



**EBC Energy and Climate Change Program
New MassDEP Regulations to Reduce Carbon Emissions**

Friday, February 3, 2017

Brown Rudnick LLP | Boston

AGENDA

- 8:00 a.m. Welcome:** John Wadsworth, Program Chair and Moderator
Chair, EBC Energy Resources Committee
Partner, Brown Rudnick LLP
- 8:10 a.m. Review of New Mass DEP Regulations to Reduce Carbon Emissions**
- Christine Kirby, Acting Assistant Commissioner, Bureau of Air and Waste Massachusetts Department of Environmental Protection
 - William Space, Senior Technical Advisor for Climate Programs Massachusetts Department of Environmental Protection
- 9:00 a.m. Comments and Critiques**
- David Ismay, Staff Attorney, Conservation Law Foundation
 - Cynthia Arcate, President and Chief Executive Officer, PowerOptions
 - Dan Dolan, President, New England Power Generators Association
 - Scott Silverstein, President & COO, Footprint Power
- 9:30 a.m. Panel Discussion**
- Moderator:** Ron Gerwatowski
- Panelists**
- David Ismay, Conservation Law Foundation
 - Cynthia Arcate, PowerOptions
 - Dan Dolan, New England Power Generators Association
 - Scott Silverstein, Footprint Power
- 10:15 a.m. Closing Remarks – John Wadsworth**

PROGRAM CHAIR

John Wadsworth, Partner
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John Wadsworth's practice combines environmental and energy experience. He represents developers and financiers of projects in permitting, regulatory and environmental risk allocation issues and represents energy companies in connection with acquisitions, permitting, regulatory approvals, and development work. John has extensive experience in hazardous waste remediation projects; renewable energy projects, including solar projects in Connecticut and Massachusetts; and large scale development projects.

The range of environmental issues that John has dealt with is nearly comprehensive: Endangered Species Act compliance; solid waste facilities siting and permitting; Board of Health siting hearings; carbon trading and RGGI; wetlands permitting; air compliance issues; Brownfields Redevelopment and tax credit creation; zoning; renewable energy certificates including SRECs and ZRECs; Chapter 91 tideland licensing; Chapter 21E issues including filings of RAOs, AULs, responding to DEP audits, and dealing with PCB issues under Federal law; all aspects of the Massachusetts Environmental Policy Act (MEPA); environmental insurance; and general review of environmental reports in connection with corporate and real estate transactions.

John is on the Board of Directors of the Environmental Business Council and is Vice Chair of the Renewable Energy Committee. He has conducted several seminars on solar initiatives in Massachusetts and Connecticut, dealing with SRECs and ZRECs/LRECs respectively. He is also an Associate Member of the Planning Board for the Town of Natick.

SPEAKERS

Cynthia (Cindy) A. Arcate, President and Chief Executive Officer
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A respected energy expert with more than 25 years of experience in government and the private sector, Cynthia A. Arcate has an extensive background in utility regulation and operations as well energy policy.

Arcate began her leadership at PowerOptions in 2009, as President and CEO of the premiere energy-buying consortium of nonprofits and government entities in Massachusetts. She articulates the strategic vision of PowerOptions and manages a highly-skilled staff who implement its annual \$160-200 million electricity and natural gas programs. Arcate also acts as a hands-on advocate for its more than 500 members in many state and regional forums, including serving as a Vice-Chair of the New England Power Pool (NEPOOL) representing the End-Use sector in 2011.

Arcate's extensive government and regulatory experience began as a staff attorney at the Federal Energy and Regulatory Commission (FERC). After 15 years in the private sector at National Grid, she returned to government as Deputy Commissioner for Programs at the Massachusetts Division of Energy Resources (DOER), where she had the overall responsibility for many programs of the agency, including its oversight and coordination of the state's electric and gas energy efficiency programs, administration of the renewable energy portfolio standard and the development of policies on energy issues.

At New England Electric System, now National Grid, she held a variety of legal and senior management positions. Most recently before taking the helm at PowerOptions, Arcate was director of business development in New York and New England for Comverge, Inc., a clean energy provider that specializes in demand response and energy efficiency.

Arcate earned her law degree from New York Law School and a Bachelor of Arts from St. Lawrence University.

Dan Dolan, President

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Dan Dolan has served as President of the New England Power Generators Association (NEPGA) since the fall of 2011. NEPGA is the trade association representing 80% of the installed generation capacity in New England, approximately 25,000 megawatts. As President he is the principal spokesperson and oversees all activities for the largest trade association representing competitive electric generating companies in New England. Dolan leads a staff that represents the membership on electricity market rules development and expansion of wholesale electric competition and is a frequent speaker at legislative and regulatory hearings as well at industry conferences.

Dolan had previously worked at the Electric Power Supply Association (EPSA), the national trade association representing competitive power suppliers, including generators and marketers. He departed as Vice President of Policy Research & Communications where he was responsible for coordinating research, reports, studies and analysis as well as directing communications and state advocacy for the organization. Dolan also oversaw the development of energy trading policy including spearheading EPSA's activities in the development and implementation of the Dodd-Frank Wall St. Reform Act.

Dolan holds a bachelor's degree in business management with a concentration in international business from Goucher College. He remains active in Goucher College's Alumni Association and is a past Chairman of My Sister's Place, the oldest shelter and advocacy group for victims of domestic violence and their children in Washington, DC. Born and raised in Massachusetts, he lives there now with his wife and two daughters.

David Ismay, Staff Attorney

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David Ismay is a Clean Energy and Climate Change Staff Attorney for CLF Massachusetts. Before joining CLF, David was a senior associate at Farella Braun + Martel LLP in San Francisco, where he practiced infrastructure, renewable energy and land-use law. He has substantial experience in drafting, negotiating and litigating commercial contracts for public and private entities with focus on major capital construction of buildings, infrastructure, and renewable/alternative energy power plants, as well as prosecuting and defending local land use approvals and related environmental review.

David holds a B.S. in History with Honors from the United States Naval Academy, an M.A. in Philosophy, Politics and Economics from Oxford University (Queen's College), and a J.D. from Berkeley Law School (Boalt Hall). After law school, he served as a law clerk to the Hon. James R. Browning, Senior Judge, United States Court of Appeals for the Ninth Circuit. David is admitted to practice in Massachusetts and California, the United States District Court for the Northern District of California, and before the United States Court of Appeals for the Second and Ninth Circuits.

Environmental Business Council of New England, Inc.

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Christine Kirby, Acting Assistant Commissioner, Bureau of Air and Waste
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Christine Kirby is the Acting Assistant Commissioner of the Bureau of Air and Waste (BAW) responsible for development and implementation of Air Pollution and Climate programs, Solid, Hazardous Waste, and Recycling programs, the Toxics Use Reduction programs, and the Underground Storage Tank Program. Prior to serving as the Acting Assistant Commissioner, Christine managed BAW's Division of Air and Climate Programs responsible for managing air quality and climate mitigation programs. Christine serves on several regional organizations including the Northeast States for Coordinated Air Use Management, the Ozone Transport Commission, and the Transportation Climate Initiative. Christine has been with MassDEP since 1985 and is a graduate of Clark University and the Commonwealth Management Certificate Program.

Scott G. Silverstein, President & COO
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Scott Silverstein has over 20 years of experience in energy regulation, M&A and finance in the legal, corporate and private equity sectors. Prior to founding Footprint Power in 2009, Mr. Silverstein was Senior Vice President, Regulatory Affairs at both K Road Power and EBG Holdings, where he directed all aspects of the regulatory affairs related to the companies' 3,000 MW portfolio of natural gas and oil fired power plants in and around the city of Boston. Mr. Silverstein also conducted due diligence on a number of fossil fuel fired facilities and was a part of the senior management team that successfully merged EBG Holdings into US Power Generating Company in 2007. Prior to joining K Road, Mr. Silverstein was Vice President, Chief Regulatory and Asset Optimization Counsel at Sithe Energies. Mr. Silverstein joined Sithe from the law firm of Hogan & Hartson LLP, where he was an Associate in the energy practice of the firm's Washington, D.C. office. Mr. Silverstein holds a B.A. magna cum laude from Boston University and a J.D. cum laude from the Georgetown University Law Center. Mr. Silverstein was elected to the Board of Education of Springfield, NJ in 2010 and is currently serving his third consecutive term. He was elected by his colleagues to serve as the Board's Vice President in 2014 and 2017 and President in 2015.

William Space, Senior Technical Advisor for Climate Programs
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Will Space is Senior Technical Advisor for Climate Programs at the Massachusetts Department of Environmental Protection (MassDEP). In addition to his work as technical lead on proposed electricity sector regulations, Will's responsibilities include managing MassDEP's GHG reporting program for facilities, representing Massachusetts on multi-state teams that are implementing the Regional Greenhouse Gas Initiative, and collaborating with staff from other state agencies on planning under the Global Warming Solutions Act. Prior to working at MassDEP, Will taught physics and chaired the science department at North Smithfield High School in Rhode Island. He holds a master's degree in Environmental Studies from Brown and a bachelor's degree in Physical Sciences from Harvard.