



2024 MODEL CONTRACTS WORKSHOP *Austin*



WORKSHOP PROGRAM September 16-19, 2024 | Austin, TX

MONDAY, SEPTEMBER 16

5:30 - 6:30 PM **Early Registration**

6:30 - 7:30 PM **Welcome Reception**

TUESDAY, SEPTEMBER 17

8:00 AM - 8:45 AM **Registration & Morning Refreshments**

8:45 AM - 9:00 AM **Welcome & Introduction**
Co-Chairs

9:00 AM - 9:30 AM **Opening Keynote Address**
Professor Brian Korgel (*University of Texas*)

9:30 AM - 10:30 AM **Session 1: The Continuing Role of Model Contracts in an Evolving Energy Landscape**
Chris Strong (Vinson & Elkins) and **Kelly Ripley** (Shell) will provide an overview of proposed updates and new models and will discuss the types of contracts that are populating the new energy space and the challenges they represent for the AIEN Model Contracts Committee in terms of the modification of existing models and the creation of new ones. They will also seek audience feedback on how the model contracts can best serve the needs of AIEN members engaged in contract drafting and negotiations.

10:30 AM - 11:00 AM **Morning Coffee Break**

11:00 AM – 11:30 AM **Session 2: AIEN & New Energies - Transition Taskforce Overview**
Gabrielle Finger (*Storegga*), AIEN's VP of New Energies, will provide an overview of the three taskforces (CCUS, ESG, and Hydrogen) created in the context of AIEN's energy transition agenda.

11:30 AM - 12:00 PM **Session 3: The New Model Host Government Agreement Drafting Committee Announcement**
The newly appointed co-chairs of the HGA drafting committee (August 2024), **Norman Nadorff** (Mayer Brown LLP), **Andrew Derman** (Holland & Knight LLP) and **Ricardo Silva** (Miranda Law Firm), will briefly describe the host government agreements (HGA) drafting committee and then engage the audience in a discussion of the goals in creating an AIEN Model HGA for efficient and effective government-investor negotiations for both traditional and transitional energy projects.

12:00 PM - 1:30 PM **Luncheon**

1:30 PM – 2:30 PM **Section 4: Gas Sales Agreement - Revision of 2006 Model Contract**
Brian Bradshaw (*Sidley Austin LLP*) will discuss the revision of the Gas Sales Agreement.

2:30 PM - 3:30 PM **Session 5: Preview of the new AIEN LNG Sale & Purchase Agreement**
James English (*Bryan Cave Leighton Paisner LLP*) will preview the new LNG Sale & Purchase Agreement that will be released later this year.

3:30 PM - 4:00 PM **Afternoon Coffee Break**

4:00 PM - 5:00 PM **Session 6: The US and the World**

Alan Alexander (*Vinson & Elkins*) and **Markus Klingbeil** (*Shell*) will discuss the evolving position of the US in the energy markets in the context of global politics and economics. The panel will discuss, among other things, energy production trends, the role of OPEC and the effects of political instability in the global energy landscape.

WEDNESDAY, SEPTEMBER 18

8:00 AM - 9:00 AM **Registration & Morning Refreshments**

9:00 AM – 10:30 AM **Session 7: Liability regimes in the new energy space**

Lauren Woodward (*Shell*) and **AJ Davitt** (*Chevron*) will discuss the shift in liability regimes from the traditional hydrocarbon framework to more commonly used liability regimes in the context of new energy projects. The panel will discuss specifically the reluctance from service providers to the use of Knock-for-Knock type clauses, cross-indemnities, overall limitation of liabilities and change in law provisions.

10:30 AM - 11:00 AM **Morning Coffee Break**

11:00 AM - 1:00 PM **Session 8: Focus on Hydrogen – Hydrogen Sale and Purchase Agreement & Hydrogen Project Joint Development and Operating Agreement**

Drake Hernandez (*Charles River Associates*), **Zoe Bromage** (*King & Spalding Singapore*), and **Ben Stafford** (*Orrick Herrington & Sutcliffe*) will discuss the two recently launched drafting committees to develop these Agreements and the impact they may have in the industry.

1:00 PM- 2:30 PM **Luncheon**

2:30 PM – 3:30 PM **Session 9: Similarities and Differences in the Energy Development and Transition in Asia, Africa and Latin America: The Role of Model Contracts**

Alexandra Groves (*Chevron Australia*) and panel will discuss how model contracts could be adapted to help facilitate energy development projects in Asia, Africa and Latin America and the role they can play in the continent’s dynamic embrace of energy transition and the wide spectrum of contracts it entails.

3:30 PM - 4:00 PM **Afternoon Coffee Break**

4:00 PM - 5:30 PM **Session 10: 2023: From Traditional to Transitional: Negotiating the New AIEN Model JOA**

The 2023 AIEN Model JOA has introduced several new clauses reflecting an energy industry in transition. This mock negotiation, presented by **Norman Nadorff** (*Mayer Brown*) and **Joao Oliveira** (*bp*) will feature some of these clauses, including Carbon Capture and ESG as well as traditional battleground clauses. Coaches **Eduardo G Pereira** (*International Energy Attorney*) and **Maria Beatriz** (*DLA Piper*) will lead teams comprised of law students and young professionals.

THURSDAY, SEPTEMBER 19

8:00 AM - 9:00 AM **Registration & Morning Refreshments**

9:00 AM - 10:20 AM **Session 11: Financing energy projects: From Self-Funding to Project Financing**

Bruno Azevedo (*Abreu*) will moderate a panel with **Ron Erlichman** (*Linklaters*), **Cody Evans** (*Macquarie Capital*) and **Joana Gonçalves** (*Norton Rose*) on how energy projects get funded and go over concepts like Bankability, Contracts for Difference, Power Purchase Agreements, and the specificities of Project Financing. The panel will also discuss the potential need for new Model Contracts to be developed.

10:20 AM - 10:50 AM **Morning Coffee Break**

10:50 AM - 12:15 PM **Session 12: New Frontiers: How Developing Economies are Tackling the Energy Trilemma**

Luis Miranda (*Miranda Alliance*), **Neeraj Menon** (*Trilegal*) & **Francisco Simao** (*Azule Energy*) will discuss how to balance Energy Security, Sustainability and Affordability in the context of developing economies. The panel will discuss specific cases and provide insights into lessons learned as well as how our model contracts can help tackle the Trilemma.

12:15 PM - 12:45 PM **Wrap up and Final Comments**
Co-Chairs