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A conference presented by the IBA Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL) and the Project Finance Subcommittee of the IBA Banking Law Committee, and supported by the IBA North American Regional Forum

*** UP TO 10.5 CPD
HOURS AVAILABLE**

7th Biennial Project Finance Conference

**23–24 April 2009
Park Hyatt Washington
Washington DC, United States**

Topics include:

- Best practices in infrastructure projects
- How PPP can help to rebuild the US transportation infrastructure
- Financing renewable energy projects
- The infrastructure funds perspective
- When the project fails
- The effects of the credit crunch

Who should attend?

Project development and finance lawyers; transaction lawyers in energy, water, transportation, telecom and other infrastructure industries; developers and company executives; financial experts; government officials and regulators.

*As per the Solicitors Regulation Authority of England and Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria.

US CLE

Accreditation has been approved by the New York State Bar and the State Bar of California.

Accreditation from the State Bar of Texas is currently pending.

Programme

Conference Co-Chairs

Jaap H W Koster *Clifford Chance LLP, Amsterdam; Chair, IBA Project Finance Subcommittee*

Arent van Wassemaer *Allen & Overy LLP, Amsterdam; Secretary, IBA Section on Energy, Environment, Natural Resources and Infrastructure Law*

Robert L Nelson Jr *Winston Strawn LLP, San Francisco; Vice-Chair, IBA Project Finance Subcommittee*

Host Committee

Brian Christaldi *Associate, General Counsel, Structure Finance, OPIC, Washington DC*

Timothy E Powers *Haynes and Boone LLP, Dallas, Texas*

Rachel F Robbins *Vice-President and General Counsel, International Finance Corporation, Washington DC*

Thursday 23 April

0900 – 0915 **Opening remarks**

Jaap H W Koster *Conference Co-Chair*

0915 – 1030

Best practices in infrastructure projects

The need for infrastructure development is growing globally, and economies hit by the credit crunch will benefit from government investment plans. Developing economies need increased investments in infrastructure to sustain and enhance their economic growth. This panel will focus on best practice development in Europe, South America, Africa and Asia.

Session Chair

Doug Jones *Clayton Utz, Sydney; Co-Chair, IBA International Construction Projects Committee*

1030 – 1100 **Coffee/tea break**

1100 – 1230

Will PPP be a significant part of President Obama's efforts to rebuild US transportation infrastructure?

The Obama administration has announced a multi-billion-dollar investment plan in infrastructure development. Public Private Partnership has been a successful mechanism for infrastructure development across the globe, but so far it has not been an important instrument in the US. The panel will look at the opportunities PPP can offer to make the Obama plans a success.

Session Chair

Richard M Farmer *Fulbright & Jaworski LLP, New York*

1230 – 1400 **Lunch**

Keynote speaker

John Schmidt *Mayer Brown, Chicago, Illinois*

1400 – 1530

Financing renewable energy projects

Investments in renewable energy are expanding rapidly, the size of renewable energy projects has increased, and the technical risks are getting more manageable. The demand for project finance is, therefore, rapidly growing. The session will focus on the techniques for successfully structuring a renewable energy project.

Session Chair

Paul Dickerson *Haynes and Boone LLP, Houston, Texas*

1530 – 1545 **Coffee/tea break**

1545 – 1700

Project set-up: engaging the private sector

This session will explore project preparation; elaboration of the various procurement models available; procurement models currently used for the procurement of PPP projects in the United States; how to get the best qualified bidders using competitive bidding: a look at cross-jurisdictional and regional examples and solicited versus unsolicited proposals.

Session Chair

Jaya Sharma *4N Consultants Inc, Madison, Wisconsin; Co-Chair, IBA International Construction Projects Committee*

1800 – 2000 **Reception at International Finance Corporation**

Room F-L-101

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Allen & Overy LLP

Clifford Chance LLP

Haynes and Boone LLP

Fulbright & Jaworski LLP

Winston Strawn LLP

Cocktail reception sponsors

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& Jaworski L.L.P.**

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Setting precedent.

**WINSTON
& STRAWN
LLP**

Friday 24 April

0900 – 0915 **Opening remarks**

Arent van Wassenauer *Conference Co-Chair*

0915 – 1030

The infrastructure funds perspective

Infrastructure funds have been very successful in the last decade. Recently, however, many of them have shown themselves to be vulnerable to the credit crunch. This panel of experts will look at the following questions: What will be the future for investments in this asset class? What changes need to be made to fund structures?

Session Chair

Greg Hummel *Bell Boyd & Lloyd, Chicago, Illinois*

1030 – 1100 **Coffee/tea break**

1100 – 1230

When the project fails

This session will use the example of the restructured Dabhol Power Plant project to provide valuable insight into the techniques for saving a project in distress and the pitfalls to be avoided, including experiences with multi-jurisdiction disputes and practical application of direct agreements.

Session Chair

Robert L Nelson Jr *Conference Co-Chair*

1230 – 1400 **Lunch**

Keynote speaker

Jim Woolsey *Washington DC (invited)*

1400 – 1700

The effects of the credit crunch: a regional perspective and the financiers' perspective

The credit crunch has had a major impact on the traditional structuring of projects. The restraints in the lending market are reflected in project documentation, financing techniques, available sources of funding and the role of public finance and multilateral institutions. The first part of this session will focus on regional experiences. In the second part, representatives of major financial parties, sponsors and project advisors will share their views on the post-credit crunch project finance market.

Session Co-Chairs

Arent van Wassenauer

Jaap H W Koster

1530 – 1545 **Coffee/tea break**

Confirmed conference speakers include:

Lawrence Fubara Anga *AELEX, Lagos*

Brigette Baillie *Webber Wentzel, Johannesburg*

Patricia Baquero *The World Bank, Washington DC*

Pieter H F Bekker *Crowell & Moring, New York*

Mark Birnage *Pels Rijcken & Droogleeveer Fortjin, The Hague*

Ravi Bishnoi *Fox Mandal Little, India*

Jerry Bloom *Winston Strawn LLP, Los Angeles*

Julio Cesar Bueno *Pinheiro Neto, São Paulo*

Brian Chase *Washington DC*

Brian Christaldi *Associate General Counsel for Finance, Overseas Private Investment Corporation, Washington DC*

Arthur Cohen *Haynes and Boone LLP, Washington DC*

John A Flaherty *Principal, The Carlyle Group, Washington DC*

Roberto A Fortunati *Fortunati & Asociados, Buenos Aires*

Herbert Glaser *Haynes and Boone LLP, Washington DC*

Kenneth Hansen *Chadbourne & Parke, Washington DC*

Maria Klutey *Head, Non-Wind Renewables, General Electric, Stamford, Connecticut*

A Michael Lapolla *Managing Director, Globalvia Infrastructures SA, New York*

Carol M Mates *Principal Counsel, Legal Department, International Finance Corporation, Washington DC*

Phiroze J Nagarvala *Managing Director, South Asian Real Estate Pte Ltd, New Delhi*

Andrew Petry *Addleshaw Goddard, London*

Philip E Russell *Assistant Executive Director, Innovative Project Development, Texas Department of Transportation, Austin, Texas*

Kevin Walsh *Head, Renewable Energy, General Electric, Stamford, Connecticut*

Paul Woods *CEO, Algenol Biofuels, Bonita Spring, Florida*

Geoffrey S Yarema *Nossaman LLP, Los Angeles;*

Commissioner, National Surface Transportation Infrastructure Financing Commission, Washington DC

A representative from The Blackstone Group, USA

Continuing Professional Development /Continuing Legal Education

For delegates from countries where CPD/CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD/CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This conference has been accredited for CPD/CLE by the Solicitors Regulation Authority of England and Wales. Delegates should ask staff at the registration desk for information as to how to obtain the hours.

US CLE

Accreditation has been approved by the New York State Bar and the State Bar of California.

Accreditation from the State Bar of Texas is currently pending.

An IBA Certificate of Attendance will be available for lawyers from self-reporting US states and other jurisdictions.

Information

Date

23–24 April 2009

Venue

Park Hyatt Washington
24th At M Street NW
Washington DC 20037
United States
Tel: +1 202 789 1234
Fax: +1 202 419 6694
www.parkhyattwashington.com

Language

All working sessions and conference materials will be in English.

How to register

Register online before Wednesday 15 April at www.int-bar.org/conferences/conf259 and make payment by credit card, to avail of the ten per cent online registration discount or complete the attached registration form and return it to Angela Chapman at the IBA together with your payment. You should receive e-mailed confirmation of your registration within five days; if you do not please contact Angela Chapman at angela.chapman@int-bar.org.

Fees

Online registrations received:

	on or before 27 March	after 27 March – Wednesday 15 April
IBA member	US\$995	US\$1130
Non-member*	US\$1195	US\$1330
Young lawyers (under 30 years)	US\$745	US\$1330
Academics/judges (full time)	US\$745	US\$1330
Corporate counsel	US\$895	US\$1330
Guest fee	US\$60	US\$60

After **Wednesday 15 April** registrations must be received in hard copy at the IBA office.

Hard copy registration forms and fees received:

	on or before 27 March	after 27 March
IBA member	US\$1105	US\$1255
Non-member*	US\$1330	US\$1480
Young lawyers (under 30 years)	US\$830	US\$1480
Academics/judges (full time)	US\$830	US\$1480
Corporate counsel	US\$995	US\$1480
Guest fee	US\$60	US\$60

*By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this conference is held, which entitles you to the following benefits:

- 1) Password access to certain parts of the IBA website.
- 2) Receipt of *IBA e-news* and access to online versions of *International Bar News*.
- 3) Pay the member rate for any subsequent conference registrations for this calendar year.
- 4) Take advantage of IBA Special Offers.

If you would like to become a full or general member of the IBA, which includes membership of one or more committees – and inclusion in and access to our Members' Directory – we encourage you to do so now in order to register for this conference at the member rate. Full details of how to join can be found at www.ibanet.org.

The IBA offers senior lawyers a discounted registration fee. Please contact the IBA office for further information.

Full payment must be received in order to process your registration.

Fees include:

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to the IBA before Thursday 9 April
- Access to the above conference working materials from the IBA website (www.ibanet.org) approximately seven days prior to the conference
- Lunch on Thursday 23 and Friday 24 April
- Tea and coffee during breaks
- Invitation to hosted reception on Thursday 23 April

Please note that registrations are not transferable.

Guest fees include:

- Invitation to hosted reception on Thursday 23 April

Guests are not entitled to attend the working sessions. No member of the legal profession may be registered as a guest.

List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by **Wednesday 15 April** at the latest.

Registration confirmation

All documentation regarding your attendance at the conference can now be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation e-mail will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

Payment of registration fees

US dollars: by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number: 01286498 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

Pounds sterling: by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB05NWBK56000313270222. **Please ensure that a copy of the bank transfer details is attached to your registration form.** Use the current rate of exchange.

Euro: by cheque converted at the current rate of exchange and in favour of the International Bar Association OR by bank transfer to the IBA Bank Account Number 550/00/06570631 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom SWIFT address NWBKGB2L, IBAN GB58NWBK60721106570631. Please ensure that a copy of the bank transfer details is attached to your registration form.

Credit card payments: by Visa, MasterCard or American Express. No other cards are accepted.

PLEASE ENSURE THAT YOUR NAME AND 'CON259' APPEAR ON ANY TRANSFER OR DRAFT.

Cancellation of registration

If cancellation is received in writing at the IBA office by **Friday 3 April**, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

Disabled access

The Park Hyatt Washington is wheelchair accessible. Please notify us if you require special assistance.

Hotel accommodation

A limited number of rooms have been reserved at the Park Hyatt Washington for the nights of Wednesday 22, Thursday 23 and Friday 24 April inclusive.

Park Hyatt Washington
24th At M Street NW
Washington DC 20037
Tel: +1 202 789 1234
or in US toll free: 0800 233 1234
Fax: +1 202 419 6694
www.parkhyattwashington.com

The following rates are per room, per night and exclusive of buffet breakfast, service charges and local taxes.

Park King: US\$ 349.99

Park Deluxe: US\$ 399.99

To reserve your accommodation by telephone call the Park Hyatt on +1 202 789 1234 or call the Hyatt Hotels main reservation line on +1 800 778 7747 (open 24 hours a day).

To reserve your accommodation via the website, visit **www.parkhyattwashington.com**, click on rooms and rates. Enter the Check In/Check Out dates "April 22-25, 2009" and enter the code G-INBA under the Group/Corporate Number. Click check availability, the group rate of \$349.00 will appear on the screen. Please select your choice of room and follow the instructions to complete your booking.

Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate.

Important change to the US Visa waiver programme: as of 12 January 2009 any tourist or business traveller to the US who was previously eligible to visit the US under the Visa waiver programme is now required to obtain travel authorisation prior to travel. Visit the US Department of State website http://travel.state.gov/visa/temp/without/without_1990.html. Airlines will electronically verify with US Customs and Border Protection that travellers have applied for, and been given authorisation, to travel to the US.

We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

Please apply for your visa in good time.

Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the Sponsorship Department at the IBA (sponsorship@int-bar.org).

The hotel requires a credit card number to secure your reservation. Cancellations must be made in writing at least 24 hours prior to the date of arrival in order for individuals to avoid incurring cancellation charges. Failure to cancel any reservation 24 hours prior to the arrival date will result in the full stay (room rate plus applicable taxes) being charged to the credit card details provided at the time of booking.

Please note that any reservation made after Thursday 26 March 2009 will be subject to availability and cannot be guaranteed at the special IBA rate.

As a limited number of rooms have been blocked at the hotel, availability cannot be guaranteed once the room block is full.

Delegates are responsible for making accommodation reservations directly with the hotel and entering into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).



International Bar Association

the global voice of the legal profession

The **International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of 30,000 individual lawyers and more than 195 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community as well as being a source of distinguished legal commentators for international news outlets.

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe. Additionally, the IBA's high-quality publications and world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and professional associates.

Section on Energy, Environment, Natural Resources and Infrastructure Law

The **Section on Energy, Environment, Natural Resources and Infrastructure Law** (SEERIL) has a membership of 2,400 lawyers in private practice, oil and mining companies, international organisations, government and academia. The section coordinates the activities of six committees, which aim to advance the development and understanding of the law affecting oil and gas, mining, power, water, international construction projects and environment, health and safety law.

The Banking Law Committee

The **Banking Law Committee** provides a worldwide forum for banking lawyers and other legal professionals within the banking community to address all sorts of practical and legal issues arising in commercial and regulatory activities in this context.

The **Project Finance Subcommittee**, one of seven of the Banking Law Committee's subcommittees, is charged with the responsibility of keeping all committee members abreast of developments in the area of project finance and development.

Contact information:

International Bar Association

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel: +44 (0)20 7691 6868 Fax: +44 (0)20 7691 6544

www.ibanet.org



Registration form

7th Biennial Project Finance Conference

23 – 24 April 2009, Park Hyatt Washington, Washington DC, United States

Please read the 'Information' section before completing this form and return it together with your payment to Angela Chapman at the address below.

Personal details (Please attach your business card or write in block capitals)

Title _____ Given name _____ Family name _____

Name and country to be shown on badge (if different from above) _____

IBA/ABA membership number (if applicable) _____ Date of birth _____

Firm/company/organisation _____

Address _____

Tel _____ Fax _____

E-mail _____

Special dietary requirements _____

To obtain a ten per cent discount on the fees below please register by **Wednesday 15 April** online at www.int-bar.org/conferences/conf259

IBA MEMBERS CAN REGISTER ONLINE BEFORE **27 MARCH** AT US\$995
PLEASE SEE 'INFORMATION' FOR FURTHER ONLINE REGISTRATION DETAILS.

Registration form and fees received:	On or before 27 March	After 27 March	Amount payable
IBA member	US\$1105	US\$1255	US\$
Non-member*	US\$1330	US\$1480	US\$
Young lawyers (under 30 years)	US\$830	US\$1480	US\$
Academics/judges (full time)	US\$830	US\$1480	US\$
Corporate counsel	US\$995	US\$1480	US\$
Guest fee	US\$60	US\$60	US\$
TOTAL AMOUNT PAYABLE			US\$

FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION.
PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.

THE IBA OFFERS SENIOR LAWYERS A DISCOUNTED REGISTRATION FEE.
PLEASE CONTACT THE IBA OFFICE FOR FURTHER INFORMATION.
*JOIN THE IBA TODAY AND REGISTER FOR THIS CONFERENCE AT THE IBA MEMBER RATE.
PLEASE FIND THE MEMBERSHIP APPLICATION FORM AT WWW.IBANET.ORG.

Payment details

I enclose a cheque/bank draft made payable to the IBA for the total amount payable.

I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.

Please charge the total amount due to my (delete as appropriate) Visa/MasterCard/American Express. *Other cards are not accepted.*

Card number _____ Start date _____ Expiry date _____

Name of cardholder _____

Signature _____ Date _____

Continued overleaf

Where did you first hear about this conference?

- IBA CONFERENCE OTHER CONFERENCE DIRECT MAIL INTERNET ADVERTISEMENT
 E-MAIL EDITORIAL RECOMMENDATION OTHER

Please provide further details, quoting code (if applicable)

IBA listings are provided to relevant third parties for marketing purposes. The IBA will treat your personal information with the utmost respect and in accordance with UK data privacy laws.

If you are agreeable to passing on your details, please tick this box

If you do **not** wish to receive IBA information and materials, please tick this box

Your details will however be included in the list of participants, circulated at the conference and displayed within the delegate search of the IBA website.

Please send the completed form to:

Angela Chapman
International Bar Association

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom
Tel: +44 (0)20 7691 6868 Fax: +44 (0)20 7691 6545 or +44 (0)20 74691 6544
E-mail: angela.chapman@int-bar.org Website: www.ibanet.org

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