



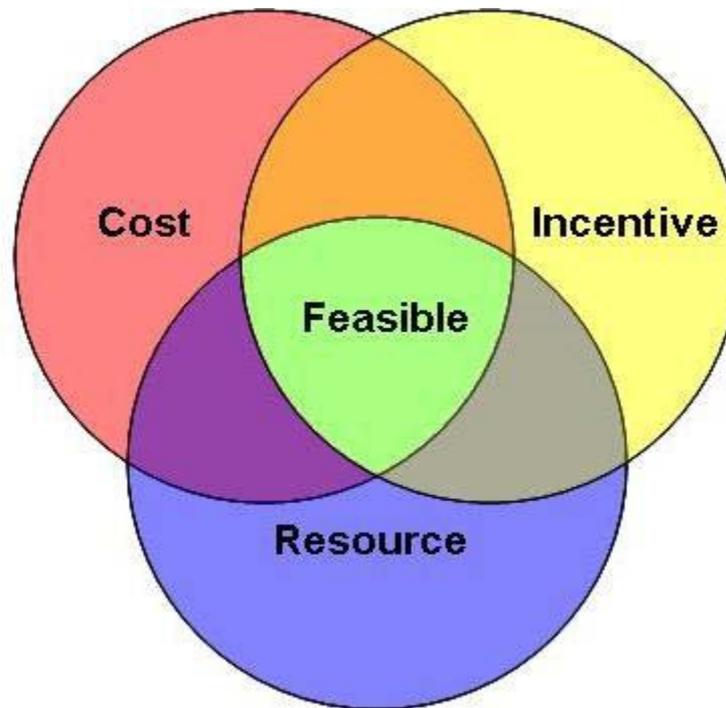
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# Legal Issues in Renewable Energy Project Development

# Factors Contributing to Potential Renewable Energy Projects



# Renewable Energy Project Execution Methods

- Government Funded
- Third Party Financed (ESPC/UESC)
- Renewable Energy Power Purchase Agreement (REPP)
- Interagency Agreements
- Enhanced use lease (EUL)



# Challenges for On-Site Renewable Projects

- **40 USC 591**
  - Requires Federal entities to conform to state utility regulations
  - 1<sup>st</sup> step is to attempt to negotiate agreement with local provider
- **Utility contracts term**
  - Current options are 10 year or indefinite term
- **Environmental Requirements**
  - NEPA requirements must be completed prior to project start
  - Funding of environmental studies
  - Timeline to complete environmental requirements must be matched to financing timeline
- **Environmental Impacts**
  - Need balance between impacts and renewable energy benefits

# Challenges for On-Site Renewable Projects

- **Renewable Energy Credit Sales**
  - DoE policy – no allowance toward goal if RECs are sold
  - Lack of statutory authority for AF to sell RECs
- **Value of Energy Security**
  - What is value of energy security?
  - How do we analyze value in economic models?
  - Establishing economic value may increase project viability
- **Lack of Transmission Service**
  - Wheeling from remote sites not usually available
- **Use of BLM withdrawn land**
  - Additional permitting/consultation may be required
- **Environmental Impacts**
  - Need balance between impacts and renewable energy benefits