

Mintz Levin Energy Technology

Energy Technology Connections Newsletter

Your Law Firm Link to Industry News

APRIL 2015

A Note from the Editors

Our April edition of *Energy Technology Connections* brings you recent industry highlights, the latest news from Capitol Hill, and a list of upcoming energy industry events. In our Leaders in the News section, we spotlight Noesis Energy Inc.'s recent run of success in securing financing. This month's Innovator Profile highlights WeSpire's efforts to engage consumers in sustainability. In Event Highlights, we take a look at a rapidly approaching Boston area event: The New England Women in Energy and the Environment Achievement Awards. Finally, our Washington Update provides the latest on Congressional budget negotiations and a detailed breakdown of President Obama's executive action on federal emissions.

For links to industry grant opportunities and stories from the business, policy, and research sectors of the energy and clean technology industry, please [see our Energy Navigator](#).

You can [subscribe to our Energy Tech Matters blog here](#).

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Leaders in the News

This month we're featuring our friends at [Noesis](#) whose unique [loan products and project valuation platform](#) are leading businesses to transformative and sustainable energy improvements. Noesis helps commercial building owners increase the value of their real estate by making informed investment decisions in energy-related equipment, such as LED lights, solar panels, and building controls. Utilizing in-house efficiency project financing expertise and proprietary project valuation technology, Noesis gives building owners crucial information to evaluate energy-related investments along with the third-party financing required for those investments. Noesis has helped local and national real estate owners as well as over 170 US commercial energy equipment and services companies evaluate proposals and financing for projects that reduce energy output and operating costs. The company estimates its project financing proposal pipeline will top \$1 billion this year. In February 2015, building on this recent success, Noesis [added another \\$25 million in lending capacity](#). In addition, on March 25, 2015, the company [reported raising \\$5 million in additional equity financing](#).



Thomas R. Burton, III



Sahir Surmeli

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Innovator Profile

This month's profile features [WeSpire, Inc.](#), the leading engagement platform company that provides sustainability and responsibility programs to global corporations. WeSpire, a Boston-based company, helps its forward-thinking global client companies reach their greatest potential by engaging in sustainability and responsibility initiatives through WeSpire's persuasive technology that builds awareness, drives behavioral change, and measures business results. WeSpire focuses on a wide variety of initiatives including energy, water, waste, transportation, food, volunteerism, and corporate citizenship projects.

At the helm is [founder and CEO Susan Hunt Stevens](#), a recognized expert in using social and game mechanics to drive positive behavior. A long-time digital media executive at large consumer sites, including the New York Times Company and Boston.com, Stevens sought to develop technology that would enable consumers to make informed, sustainable choices, similar to the way buildings use the LEED certification system. WeSpire enables individuals and entire organizations to drive measurable, positive impact with their exclusive configurable library of action-based programs that use applied behavioral science.

Today, WeSpire works with some of the most notable brands in the world, including Disney, eBay, EMC, and Sony, and the organization is continuing to expand and attract new investors with the help of Mintz Levin. Less than five years in, WeSpire has received numerous awards, including [Environmental Leader's 2014 Top Product of the Year](#) and one of [WIRED Insider's Boston's 5 Startups to Watch](#). Additionally, WeSpire has been featured in wide-reaching media outlets, including [Bloomberg](#), [MarketWatch](#), [Business Wire](#), and the [Boston Business Journal](#). Great work, WeSpire! We look forward to continuing to watch you grow.

Event Highlights

This month, we're highlighting the fifth annual [New England Women in Energy and the Environment \(NEWIEE\)](#) Achievement Awards Gala, set to take place on Thursday, April 16 at the Omni Parker House in Boston. The gala recognizes and celebrates the accomplishments of women leaders in the fields of energy and environment who have achieved professional excellence and actively paved the way to success for other women in similar or related professional areas. [Keynoting](#) the event is Dr. Cheryl Martin, former acting director of [Advanced Research Projects Agency – Energy](#). She'll be joined by this year's NEWIEE Leadership Award recipient Judith Nitsch of Nitsch Engineering and NEWIEE Achievement Award honorees Sara Burns of Central Maine Power, Heather Hunt of the New England States Committee of Electricity, and Nancy Seidman of the Massachusetts's Bureau of Air and Waste. Be sure to [register now](#) for a spot at this inspirational evening!

Washington Update

Throughout March, budget debates in both the House and Senate captivated Congress. In addition, President Obama issued a landmark executive order on carbon emissions that brought climate change to the fore in the capital.

The House approved its fiscal year 2016 budget resolution (H. Con. Res. 27) on March 25. House Appropriations Committee Chair Hal Rogers (R-KY) said on March 26 that the committee would begin work on April 13 on developing allocations for the 12 spending bills now that the House has passed the fiscal year 2016 budget resolution. The committee held more than 20 hearings on the budget in one week alone. The \$1.017 trillion discretionary spending total in the budget resolution allows for little spending growth, but Representative Rogers remains determined to get the spending bills out of the committee and passed on the House floor.

The Senate passed its fiscal 2016 budget resolution (S. Con. Res. 11) very early on the morning of March 27, largely along party lines. In a lengthy list of 791 amendments, the measure included several energy and

environment amendments, such as nonbinding language from Senate Majority Leader Mitch McConnell (R-KY) that calls for a ban on the withholding of highway funds from states that refuse to submit state implementation plans under the Environmental Protection Agency's Clean Power Plan, and an amendment from Senator Michael Bennet (D-CO) to address the economic, health, and national security threats posed by climate change. The measure also included amendments addressing carbon taxes, Clean Water Act jurisdiction, and land exchanges between states and the federal government. Other energy-related amendments that were left on the cutting floor include text from Senator Bill Nelson (D-FL) that would prohibit the muzzling of federal agencies and employees who use the terms "climate change" and "global warming" and language from Senator Bernie Sanders (I-VT) expressing a sense of the Senate that climate change is real and caused by human activities and that Congress needs to reduce greenhouse gas emissions.

The House and Senate budget resolutions must still be reconciled, and members of the chambers' budget committees expect to complete the process by April 15.

Apart from the budget, Senators from both parties have proposed various energy related bills. Senators John Thune (R-SD) and Joe Manchin (D-WV) introduced legislation (S. 751) on March 17 to block the Environmental Protection Agency from lowering the national ambient air quality standard for ozone until 85 percent of counties that currently do not meet the 2008 standard are in compliance. The Clean Air, Strong Economies Act would also require the agency to consider the costs and feasibility of meeting the standard. On the same day, Senators Rob Portman (R-OH) and Cory Gardner (R-CO) introduced legislation (S. 765) to determine the budgetary impacts of energy savings performance contracts and utility energy service contracts. Senators Martin Heinrich (D-NM) and Cory Gardner (R-CO) introduced legislation (S. 784) on March 18 to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, while Senator Bob Casey (D-PA) introduced legislation (S. 785) to amend the Safe Drinking Water Act to repeal a fracking exemption.

On March 11, Senators Jeanne Shaheen (D-NH) and Rob Portman (R-OH) reintroduced their energy efficiency legislation (S. 720). Meanwhile, Energy and Natural Resources Committee Chair Lisa Murkowski (R-AK) and Ranking Member Maria Cantwell (D-WA) will draft a comprehensive energy bill in the coming weeks; Murkowski said Shaheen and Portman's legislation could get incorporated into the broader bill. Murkowski and Cantwell are running ahead of schedule to produce their bipartisan energy measure.

On Thursday, March 19, President Obama issued an [executive order](#), "Planning for Federal Sustainability in the Next Decade." The order is designed to reduce the federal government's greenhouse gas emissions by 40 percent from 2008 levels by 2025, about 26 MMT, which is estimated to save \$18 billion in avoided energy costs. The order will also increase the amount of electricity the federal government obtains from renewable sources to 30 percent over that period.

The order directs the government to ensure that 25 percent of total electric and thermal energy consumption comes from clean energy sources by 2025; to reduce federal building energy use by 2.5 percent per year over the next 10 years; to reduce per-mile GHG emissions from federal vehicle fleets by 30 percent from 2014 levels by 2025 and increase the percentage of zero emission and plug-in hybrid vehicles in those fleets; and to reduce federal building water intensity by two percent per year through 2025. Currently, renewable energy accounts for about nine percent of federal electricity consumption.

The goals are consistent with President Obama's November commitment to reduce overall American emissions 26 to 28 percent below 2005 levels by 2025, but federal agency contribution to total domestic emissions is modest, representing less than one percent in 2013.

At the same time, the White House announced a series of agreements with federal suppliers to reduce their emissions; those federal suppliers account collectively for about \$45 billion in federal contract spending. During the announcement, Christy Goldfuss, new managing director of the White House Council on Environmental Quality, said that with a footprint that includes 360,000 buildings, 650,000 fleet vehicles, and \$445 billion spent annually on goods and services, the federal government's influence on private sector investment is substantial as well. The administration also [released a new scorecard](#) to track federal suppliers' voluntary efforts to reduce their emissions.

On March 12, the Department of Energy released its [Wind Vision: A New Era for Wind Power in the United States](#) report, elaborating on a draft circulated last year that considers the future of wind power through 2050 and the associated economic benefits. The report projects wind power as less expensive than electricity from natural gas within a decade, even without the production tax credit, due to cost reductions and technology improvements. Undersecretary for Science and Energy Lynn Orr said during the report's release that wind power could be the cheapest, cleanest power option across all states by 2050 with continued commitment to wind energy. The report concluded that increasing wind energy to 35 percent of domestic electricity supplies by 2050 would cause power prices to decline 2.2 percent and result in \$400 billion in emissions reduction benefits.

Current and former Energy Department officials, including Energy Secretary Ernest Moniz, have said recently that two carbon capture and sequestration projects are at risk having hundreds of millions of Recovery Act dollars revoked by the agency if they cannot meet spending deadlines that require funding to be committed by July 1 and spent by September 30. The agency suspended in February \$1 billion in Recovery Act funding for the premiere CCS FutureGen project. The Hydrogen Energy California project, which received over \$400 million federal funding, and the Texas Clean Energy Project, which received \$450 million, are both behind schedule and have yet to begin construction.

At the Department of Interior, the Bureau of Land Management issued on March 20 a final rule to govern the use of fracking on public and tribal lands. The rule includes requirements to protect groundwater supply through enhanced well-integrity testing; listing of fracking chemicals; increased water quality standards for recovered waste fluids; and more reporting on the geology, depth, and location of preexisting wells to reduce risks.

Energy Navigator

Please visit and bookmark our [Energy Navigator](#) to easily view all of the latest headlines from the most trusted publications reporting on developments in the energy and clean technology industries. It is housed on our blog, [Energy Technology Matters](#).

Upcoming Events

The Future of Energy Summit 2015, presented by Bloomberg New Energy Finance

April 13–15, 2015
New York, NY

[More Info »](#)

Advanced Renewable Energy Project Finance & Analysis

April 13–14, 2015
San Francisco, CA

[More Info »](#)

2015 Clean Energy Challenge

April 14, 2015
Chicago, IL

[More Info »](#)

Solar Summit 2015

April 14–16, 2015
Phoenix, AZ

22nd Annual New England Energy Conference and Exposition

May 12–13, 2015
Groton, CT

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2015 Energy Efficiency Global Forum

May 12–13, 2015
Washington, DC

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Distributed Solar East

May 12–14, 2015
Washington, DC

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Symposium on Water Innovation in Massachusetts

May 20, 2015
Boston, MA

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New England Women in Energy and the Environment (NEWIEE) Awards Gala

April 16, 2015
Boston, MA

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Impact Capitalism Summit 2015

April 21–22, 2015
Chicago, IL

[More Info »](#)

Greentown Labs' Energy Bar: Earth Day Edition

April 22, 2015
Boston, MA

[More Info »](#)

Financing Renewable Energy Conference

April 23–24, 2015
Las Vegas, NV

[More Info »](#)

Utility Solar Conference (SEPA)

April 27–29, 2015
San Diego, CA

[More Info »](#)

Grid Edge Live 2015

June 23–25, 2015
San Diego, CA

[More Info »](#)

REFF Wall Street

June 24–25, 2015
New York, NY

[More Info »](#)

Impact Capitalism Summit New England 2015

July 15–16, 2015
Nantucket, MA

[More Info »](#)

Pathway to 2050

August 20, 2015
Sacramento, CA

[More Info »](#)

Energy Storage North America

October 13–15, 2015
San Diego, CA

[More Info »](#)

Verge 2015

October 26–29, 2015
San Jose, CA

[More Info »](#)

Contributors/Contacts

Learn more about the Mintz Levin Energy Technology group [here](#).

Thomas R. Burton III

Member
Chair, Energy Technology
(Boston)
617.348.3097
TRBurton@mintz.com

Sahir Surmeli

Member
Co-chair, Energy Technology
(Boston)
617.348.3013
SSurmeli@mintz.com

Brady Berg

Member
Corporate & Securities (San
Francisco)
415.432.6003
BBerg@mintz.com

Evan M. Bienstock

Member
Corporate & Securities (New York)

Meryl J. Epstein

Member
Corporate & Securities (Boston)
617.348.1635
MEpstein@mintz.com

Gregory S. Fine

Member
Corporate & Securities (Boston)
617.348.3003
GSFine@mintz.com

Susan L. Foster, PhD

Member
Corporate & Securities (London)
+44.20.7776.7330
SFoster@mintz.com

Kristin A. Gerber

Associate
Corporate & Securities (Boston)
617.348.3043
KAGerber@mintz.com

David L. O'Connor

Senior Vice President for
Energy Technology
ML Strategies (Boston)
617.348.4418
DOConnor@mlstrategies.com

Jeffrey R. Porter

Member
Environmental (Boston)
617.348.1711
JPorter@mintz.com

Patrick Regan

Project Analyst (Boston)
617.239.8368
GPRegan@mintz.com

Jennifer Sacco Smith

Associate
Real Estate (Boston)
617.348.1678
JSaccoSmith@mintz.com

212.692.6869
EMBienstock@mintz.com

Jonathan T. Cain
Member
Government Law & Contracts
(Washington)
202.585.3508
JTCain@mintz.com

Anne Campbell
Associate
Intellectual Property (London)
+44.20.7776.7317
ACampbell@mintz.com

Kristen Chapman
Project Analyst (Boston)
617.348.4868
KAChampan@mintz.com

Ralph A. Child
Member
Environmental (Boston)
617.348.3021
RChild@mintz.com

Jordan M. Collins
Director of Government Relations
ML Strategies (Washington)
202.434.7462
JMCollins@mlstrategies.com

Hannah C. Coman
Associate
Corporate & Securities (Boston)
617.348.1703
HCComan@mintz.com

William "Mo" Cowan
Of Counsel
Litigation
Senior Vice President &
Chief Operating Officer
ML Strategies
(Boston)
617.348.1600
MCowan@mlstrategies.com

Julian Crump
Managing Partner, Member
Intellectual Property (London)
+44.20.7776.7302
JCrump@mintz.com

Daniel I. DeWolf
Member
Co-chair, Venture Capital &
Emerging Companies;
Corporate & Securities (New York)
212.692.6223
DDeWolf@mintz.com

Paul H. Dickerson
Of Counsel
Corporate & Securities (Washington)
202.460.9286
PHDickerson@mintz.com

Jeremy D. Glaser
Member
Corporate & Securities (San Diego)
858.314.1515
JDGlaser@mintz.com

Irwin M. Heller
Member
Corporate & Securities (Boston)
617.348.1654
IHeller@mintz.com

Kanasha S. Herbert
Associate
Corporate & Securities (Boston)
617.348.3015
KSHerbert@mintz.com

Jonathan L. Kravetz
Member
Chair, Securities;
Corporate & Securities (Boston)
617.348.1674
JLKravetz@mintz.com

Carl A. Kukkonen III
Member
Intellectual Property (San Diego)
858.314.1535
CAKukkonen@mintz.com

Cynthia J. Larose
Member
Corporate & Securities (Boston)
617.348.1732
CJLarose@mintz.com

David J. Leiter
President, ML Strategies,
Washington, DC
ML Strategies (Washington)
202.434.7346
DJLeiter@mlstrategies.com

R.J. Lyman
Member
Corporate & Securities, Project
Development & Finance
(Boston)
617.348.1789
RLyman@mintz.com

Audrey C. Louison
Member
Chair, Project Development &
Finance
(Washington)
202.434.7380
ALouison@mintz.com

Jeffrey A. Moerdler
Member
Real Estate, Communications,
Environmental (New York)
212.692.6700
JAMoerdler@mintz.com

Chuck A. Samuels
Member
Antitrust/Energy Efficiency
(Washington)
202.434.7311
CASamuels@mintz.com

Gabriel Schnitzler
Member
Real Estate (San Francisco)
415.432.6004
GSchnitzler@mintz.com

Donald W. Schroeder
Member
Employment, Labor & Benefits
(Boston)
617.348.3077
DSchroeder@mintz.com

Terri Shieh-Newton, PhD
Member
Energy Technology (San Francisco)
415.432.6084
TShieh-Newton@mintz.com

Stanley A. Twarog
Member
Corporate & Securities (Boston)
617.348.1749
STwarog@mintz.com

Paula J. Valencia-Galbraith
Associate
Corporate & Securities (Boston)
617.210.6854
PVGalbraith@mintz.com

Michael D. Van Loy, PhD
Member
Intellectual Property (San Diego)
858.314.1559
MDVanLoy@mintz.com

Katy E. Ward
Associate
Environmental (Boston)
617.348.1850
KEWard@mintz.com

William F. Weld
Member
Corporate & Securities
Principal
ML Strategies
(Boston, New York, Washington)
617.348.4412
BWeld@mintz.com

David Wraige
Associate
Intellectual Property (London)
+44.20.7776.7310
DWraige@mintz.com