



Institute for  
**ENERGY LAW**

## 5th Midstream Oil & Gas Law Conference



### 5th Midstream Oil & Gas Law Conference

December 7, 2017

Norris Conference Center - Houston  
CityCentre • Houston, Texas

**MCLE Credit will be available**

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### Highlights

- Transporting Oil and Gas: U.S. Infrastructure Challenges in the 21st Century
- Litigation Perils and Pitfalls Concerning Midstream Contracts
- Mariner East: NGL Transportation Challenges in the North-East
- Effectively Responding to a Significant Incident in the Midstream Industry
- Service Provider Priorities in Midstream Contracts
- The Latest on FERC's Income Tax Allowance Policy for MLPs
- Ethical Risks of Representing a Joint Venture or its Individual Members and How to Avoid Them

# 5th Midstream Oil & Gas Law Conference

## SCHEDULE

December 7

### Conference Co-Chairs

**Scott J. Arrington**  
Locke Lord LLP  
Houston, Texas

**Kurt L. Krieger**  
Steptoe & Johnson PLLC  
Charleston, West Virginia

**Julie Pradel**  
Managing Counsel,  
Midstream/NGL/Transportation  
Phillips 66  
Houston, Texas

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#### Exhibitor

**DNV·GL**

7:45 REGISTRATION

8:30 WELCOME AND INTRODUCTION TO THE CONFERENCE  
CONFERENCE CO-CHAIRS

- **Scott J. Arrington**, Locke Lord LLP, Houston, Texas
- **Kurt L. Krieger**, Steptoe & Johnson PLLC, Charleston, West Virginia
- **Julie Pradel**, Managing Counsel, Midstream/NGL/Transportation, Phillips 66, Houston, Texas

8:45 MIDSTREAM MARKET UPDATE (0 hr)

- **Douglas A. Duke**, FTI Consulting, Houston, Texas
- **David B. Lerman**, FTI Consulting, Houston, Texas

9:15 MARINER EAST: NGL TRANSPORTATION CHALLENGES IN THE NORTH-EAST (.75 hr)

The uptick in energy infrastructure projects in the basin has seen a concurrent uptick in opposition by several key environmental groups. This session will look at the strategy and tactics employed by those opposition groups to infrastructure projects and the underlying ideology behind the opposition.

- **Curtis N. Stambaugh**, Assistant General Counsel, Sunoco Pipeline, An Energy Transfer Partnership, Harrisburg, Pennsylvania

10:00 BREAK

10:15 LITIGATION PERILS AND PITFALLS CONCERNING MIDSTREAM CONTRACTS (.75 hr)

This presentation will focus on litigation issues and concerns that arise from various contracts involving midstream assets, including construction contracts, and operating agreements.

- **Bradley L. DeLuca**, Johnson DeLuca Kurisky & Gould, PC, Houston, Texas
- **Chris Verducci**, Locke Lord LLP, Houston, Texas

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**11:00** SERVICE PROVIDER PRIORITIES IN MIDSTREAM CONTRACTS (.75 hr)

This session will cover drafting terms and conditions in service agreements from the midstream provider's perspective, including issues and examples for gathering, processing, and transportation of gas, liquids, and water.

— **James Johnston**, Vice President & Deputy General Counsel, Crestwood Equity Partners LP, Houston, Texas

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**11:45** HOSTED LUNCHEON

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**12:30** TRANSPORTING OIL AND GAS: U.S. INFRASTRUCTURE CHALLENGES IN THE 21ST CENTURY (.5 hr)

As the United States energy sector attempts to expand oil and gas transportation infrastructure to accommodate new energy production across the country, law, policy, and politics have created challenging hurdles in recent years. These include (1) calls for FERC to more fully evaluate upstream and downstream GHG emissions from new projects; (2) efforts by states to block projects through new laws limiting eminent domain authority for oil pipelines as well as relying on federal environmental laws such as the Clean Water Act to block natural gas infrastructure projects; and (3) new alliances between environmental groups and landowners opposing a range of fossil fuel infrastructure projects. This presentation will explore some of the laws, policies, and history that has led to these challenges and ways the industry might attempt to address them.

— **Alexandra Klass**, Distinguished McKnight University Professor, University of Minnesota Law School, Minneapolis, Minnesota

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**1:00** BREAK

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**1:15** EFFECTIVELY RESPONDING TO A SIGNIFICANT INCIDENT IN THE MIDSTREAM INDUSTRY (.75 hr)

Incidents happen. How you respond to them can make all the difference. This session will address crisis response, investigations, and liability management.

— **Alisa Chunephisal**, Norton Rose Fulbright US LLP, Washington, D.C.

— **Brett J. Young**, Norton Rose Fulbright US LLP, Houston, Texas

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**2:00** THE LATEST ON FERC'S INCOME TAX ALLOWANCE POLICY FOR MLPs (.75 hr)

FERC is grappling with its MLP Income Tax Allowance policy following the DC Circuit Court's 2016 remand. This session will provide an overview of the issues in the debate as well as insight into how FERC's policy may be changing.

— **Matthew P. O'Loughlin**, The Brattle Group, Boston, Massachusetts

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**2:45** BREAK

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**3:00** TEXAS MIDSTREAM REGULATORY UPDATE FOR LIQUIDS PIPELINES (.75 hr)

This presentation will focus on recent developments at the Railroad Commission of Texas (TRRC) pertaining to liquids pipelines, including jurisdictional issues, ratemaking matters, and TRRC decisions and proceedings.

— **Michelle T. Boudreaux**, Caldwell Boudreaux Lefler PLLC, Houston, Texas

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## 3:45 REFINED PRODUCT IMPORTS AND INFRASTRUCTURE DEVELOPMENT IN MEXICO (.75 hr)

While the PEMEX bidding process to award oil blocks and the awards to build natural gas pipelines in Mexico have received the most attention from foreign investors, some of the best opportunities arising out of Mexico's energy reforms are in storage, transportation, and distribution of fuels in Mexico. This session will discuss these opportunities and key legal and commercial issues to consider when developing a project.

— **William Parish**, Orrick, Herrington & Sutcliffe LLP, Houston, Texas

— **Gabriel Salinas**, General Counsel and Chief Compliance Officer, Avant Energy, Houston, Texas

## 4:30 THE ETHICAL RISKS OF REPRESENTING A JOINT VENTURE OR ITS INDIVIDUAL MEMBERS AND HOW TO AVOID THEM (1 hr ethics)

The interaction, sharing of information, and potential for disputes between a joint venture and its individual members creates numerous complicated ethical issues for in-house and outside counsel, including conflicts of interest, confidentiality, loyalty, disqualification, and duties to disclose. This session will address these issues and provide guidance to attorneys regarding the creation, operation, and dissolution of a joint venture.

— **Geoff Gannaway**, Beck Redden LLP, Houston, Texas

## 5:30 ADJOURN

## ABOUT THE INSTITUTE FOR ENERGY LAW (IEL)



Part of The Center for American and International Law, IEL provides superior educational and professional opportunities for lawyers and other professionals in the energy industry through educational courses, conferences, scholarly publications and membership activities. IEL presents several educational conferences and seminars each year, publishes papers, periodicals, and provides an important forum in which contemporary issues affecting the energy industries can be discussed.

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APR 13 - 14, 2018

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MAY 17, 2018

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HOUSTON, TX

MAY 18, 2018

# REGISTRATION

## 5th Midstream Oil & Gas Law Conference December 7, 2017

Norris Conference Center - Houston CityCentre  
Houston, Texas

Registration includes one day Conference, all meals and the course material provided online, which may be printed or saved by customer.

Check applicable box:	Received by 11/09/17	Received after 11/09/17
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972.244.3404 or 800.409.1090  
8:30am-5:00pm CT

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 9, 2017. E-mail cancellation notice to lgaspar@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 Hotel Sorella CityCentre (800 Sorella Court, Houston, TX 77024). Registrants should call 1.855.596.3397 and advise that they are attending the "Institute for Energy Law" to receive a reduced rate of \$169 + tax/night for a standard king room. The last day to obtain this special rate is November 17, 2017.

**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 a total of 6.75 hours, including 1 hour of ethics. Course ID Number: 928013362. Credit hours for other states will vary and are subject to each state's approval and credit rounding rules.

For this conference, IEL will directly apply (if requested) for course accreditation in the following states: CA, MN, NM, OH, OK, PA, TX and VA. Some of these states may not approve a program for credit hours before the program occurs. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. IEL conferences are typically accredited by all mandatory CLE states.



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**ENERGY LAW**

## 5TH MIDSTREAM OIL & GAS LAW CONFERENCE

Institute for Energy Law  
The Center for American and International Law  
5201 Democracy Drive  
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