



Government Relations & Public Policy

ENERGY POLICY

With the current administration and Congress focused on transitioning the U.S. to a clean energy economy, the issues on which Van Ness Feldman's Government Relations practice serves its clients have never been more complex - or more critical.

Our lawyers and policy professionals are significantly involved in all of the current legislative and federal agency discussions on issues such as renewable energy standards and incentives, energy efficiency and smart grid, energy security, offshore energy resources, nuclear energy policy, biofuels, carbon capture and storage, clean coal initiatives, natural gas policy, pipeline safety, and climate change and EPA regulation.

Representative matters

America's Natural Gas Alliance (ANGA) - The firm is counsel to ANGA, a coalition of natural gas producers that formed in the spring of 2009 to promote the use of natural gas and to advocate for an explicit role for natural gas as part of any climate strategy. The firm provides ANGA with technical expertise on the natural gas industry, analyzes pending bills, interacts with Congressional and EPA staff, and develops legislative proposals to promote ANGA's goals.

Carbon Capture and Storage Regulatory (CCSReg) Project - The firm provides legal counsel and consulting services to the CCSReg Project, a collaborative effort funded by the Doris Duke Charitable Foundation and lead by Carnegie Mellon University's Engineering and Public Policy Department. The Project has drafted proposed model legislation to establish a comprehensive legal regime and regulatory framework for carbon capture and storage. With Van Ness Feldman's assistance, the CCSReg Project has authored numerous reports and policy briefs, presented before state and federal officials that address the advancement of CCS in a safe, environmentally and socially responsible manner.

Coal Utilization Research Council (CURC) - The firm provides support and guidance to CURC, an industry advocacy group that promotes the efficient and environmentally-sound use of coal. CURC was the principal advocate in designing and advocating passage of \$2.5 billion in investment tax credits and "CO₂ sequestration" credits in the Energy Improvement and Extension Act of 2008 and \$3.4 billion in CCS program funding and tax credits made available through the American Recovery and Reinvestment Act of 2009. More recently, the CURC was actively involved in the development of tax and other incentive provisions included in legislation introduced by Senators Jay Rockefeller and George Voinovich (S.3591) and Senators Kent Conrad and Orrin Hatch (S.3714). CURC has been effective as an advocate for new and existing government funding programs for clean coal technology, including numerous CCS incentive programs proposed in

various climate change legislation.

Energy Efficiency Policy - Energy efficiency and smart grid issues are receiving increased attention in response to increasing demand for electricity and concern about climate change. We advise electric utilities, manufacturers of advanced meters, building controls, energy storage, and other grid equipment, non-governmental organizations, and others on policy, regulation, and incentives related to energy efficiency.

U.S. Green Building Council (USGBC) - The firm assisted the USGBC in producing a report entitled, "Using Executive Authority to Achieve Greener Buildings: A Guide for Policymakers to Enhance Sustainability and Efficiency in Multifamily Housing and Commercial Building," which was released in April 2010. Under current legal authorities, according to the report, there are over 30 existing federal programs across many federal agencies worth \$72 billion which can be modified to enhance efficiency and sustainability. The firm researched and drafted the report in collaboration with USGBC and other sponsoring organizations in energy, housing, environment and real estate. The sponsoring organizations include: The Real Estate Roundtable, UDR, Johnson Controls, Inc., The Energy Foundation, Building Owners and Managers Association International, The American Institute of Architects, Natural Resources Defense Council, International Facility Management Association, Energy Future Coalition, and C3.

Biofuels Tax Policy and Renewable Biomass - On behalf of several biofuel feedstock and production interests, as well as a national association of biomass producers, the firm provided strategic counsel and advocacy for advanced biofuels tax policy, Renewable Fuel Standard definitions and compliance, and federal funding opportunities at the U.S. Departments of Energy and Agriculture. The firm also provides analysis of the impacts of energy and climate change related legislation on biomass products and the overall impact of proposed policies on direct and indirect land use for biomass crop production.

Energy Saving Performance Contracting - Working on behalf of the Alliance to Save Energy and a coalition of dozens of prominent energy service providers, the firm assisted in working with Congress and with the Bush Administration at the White House, Department of Energy and the Office of Management and Budget to devise a successful strategy to restore energy saving performance contracting. This 10-year reauthorization should put the federal government back on track to meet the President's energy performance goals, save energy, and save hundreds of millions of taxpayer dollars annually.

Renewable Electricity Incentives - Representing the geothermal energy industry, the firm led a multi-renewable industry effort to extend and expand the scope of the renewable energy production tax credit as part of the National Energy Policy Act of 2005.