

Mintz Levin Energy Technology

Energy Technology Connections Newsletter

Your Law Firm Link to Industry News

DECEMBER 2016

A Note from the Editors

Our December edition of *Energy Technology Connections* brings you recent industry highlights and features a list of upcoming energy industry events throughout the nation. In Leaders in the News, we profile our friends at [WindSail Capital Group](#), a leading provider of growth capital to companies advancing energy innovation and sustainability across a broad range of industries. Our Innovator Profile spotlights our friends at [New England Water Innovation Network \(NEWIN\)](#), a leading industry association that represents a network of aligned water-innovation professionals and businesses in New England. For [event highlights](#), we feature summaries of two events Mintz Levin was proud to help sponsor and participate in: NEWIN's 2016 Water Innovator and Innovation of the Year Awards Night & Gala, which happened on December 6, and Greentech Media's 2nd Annual U.S. Energy Storage Summit, which took place December 7-8. Finally, our [Washington Update](#) provides the latest on which energy-related bills were completed and which ones were tabled prior to end of the year, as well as leadership changes to energy and environment Congressional committees. This section also highlights the Water Infrastructure Improvements for the Nation (WIIN) Act, which was approved by Congress to address contaminated drinking water infrastructure in Flint, Michigan and other locales, coal combustion residuals, the California drought, and other issues.

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 read and [subscribe to our Energy Tech Matters blog here](#).

We would also like to remind our readers that you can always ask us anything at <http://mintzedge.com/ask-anything/>. We built the MintzEdge website as a resource for entrepreneurs and investors, and hope that all of you take advantage of the site and see how it can help you.

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Leaders in the News: WindSail Capital Group

This month we'd like to highlight our friends at [WindSail Capital Group](#), a leading provider of growth capital to companies advancing energy innovation and sustainability across a broad range of industries. **WindSail's** unique investment approach provides developing companies with flexible financing solutions that facilitate growth while minimizing dilution. **WindSail** is led by Ian Bowles, the former Secretary of Energy and Environmental Affairs in Massachusetts, and Michael Rand.



Thomas R. Burton, III



Sahir Surmeli

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WindSail has a deep understanding of the energy industry and its complex ecosystem, which drives its investment strategy. **WindSail** focuses its investments, which typically range from \$2 million to \$8 million, in U.S. companies advancing energy innovation and sustainability with little to no technology risk that are in the early commercial stage. This approach allows **WindSail** to focus on early-stage companies that are often overlooked by institutional investors. These companies are developing a wide variety of clean technologies, including energy-efficient building materials, wastewater treatment technologies, turbine innovations for power generators, energy saving and demand management solutions for utilities, and low-cost electric vehicles.

WindSail's portfolio companies include our clients Cambrian Innovation, a Boston-based wastewater treatment technology developer focused on the food and beverage industry; Flowcastings, a Trebur, Germany-based developer of complex, high-value turbine castings with applications in the global power generation and aviation industries; WeSpire, a Boston-based developer of enterprise employee engagement software focused on sustainability, corporate citizenship, volunteering and well-being; and XL Hybrids, a Boston-based developer and supplier of a low-cost hybrid electric vehicle platform to large commercial fleets.

WindSail is making important investments that are helping to spur clean energy development in the U.S. and enabling companies to scale up their capabilities to reach a larger consumer base. We look forward to seeing **WindSail** continue to help companies develop and market important innovations in the energy and sustainability spaces.

Innovator Profile: NEWIN

This month we feature our friends at [New England Water Innovation Network \(NEWIN\)](#), a leading industry association that represents a network of aligned water-innovation professionals and businesses in New England. Founded in 2011, **NEWIN** promotes innovation in the water industry through collaboration, best practice sharing, advocacy, and outreach. **NEWIN** not only helps innovative companies create solutions, but also guides them to successfully bring their technologies to market and address challenges such as recycling, reuse, and recovery of water resources, water information technology, nitrogen removal and coastal restoration, desalination, hydro and marine power, and water infrastructure.

With nearly 300 companies and over 300 academic institutions already part of the **NEWIN** community, **NEWIN** provides a common voice for the New England Water industry through its collaborative platform. To further expand its mission, this year **NEWIN** launched **NEWIN Institute**, a virtual incubator that will provide training, education and water-tech business and innovation services to the community.

On December 6, **NEWIN** hosted its annual Water Innovation Award Night to celebrate achievements made in the water industry this year. While the event underscored the broad success of the water-innovation economy, three companies were recognized for their outstanding innovations and commitment to furthering the work of **NEWIN** and the water industry as a whole. This year's award winners were as follows:

- The **NEWIN 2016 Innovation of the Year Award** acknowledges a company's commercial, market-entry success. Candidates for this award were selected based upon the rate of their commercial progress during 2016 and their demonstration of delivering market-ready solutions to customers in their market. The winner of the Innovation of the Year Award is **Oasys Water**.
- The **NEWIN 2016 Innovator of the Year Award** recognizes an individual's success in developing deep knowledge of both the market and his or her company technology, including the complete value chain, and all the drivers and motivators involved in the purchase decision process in its target market. The winner of the Innovator of the Year Award is **Josh Adler, Founder of Sourcewater, Inc.**
- The **NEWIN 2016 Sustaining Member of the Year Award** recognizes the outstanding efforts and commitment of a specific NEWIN member to support the success of the organization and the work NEWIN does in the water community. The winner of the Sustaining Member of the Year Award is **BW Research**.

We would like to congratulate the winners of the 2016 **NEWIN** Water Innovation Awards, and thank **NEWIN** for an outstanding event! Our team is proud to be fully engaged in the New England water community and thrilled to be working with leading innovators across the industry. We are excited to watch **NEWIN** continue to grow and accelerate innovation—keep up the great work!

Event Highlights

New England Water Innovation Network (NEWIN) 2016 Water Innovator and Innovation of the Year Awards Night & Gala

We at Mintz Levin were excited to join NEWIN on December 6 for this year's Water Innovation Awards Night and Gala, celebrating the success of the New England Water community. Our own Hannah Coman presented the awards to the winners in each category for their innovative solutions, market success, and dedication to furthering NEWIN's mission of spurring innovation in the water industry.

Greentech Media's (GTM) 2nd Annual U.S. Energy Storage Summit

We at Mintz Levin were thrilled to participate in and sponsor this second annual summit that took place December 7-8 in San Francisco, CA. It brought together utilities, financiers, regulators, technology innovators, and other industry leaders for two full days of data-intensive presentations, analyst-led panel sessions with industry leaders, and lots of great networking. With many of our clients focused on storage, including flow batteries, aqueous batteries, new lithium ion technologies, advances in capacitor technologies, deployment of larger scale storage in Southern California, international partnerships and a host of other areas, we appreciate the opportunity to work with the many great teams helping grow this industry globally. We were excited to have our own **Tom Burton** and **Sahir Surmeli** attend this innovative event. Sa also spoke at the summit, reflecting on the rapidly growing US energy storage market, with 900% growth in deployments expected within five years.

Washington Update

Congress

As 2016 draws to a close, Congress has wrapped up all remaining legislative matters, but a stripped down bipartisan energy bill was not among the bills finalized. Conferees worked over the past several weeks to address differences between the House- and Senate-passed energy bills, and the last version of the conference report was a stripped down bill that more resembled a natural resources package than energy legislation. However, in the end their efforts were not successful, and Speaker Paul Ryan (R-WI) announced that the energy bill was dead for the year. What this means for 2017 is unclear, but with Republicans in control of both chambers of Congress and the presidency starting in January, any energy bill signed into law by President-elect Donald Trump will surely be very different than what would have been enacted this year.

One significant bill that was completed before Congress left for the holidays was the Water Resources Development Act – now renamed the Water Infrastructure Improvements for the Nation (WIIN) Act, which included language to address contaminated drinking water infrastructure in Flint, Michigan and other locales, language regarding coal combustion residuals, the California drought, and other issues.

On December 9, Congress finalized a Continuing Resolution (CR) to fund the federal government through April 28, 2017. Since the start of the current fiscal year on October 1, the government had operated under a short-term CR that was set to expire on December 9. The funding bill was signed by President Obama the next day. In December 2015, an omnibus appropriations bill extended tax credits for wind and solar projects, but failed to extend provisions for small wind, fuel cells, geothermal heat pumps, hybrid solar lighting, microturbines, and combined heat and power systems that expire at the end of this year. There had been a bipartisan commitment to extend the tax provisions for those technologies in 2016, along with a promise to do so by Senate Majority

Leader Mitch McConnell (R-KY), with an earlier effort to attach them to the Federal Aviation Administration (FAA) reauthorization bill proving unsuccessful. Despite the efforts of many in and out of Congress, the new CR did not include tax extenders language for these technologies.

Rep. Greg Walden (R-OR) has been selected by the GOP caucus to serve as chairman of the House Energy and Commerce Committee, beating out Reps. John Shimkus (R-IL) and Joe Barton (R-TX). The current chairman, Rep. Fred Upton (R-MI), is term-limited out of the chairmanship. Rep. Walden previously owned Oregon radio stations and he is a former chairman of the Energy and Commerce Subcommittee on Communications and Technology. Given Rep. Walden's focus on the telecommunications and technology side of the committee, and his lack of experience with energy policy, the chairmanship of the Energy and Commerce Subcommittee on Energy and Power could take on even greater importance in the next Congress, but a chair has not yet been named.

Trump Transition

President-elect Trump has named Oklahoma Attorney General Scott Pruitt as his choice to head the Environmental Protection Agency (EPA). Attorney General Pruitt is a climate skeptic and is part of a coalition of state attorneys general that has sued the EPA over the Clean Power Plan, as well as numerous other rules, including methane regulations and the Clean Water Act.

The president-elect has named former Texas governor Rick Perry as his choice to lead the Department of Energy (DOE). Governor Perry identified DOE as an agency he would like to see abolished during his bid for the Republican presidential nomination for the 2012 election. As governor, Mr. Perry was a strong proponent of developing his state's oil and gas resources, but was also a strong supporter of clean energy, particularly wind.

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

NECEC's Emerging Trends Series: Utility of the Future

January 19, 2017
Boston, MA
[More Info »](#)

Cleantech Forum San Francisco

January 23-25, 2017
San Francisco, CA
[More Info »](#)

PV Conference & Expo – Boston

February 13-14, 2017
Boston, MA
[More Info »](#)

Next Generation Energy Storage

February 14-16, 2017
San Francisco, CA
[More Info »](#)

Microgrid & DER Controller Symposium

February 16, 2017
Cambridge, MA
[More Info »](#)

California's Distributed Energy Future 2017

March 8–9, 2017
San Francisco, CA
[More Info »](#)

GlobalCon

March 22–23, 2017
Philadelphia, PA
[More Info »](#)

Utility Solar Conference

April 24–26, 2017
Tucson, AZ
[More Info »](#)

California Solar Power Expo

May 1–2, 2017
San Diego, CA
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Solar Power Southeast

May 11–12, 2017
Atlanta, GA
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Investments in Energy Technology Sector

February 22, 2017

New York, NY

[More Info »](#)

Next Generation Energy Storage

February 14–16, 2017

San Francisco, CA

[More Info »](#)

EnergySMART Conference

February 22–24, 2017

Orlando, FL

[More Info »](#)

BERC Energy Summit 2017

February 23-24, 2017

Berkeley, CA

[More Info »](#)

Solar Summit 2017

May 16–18, 2017

Scottsdale, AZ

[More Info »](#)

West Coast Energy Management Congress

June 7–8, 2017

Long Beach, CA

[More Info »](#)

Grid Edge World Forum

June 27–29, 2017

San Jose, CA

[More Info »](#)

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