



News from Shaines & McEachern, PA and GreenEnergyLaw.org

Our Top Picks From This Week's Most Relevant and Interesting Business, Technology, and Legal News Relating to Renewable Energy. Week of 12-21-2009

MAINE'S OFFSHORE WIND RESEARCH FACILITY SITES SELECTED

AUGUSTA, ME - Three sites in Maine coastal waters have been selected for constructing and testing new deepwater floating wind-turbine technologies. One, Monhegan Island, has been designated as the Maine Offshore Wind Energy Research Center, which will conduct projects by or in cooperation with deepwater wind-energy technology researchers at the University of Maine. Projects at any of the three sites will still have to go through an extensive permitting process before starting up. The Gulf of Maine has been characterized as the "Saudi Arabia" of wind with the potential to produce 149,000 megawatts of power using offshore wind within 50 nautical miles of the state's coast, or equivalent to 100 nuclear plants.

www.maine.gov/doc/initiatives/oceanenergy/oceanenergy.shtml

<http://www.maine.gov/tools/whatsnew/index.php?topic=Gov+News&id=86313&v=Article-2006>

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COPENHAGEN JUST THE START

COPENHAGEN, DK - President Obama helped pull together a last-minute agreement at the climate change conference in Copenhagen, but NGOs and scientists are largely shell shocked. In a press release distributed by the UN, Kim Carstensen, leader of global conservation organization WWF's Global Climate Initiative, stated "What we have after two years of negotiation is a half-baked text of unclear substance. With the possible exceptions of US legislation and the beginnings of financial flows, none of the political obstacles to effective climate action have been solved." Despite disappointment, this was the first global agreement to deal with climate change and the first time the United States and China have pledged to act. The South Korean President says his country will host global climate meetings in 2012, the last talks before obligations expire under the landmark Kyoto Protocol. The next talks under the UN Framework Convention on Climate Change are due at the end of 2010 in Mexico City. The talks in 2011 will take place in South Africa.

<http://en.cop15.dk/news/view+news?newsid=3078>

BRAZIL HOLDS HUGE WIND POWER AUCTION

Brazil held its first energy sale exclusively for wind power and more than 1,800MW of wind energy was contracted at \$82.8 per MWh according to Brazilian energy research organization Energy Research Company (ERE). The proceeds of the auction will allow for the construction of 71 generation projects across five states in the northeast and south of the country. ERE expects the projects will drive investments of more than \$11.2 billion by the end of the 20 year duration of the contracts. Brazil is home to 36 wind power plants with a total power potential of 602 million watts, a figure that is expected to increase as a result of ongoing initiatives.

http://www.epe.gov.br/imprensa/PressReleases/20091214_1.pdf



CONSTELLATION ENERGY SELECTED TO BUILD 3RD LARGEST SOLAR PROJECT

BALTIMORE, MD - Constellation Energy Group Inc. has been selected by the state of Maryland to develop a 15.9 MW DC solar photovoltaic power installation under the state's Generating Clean Horizons initiative. The \$60 million solar facility will be constructed, owned, operated and maintained by Constellation Energy on land leased from Mount St. Mary's University in Emmitsburg, Maryland. The system, expected to be completed by December 2012, would be the largest solar photovoltaic installation in Maryland and 3rd largest in the US. Renewable electricity produced by the system will be purchased by the state of Maryland under a 20-year solar power purchase agreement. The system is expected to produce more than 21,000,000 kWh of electricity per year. Only two photovoltaic systems currently in operation in the U.S. are larger. The system will utilize innovative thin-film photovoltaic solar panels situated on approximately 100 acres of university land. Under the agreement, Mount St. Mary's University will also purchase 1.2 megawatts of electricity from the system.

<http://ir.constellation.com/releasedetail.cfm?ReleaseID=428941>

DO-IT-YOURSELF SOLAR NOW AVAILABLE AT CALIFORNIA LOWE'S

LOS GATOS, CA - 21 Lowe's home-improvement stores in California are making it possible for handy homeowners to do their own installations. For the first time homeowners can purchase high-performing, easy-to-install solar panels off the shelves of a major retailer. The panels, which were recently honored with a 2009 Popular Mechanics Breakthrough Product award, are featured as part of Lowe's Energy Center at the stores. Available components include not only panels, but also built-in wiring and racks and with instructions that aim to simplify the steps and shorten the time it takes to put solar panels on a rooftop. Lowe's has set prices at \$893 per panel. According to the manufacturer, handy homeowners could install the panels themselves if they don't want to hire people to do it, but they might still need an electrician to connect the rooftop system to the home's circuit.

<http://ir.akeena.com/releasedetail.cfm?ReleaseID=429296>

<http://www.lowes.com/lowes/lkn?action=frameSet&url=lowes.mediaroom.com/>

OPPONENTS TARGETING EPA REGULATION OF US EMISSIONS

WASHINGTON, DC - The Supreme Court ruled in 2007 that the U.S. Environmental Protection Agency had the right to regulate emissions of gases under the Clean Air Act. Earlier this month, the EPA ruled that greenhouse gases endanger human health, and the agency is now expected to make rules as soon as next year to regulate emissions from vehicle tailpipes, power utilities and heavy industry under existing laws. The ruling applies to six gases scientists say contribute to global warming, including the main one, carbon dioxide. EPA administrator Lisa Jackson claims her authority could no longer ignore the overwhelming amount of scientific studies that showed the threat of climate change was real. Now, Sen. Lisa Murkowski, R-Alaska, is planning to introduce a legislative measure that would prevent the EPA from regulating greenhouse gas emissions under the Clean Air Act. Murkowski claims that she will soon file a disapproval resolution in the Senate taking aim at the EPA's recently announced greenhouse gas endangerment finding.

<http://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003fb69d/08d11a451131bca585257685005bf252!OpenDocument>

http://murkowski.senate.gov/public/index.cfm?p=PressReleases&ContentRecord_id=59d17e52-e3eb-4dc0-9598-93f37eaf95e0&ContentType_id=b94acc28-404a-4fc6-b143-a9e15bf92da4&Group_id=c01df158-d935-4d7a-895d-f694ddf41624



US POSTAL SERVICE PROPOSES CUTTING CARBON EMISSIONS 20% BY 2020

COPENHAGEN, DK - Twenty postal companies worldwide including the US Postal Service have proposed reducing their carbon emissions 20 percent by 2020. Members of the International Post Corporation, including the US Postal Service, have pledged to cut output to 6.7 million metric tons from 8.4 million in 2008 during the climate change talks in Copenhagen. Twenty postal operators, collectively representing 80 percent of global mail volume, participated in a round of reporting, using IPC's Environmental Measurement and Monitoring System, developed specifically for the industry. The 20 operating companies that contributed to the Sustainability Report collectively emit 8.36 million tons of CO₂. The target set will reduce that total to 6.69 million tons by 2020. The association represents 24 postal groups with 100,000 facilities and 600,000 vehicles, and transportation is the industry's biggest contributor of emissions.

http://www.ipc.be/en/Media/News/Press_Releases/Global%20postal%20industry%20sets%2020%20percent%20carbon%20reduction%20target%20by%202020.aspx

SENATORS INTRODUCE BILL TO EXTEND ITC GRANTS FOR RENEWABLE ENERGY

WASHINGTON, DC - U.S. Senators Dianne Feinstein (D-Calif.) and Jeff Merkley (D-Ore.) introduced legislation this month to extend and expand the popular Treasury Department grant program that was established in the American Recovery and Reinvestment Act of 2009. The Treasury grant program is currently slated to expire in 2010. The new legislation would extend the program for two additional years, until 2012, and would expand this program to allow public power utilities to participate, since they are currently ineligible. In addition, it would create a new tax credit for solar manufacturing facilities. According to Feinstein, "One of the consequences of the economic crisis was the shelving of major solar and wind projects, as readily-available financing evaporated. The stimulus bill established a new grant program to help restart these projects by allowing renewable energy developers to qualify for payments, from the Treasury Department instead of claiming tax credits. But the grant program is set to expire at the end of next year, before most construction is expected to occur and well before experts expect the tax equity markets to thaw. This legislation would extend the grant program for two additional years, until 2012." Section 1603 of the American Recovery and Reinvestment Act (the Stimulus bill) established "payments in lieu of tax credits for specified energy property." The program allows renewable energy developers to qualify directly for a 30 percent federal grant for capital-intensive projects, equivalent to the amount they would have expected from tax credits.

http://feinstein.senate.gov/public/index.cfm?FuseAction=NewsRoom.PressReleases&ContentRecord_id=9e7e21de-5056-8059-7658-a755c455aedf

US HAS GREATEST GREEN ENERGY POTENTIAL

A recent Ernst and Young report suggests that the US has the greatest potential for green energy development. According to the report, China ousted Germany as the number-two nation in green energy "attractiveness," and led the US slightly in wind energy potential. The US lagged Germany in overall solar photovoltaic development, but was the leader in concentrated solar power (CSP), the use of solar in large-scale utility-size facilities. According to Ernst and Young, the US is well-suited to solar CSP because of the strong sunshine and open spaces available in the Southwest. The green energy report cites, overall, "a general rise in countries favoring solar technology," adding that solar is "growing [in] importance ... as a generation technology going forwards."

<http://solar.coolerplanet.com/News/19498918-u.s.-is-number-one-in-green-energy-potential,-report-says.aspx>

[http://www.ey.com/Publication/vwLUAssets/United_States_renewable_energy_attractiveness_indices_Q4_2008/\\$FILE/UnitedStates_renewable_energy_attractiveness_indices.pdf](http://www.ey.com/Publication/vwLUAssets/United_States_renewable_energy_attractiveness_indices_Q4_2008/$FILE/UnitedStates_renewable_energy_attractiveness_indices.pdf)

[http://www.ey.com/Publication/vwLUAssets/United_States_renewable_energy_attractiveness_indices_Q4_2008/\\$FILE/UnitedStates_renewable_energy_attractiveness_indices.pdf](http://www.ey.com/Publication/vwLUAssets/United_States_renewable_energy_attractiveness_indices_Q4_2008/$FILE/UnitedStates_renewable_energy_attractiveness_indices.pdf)



POWER DISTRIBUTION HUB PLANNED IN SOUTHWEST US

A New Mexico transmission company is planning to connect the three loosely linked North American electric grids, and if completed as planned, renewable sources such as solar and wind would have the potential to have their generated power distributed outside their immediate grid connections, resulting in huge implications for renewable energy. The company, Tres Amigas, proposes a huge power hub near Clovis, N.M., covering more than 20 square miles. The Tres Amigas SuperStation, would link the Eastern Interconnection, which stretches from Halifax to the Dakotas and New Orleans; the Western Interconnection, which runs from British Columbia to a slice of Baja California; and the Electric Reliability Council of Texas. Currently, only eight small connections now link the grids, with a total power-moving capacity of only 2,000 megawatts. The first phase of the project would more than double the size of the linkage, to 5,000 megawatts. U.S. Senator Jeff Bingaman (D-NM) stated in a corporate press release "By tying the nation's three power grids together, the Tres Amigas station will catalyze the adoption of renewable power while at the same time increasing the reliability of our electricity network, which is fundamental to the expansion of the U.S. economy." The project is expected to be completed and operational by the end of 2014.

<http://www.tresamigasllc.com/docs/PR-FERC-Filing-12-09.pdf>

FPL HEAD ANNOUNCES MAJOR PLAN FOR WIND IN 2010

FPL Chief Executive Lewis Hay claims wind power the easiest and quickest way to meet renewable-portfolio standards in more than 20 states and claims FPL plans to spend \$2 billion on wind energy in 2010. According to Hay, it is easier and cheaper right now to build up the nation's infrastructure to tap into America's vast wind resources, largely because of the regulatory environment. FPL, which runs Florida Power & Light as well as a portfolio of power plants in 27 states, is developing \$10 billion in wind resources, including a combined \$4 billion-plus in 2009 and 2010. According to Hay, the greatest barrier is the interconnection and delivery of electric power from generation to user. "What we need today is an electron superhighway to move power from remote areas where we have wind farms and solar fields to population centers where people actually use the power," Hay said. "The way we build and site transmission today is frankly a very antiquated, archaic process."

<http://www.fplgroup.com/news/contents/2009/121009.shtml>

CARBON PERMITS GO UNSOLD IN US NORTHEAST AUCTION

NEW YORK, NY - Carbon dioxide permits in the US Northeast's "cap-and-trade" Regional Greenhouse Gas Initiative (RGGI) market drew a record low price at auction this month. Some permits went unsold in the belief that power plants won't need all the pollution offset rights issued by the program. Each permit issued under the RGGI program gives a power plant the right to emit one ton of carbon dioxide. While RGGI currently issues 188 million permits a year, the Northeast's power plants will emit only 135 million to 145 million tons of carbon dioxide in 2009, according to Point Carbon, an Oslo-based environmental market analysis company, in a November report.

<http://www.pointcarbon.com/news/cmna/1.1338800>

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Contact: Rob Wolf @ 603-436-3111; rwolf@shaines.com or rob.wolf@greenenergylaw.org
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282 Corporate Drive
Pease International Tradeport
Portsmouth, NH 03802-0360
NH tel 603-436-3110
NH Fax 603-436-2993
<http://www.shaines.com>

8 Faneuil Hall Marketplace
3rd Floor
Boston, MA 02109
MA tel 617-973-6494
<http://www.greenenergylaw.org>

