INVESTMENT IN OIL AND GAS

This session will examine how midstream companies are structuring deals to provide revenue assurance and service reliability.

**Elizabeth L. McGinley**, *Bracewell & Giuliani LLP, New York, New York*

**Michael De Voe Piazza**, *Bracewell & Giuliani LLP, Houston, Texas*

## 12:00 NETWORKING LUNCHEON

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## 1:30 ENVIRONMENTAL AND CLEAN AIR REGULATIONS AFFECTING THE MIDSTREAM

This presentation will focus on the situation in Texas by way of illustration, covering the dispute between TCEQ and the EPA and discussing how the increased attention to clean air will affect the midstream business.

**Ben R. Rhem**, *Jackson Walker L.L.P., Austin, Texas*

## 2:15 ISSUES CONCERNING SERVICE QUALITY, CLASSIFICATIONS AND PRACTICES – THE GOOD, THE BAD, AND THE UGLY

The production boom associated with hydraulic fracturing has produced a new focus on services provided using existing pipeline infrastructure. Kathy Lake will discuss emerging issues regarding service quality, terms and conditions in light of these developments, including:

- Prorating and capacity apportionment
- Initiation of new services using existing capacity
- Termination/abandonment of existing services
- Comparison with state regulation

**Kathleen Cooper Lake**, *Vinson & Elkins LLP, Houston, Texas*

## 3:00 BREAK

## 3:15 NEW CAPACITY ISSUES ON THE OUTER CONTINENTAL SHELF

Our speaker will discuss the regulatory regime applicable to OCS oil and products pipelines, how it differs from pipelines subject to ICA jurisdiction and how those differences influence deals for new OCS capacity.

**Jana L. Grauberger**, *Liskow & Lewis, Houston, Texas*

## 4:00 JURISDICTIONAL DEVELOPMENTS RELATING TO TERMINALS AND TERMINAL SERVICES

Our speakers will review recent developments involving the provision of ancillary services, including:

- Terminal services
- Storage services
- Other “transportation” arrangements

**Steven A. Adducci**, *Venable LLP, Washington, D.C.*

**Richard E. Powers, Jr.**, *Venable LLP, Washington, D.C.*

## 4:45 ADJOURN



## ABOUT THE INSTITUTE FOR ENERGY LAW (IEL)



The Institute for Energy Law (IEL) provides advanced legal education and exceptional professional opportunities for lawyers and other professionals in the energy industry. Through its programs, publications and membership activities, the Institute offers an important forum on contemporary issues affecting the industry. The Institute's record of achievements has since 1949 been aided by the participation and support of many of the world's leading companies, lawyers, and energy professionals.

As the energy industry evolves, so does the Institute for Energy Law. Please join us and help guide this evolution.

### WHY BECOME A MEMBER?

Members are entitled to serve or to appoint one or more persons to serve on the Institute's Advisory Board, depending on the membership level. Advisory Board members are entitled to tuition-free attendance at the *Annual Oil & Gas Law Conference*, and discounted attendance at all other Institute programs. Advisory Board members also receive the Institute's e-newsletter, *The Energy Law Advisor*, discounts on all other Institute publications, and access to the Institute's members-only website and online forums. Advisory Board members also have the opportunity to participate in the work of the Institute's practice committees and a variety of other free professional and social membership activities throughout the year.

### PROGRAMS AND PUBLICATIONS

Each year the Institute for Energy Law offers its two-day *Annual Oil & Gas Law Conference*, which was first presented in 1949 and is now the oldest continuing legal education program in the country. Other programs customarily presented include the *Power & Alternative Energy Law Conference*, *Energy Litigation Conference*, *International Energy Law, Contracts and Negotiations - Upstream*, *International Energy Law, Contracts and Negotiations - Midstream*, *Short Course on Oil and Gas Law*, *YEP General Counsel Forum*, *Law of Shale Plays Conference*, *Oilfield Services Law Conference* and *International Offshore Oil & Gas Law Conference*. Every other year the Institute presents an advanced *International Oil & Gas Law Conference* and supports an *Institute for Natural Resources Law Teachers*. For a complete calendar of IEL programs, please visit our website at [www.cailaw.org/iel](http://www.cailaw.org/iel).

The Institute for Energy Law publishes an e-newsletter, *The Energy Law Advisor*, a members-only website, a members-only online forum on LinkedIn, an Energy Law Online Articles Index of papers published at past conferences, training modules on key fundamentals of energy law practice for in-house use by members and others and, with LexisNexis Matthew Bender, the *Oil and Gas Reporter* (since 1952) and the *Proceedings of the Institute on Oil and Gas Law* (since 1949).

### FOR MORE INFORMATION

Whatever membership option suits you or your organization best, you will find that the monetary cost of membership in the IEL is far outweighed by the financial, educational and professional benefits received. Please join us.

For more information, please visit the IEL online at [www.cailaw.org/iel](http://www.cailaw.org/iel).

## SAVE THE DATES! UPCOMING CONFERENCES

**64th Annual Oil and Gas Law Conference** - February 21-22, 2013 - Houston, Texas

Co-chairs: **Arnold J. Johnson** (Senior Vice President, General Counsel & Secretary, Noble Energy, Inc.) and **Steven P. Otilar** (Akin Gump Strauss Hauer & Feld LLP)

**Careers in Oil, Gas and Energy Law Conference** - March 1-2, 2013 - Tulsa, Oklahoma

**Texas Mineral Titles Course** - May 2-3, 2013 - Houston, Texas

Co-chairs: **Kerry A. Kilburn** (Kilburn Law Firm, PLLC) and **George Snell** (Snell Law Firm)

**Institute for Natural Resources Law Teachers** - May 29-31, 2013 - Flagstaff, Arizona

**4th Law of Shale Plays Conference** - June 6-7, 2013 - Fort Worth, Texas

**4th IEL-SEERIL International Oil & Gas Law Conference** - June 26-27, 2013 - London, United Kingdom

Co-chairs: **Paul Stockley** (Bond Pearce LLP) and **Alex Msimang** (Vinson & Elkins LLLP)

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### PHONE

credit card only  
972.244.3400 or  
800.409.1090  
8:30am-5:00pm Central time

PAYMENT MUST ACCOMPANY REGISTRATION

## GENERAL INFORMATION

**CANCELLATION POLICY:** Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by November 19, 2012. Email [cburkel@cailaw.org](mailto:cburkel@cailaw.org). After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the course materials.

**HOUSING:** The cost of housing is not included in tuition. However, rooms (in limited number) have been reserved at the Hilton Post Oak Hotel, 2001 Post Oak Blvd., Houston, TX 77056. Registrants should call (800) 445-8667 and advise them of group code CAI to receive a reduced room rate of \$169 + tax. Reservations may also be made online by visiting [http://www.cailaw.org/iel/Midstream\\_12details.html](http://www.cailaw.org/iel/Midstream_12details.html). The last day to obtain this special rate is November 15, 2012.

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

**PRESS POLICY:** All IEL conferences are held under the Chatham House Rule. Participants, including journalists, are free to use any information received, but comments may not be attributed to any speaker identified by name or affiliation.

**MCLE CREDIT:** This program is approved by the State Bar of Texas for 6 hours, no ethics. Course ID Number: 901254046. Sign-in sheets and/or certificates of attendance will be available for ALL states.

**SPECIALIZATION CREDIT:** This program is approved by the Texas Board of Legal Specialization for 6 hours in the following areas: Civil Appellate Law, Civil Trial Law and Oil, Gas and Mineral Law

## REGISTRATION

# MIDSTREAM OIL AND GAS LAW CONFERENCE

December 7, 2012

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Registration includes the Conference, course materials on CD and online, continental breakfast and the hosted luncheon.

Check applicable box:	Received by 11/19/12	Received after 11/19/12
Regular registration fee	<input type="checkbox"/> \$435	<input type="checkbox"/> \$495
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## Midstream Oil and Gas Law Conference

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